



Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

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NATIONAL ASSOCIATION OF BROADCASTERS N A B REPORTS CONSOLIDATED INDEX

Volume XIII - 1945

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1760 N STREET, N. W.

WASHINGTON 6, D. C.

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A Look Ahead

Broadcasting enters upon the new year with high hope and firm resolve. 1944 was a year of unusual activity within the industry and NAB grew in membership and in service. Each day has brought renewed evidence that NAB is serving the industry effectively and satisfactorily. This evidence is in the form of applications of membership from all types and sizes of stations and in requests for services of a wide variety.

At the close of the year NAB had a total of 633 stations and 2 networks in active membership. In addition there were 37 associate members made up of transcription companies, station representatives, equipment manufacturers and market research organizations.

We will shortly embark upon a series of meetings which will take us into every NAB District and to which we are inviting representatives of all stations to attend. We want to render to them a first-hand report of our stewardship. We want to make them familiar with the problems with which NAB is dealing and their relation to those problems. We hope as a result of these meetings that many not now in membership will enroll and thus add strength to the industry's trade association.

We who make up the official family at NAB, and this includes the Board of Directors and the Administrative Staff, are genuinely proud of the record which we have made in the past 12 months, but we realize fully that this record is traceable to the splendid cooperation and support which we have received from those in membership. We pledge ourselves to continued effort in the hope that 1945 may show a record of ever-increasing performance.

J. H. RYAN, President



The NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

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

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

LEA COMMITTEE URGES FCC-INDUSTRY LEGISLATIVE COOPERATION

The Select Committee to investigate the Federal Communications Commission, headed by Clarence F. Lea (D-Calif.) submitted its report at the close of the 78th Congress. The report, which is a 79 page document, contains some most significant comments on matters of vital interest to all broadcasters. NAB is, therefore, procuring a sufficient supply of the official report to send to all member stations. These will be mailed early next week. Meantime, we feel that the following excerpt from the report should be high-lighted:

"The Communications Act has not been substantially changed since 1934, and in many respects not since 1927.

"The basic need now, from a congressional standpoint, is for a reexamination of the provisions of the Communications Act with a view to their modification to conform to the requirements of administration as demonstrated by the needs of the industry and the Commission since the original acts were enacted. The uncertainties of interpretation, so far as possible consistent with the exercise of the reasonable discretionary powers of the Commission, should be removed. The rights and duties of the industry should be more clearly defined; likewise the powers, duties, and limitations of the Commission should also be considered, and necessary amendments made to conform to good practice and as developed by experience.

"The investigation by this committee has made it conscious of these conditions. The problems presented, however, are important and worthy or thorough consideration, and are primary matters for the appropriate legislative committee of the House. As a practical method of approach to such legislation, this committee would recommend that representatives of the Commission and a limited number of representatives of the various branches of the industry confer together, with a view of concurring, so far as practicable, in legislative changes that will contribute to the improvement of the present law and its better administration. The committee hopes and believes, by patient and friendly cooperation and consideration, a substantial number of the difficulties that now exist can be eliminated or greatly minimized."

In respect to this suggestion Harold Ryan, NAB President, commented as follows:

"The National Association of Broadcasters is very pleased with the suggestion contained in the report of the Lea Committee with regard to radio legislation. As the report points out, the structure of the present legislation dates back to 1927 with amendments passed in 1934. The art of broadcasting has progressed tremendously since 1934 and we thoroughly agree with the report that there is a need for legislative clarification. The NAB is at all times prepared to discuss such proposals with the FCC and to cooperate to the fullest extent in the public interest."

PORTER AGAIN NOMINATED

Paul A. Porter, now serving as Chairman of the Federal Communications Commission under an interim appointment, has again been nominated as a member of the FCC.

President Roosevelt on Wednesday (3), the first day of the new session of Congress, sent Mr. Porter's nomination to the Senate. It will be recalled that Mr. Porter was nominated for the vacancy created by the resignation of Chairman Fly, but the 78th Congress adjourned without having acted upon the nomination. With the adjournment, President Roosevelt gave Mr. Porter an interim appointment as Commissioner and later designated him as Chairman.

SELECTIVE SERVICE CHANGES

Now in process of preparation is an explanation of the effect which the recent statement by James F. Byrnes, Director of War Mobilization and Reconversion issued with regard to Selective Service. A great amount of confusion seems to have been created in the minds of local board members, USES officials, as well as radio broadcasters with respect to the relation of radio broadcasting to the procedures under the new manpower urgencies outlined by Justice Byrnes. We hope to have a special Selective Service Handbook Supplement ready for mailing within the next 24 hours. It will come along just as soon as it can be prepared with absolute assurance of accuracy.

RADIO AGAIN COMMENDED

James Forrestal, Secretary of the Navy, has added his word of commendation to the job done by domestic radio. His letter to Mr. Ryan, which follows, is self-explanatory:

"Throughout 1944, the radio stations of the United States have cooperated splendidly with the Navy in conveying the facts of the war to the public quickly and completely. We appreciate the fine service rendered by the personnel of every station.

"In the days which lie ahead, we will depend even more heavily upon the support of the broadcasting industry."

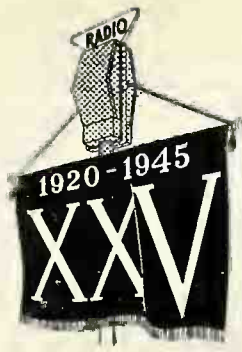
RADIO CORRESPONDENTS' DINNER ADVANCED

To accommodate certain high Government officials who will be honor guests, the Radio Correspondents Assn. has moved its annual dinner from Jan. 13 to Jan. 11 at the Hotel Statler, Washington, Earl Godwin, president, announced this week.

Invitations have been sent to President Roosevelt, all Cabinet members and key executives in Government as well as radio. Acceptances thus far include Vice-President Wallace, Vice-President-Elect Truman, Associate Justices Reed and Douglas of the Supreme Court, Gen. George C. Marshall, Chief of Staff; Adm. Leahy, Chief of Staff to the Commander-in-Chief; Lt. Gen. Vandergrift, Commandant, Marine Corps; Secretary of the Navy Forrestal; Secretary of the Treasury Mongenthou; Secretary of Agriculture Wickard; Postmaster General Walker; President Niles Trammell, NBC; Paul Kesten, executive vice-president of CBS, and others.

Bob Wood of CBS, Washington, chairman of the entertainment committee, said the four major networks will provide top entertainment. On the committee with him are William Hillman of the Blue, Charter Heslep, Mutual, and Carleton Smith, NBC.

Invitations have gone out to all associate members. The Radio Correspondents Assn. includes 100 working radio newsmen and women in Washington and more than 110 associate members.



ARMY HOUR PAYS TRIBUTE TO RADIO'S TWENTY-FIFTH YEAR

Introduced by a special arrangement of "XXV," musical signature of Radio's Twenty-Fifth Anniversary, Brig. Gen. David Sarnoff, on leave as President of RCA, paid tribute to radio's wartime operation in special recognition of American broadcasting on The Army Hour, NBC, 3:30 P. M. EWT, Sunday, December 31.

Following is the complete script for that portion of the program, furnished NAB by Col. Ed Kirby, Chief, Radio Branch, War Department Bureau of Public Relations, former NAB Director of Public Relations:

MUSIC: "XXV" MUSICAL SIGNATURE.

HERLIHY (Announcer): The musical signature you have just heard is a melodic statement of the International code for XXV—Twenty-Five. You'll hear that signature many times, in the months to come: for it will keynote radio's celebration of its twenty-fifth year of broadcasting. Today, on the eve of radio's quarter-century mark, the Army Hour salutes American broadcasting—and brings you a special message by Brigadier General David Sarnoff, U. S. Signal Corps Reserve, who has recently returned from an extended tour of duty in Europe. General Sarnoff—

SARNOFF: In the early hours of June sixth last, a group of officers in Washington sat in the offices of the Chief, Army Communications Service at radio receivers tuned to London. All over the world, similar groups were waiting—their watches synchronized to Big Ben in London. They were counting the minutes, awaiting the announcement of news for which the people of all the Allied nations had worked and prayed: the invasion of Europe. At exactly 0732 Greenwich Mean Time, came the first communique that Allied Naval Forces under command of General Eisenhower, supported by strong air forces began landing Allied armies on the northern coast of France. In less than a second, the great news had circled the globe.

Immediately after this first "D" Day broadcast, a steady stream of news began flowing from Europe to America that has continued ever since: so that Americans might follow their sons from the beaches of Europe into the heart of Germany. The same swift coverage of our major military activities has continued into the Pacific, when avenging American soldiers hit the Philippines seventy-three days ago.

Through the use of radio transmitters floated on board ship, you heard the news of our landing on Leyte just a few hours after we were established.

This has been the greatest news coverage in history. This has been possible only through the closest cooperation between the American press, radio and Signal Corps, utilizing the technical advances and techniques culminating out of twenty-five years of broadcasting experience in joint service to the nation. Behind this accomplishment lies an almost untold story of heroic effort and team-work, in the field and in the laboratory. This is a radio war. Not a plane flies, or tank moves, or ground force begins an attack without the link of radio communications with headquarters, and each field headquarters with Supreme Headquarters and Supreme Headquarters with the War Department in Washington.

To keep these vital arteries of command and intelligence alive and open is the prime mission of the Signal Corps, from buck private to General.

What these men have done in the field in extending and defending lines of communication in defiance of enemy gun fire, bombardment, maddening enemy technical interference is worthy of the highest traditions of the Signal Corps: to get the message through—come hell or high-water, German or Jap.

We are getting the messages through—to and from command posts—to and from our fronts to the American home front, by means of radio. One of the outstanding examples of this is the Army Hour itself, where a privately operated radio network across the country, places resources at the disposal of the War Department each Sunday afternoon to bring you authentic reports from every part of the world where our men fight and die to preserve all that we hold dear. Already on today's Army Hour we have heard from France and from the Philippines. Later we are to hear from Italy and Luxembourg. This is but one example, a very good example of what twenty-five years of radio broadcasting has brought forth in the life of our nation.

The use of radio as a weapon has become a new feature of modern war. Thousands of Axis troops surrendered voluntarily during the North African campaign because truth soared over their barriers of steel and oppression on the wings of radio. And what remained of the once proud Italian Grand Fleet surrendered to a voice—a radio voice, without a fight.

And the bulletless penetration of words and ideas into the stubborn breasts of the enemy continues by American radio throughout the day and night. Today we have millions of troops on the battle fields of the world. Radio ties them together giving them directives and commands on land, in the skies, on the sea and—at the proper time, world series baseball games, election returns, Bob Hope, Bing Crosby, and all the other nostalgic links with home.

Out of this war will come great advances in the science of electronics, newspapers printed on your radio sets at home, television joining sight with sound and static free radio. These are but highlights standing on the threshold of development.

At midnight tonight, American radio remembers its birth twenty-five years ago. With the Army, it pledges itself to the service of the American people: to victory and to the establishment of peace on earth, good will towards men that can come only from swift communication of ideas and understanding from one nation to another. God speed the day.

WESTINGHOUSE TO AID WITH 25TH ANNIVERSARY MATERIAL

In correspondence with NAB, W. B. McGill, Advertising Manager of Westinghouse Radio Stations, Inc., has revealed that Westinghouse is preparing a complete general story covering twenty-five years of radio in America.

This is to be supplemented by a shorter one, in chronological form, which will receive wide distribution.

Westinghouse radio dates from November, 1920, when KDKA, Pittsburgh, went on the air, therefore much history of early developments is contained in company archives.

McGill states also that material is in preparation which might be helpful to stations in producing programs dealing with the early days of radio. This material will be partly in script form, suitable for use in almost any type show.

Further announcements are expected within a short time relative to the completion and availability of the material.

KPLT FIRST TO SEND 25TH ANNIVERSARY SCRIPT TO NAB

Station KPLT won singular honors of the New Year in being the first NAB member station to provide Washington headquarters with a story of station promotion of its own eighth and radio's twenty-fifth anniversary.

At midnight on December 31, Ernest Jones, station manager went on the air with a three minute greeting to listeners of the area, in which the station's and radio's anniversary were announced and discussed and radio's war pledge repeated. Jones' appearance introduced a two hour New York show which followed.

Station Promotion and Broadcast Material Wanted

NAB earnestly requests tear sheets, copies of station publications and mailing pieces, publicity and scripts of air shows incorporating the subject of Radio's Twenty-Fifth Anniversary. They will create at NAB headquarters an invaluable fund of information and program material for the industry as a whole. Please place the following name on your mailing list and remember to send special material also to Willard D. Egolf, Director of Public Relations, National Association of Broadcasters, 1760 N Street, N. W., Washington 6, D. C.

ALLOCATIONS REPORT SOON

The Federal Communications Commission announced on December 29 that some time on or about January 15, 1945, it expects to issue a proposed report in its recent proceeding "In the Matter of Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles." (Docket No. 6651)

The proposed report will relate to frequencies between 25,000 and 30,000,000 kilocycles and will provide approximately 30 days for the filing of briefs and oral argument before a final decision is announced. At a later time, a similar report will be issued covering frequencies between 10 and 25,000 kilocycles.

RADIO POWERFUL WAR WEAPON

Elmer Davis, Director of the Office of War Information, on Tuesday (2) issued the following statement:

"The importance of the two new OWI radio stations in the Central Pacific is indicated by Japan's quick 'jamming' of our initial programs. The programs originating at the new powerful 100-KW short-wave station KRHO at Honolulu, and relayed by the equally new medium-wave station at Saipan, were 'attacked' within 30 minutes after they went on the air by heavy 'jamming' by Japanese radio, the Federal Communications Commission monitors reported to us.

"The 'jamming' affected only the medium-wave broadcast, while the short-wave, carrying exactly the same program went in without interference, the monitors reported.

"We, of course, expected this normal enemy counter-activity, and were prepared with counter measures of our own to insure a good flow of news and education into Japan.

"There are also 'clear' hours whenever the B-29 bombers are over Japan, for then the Japanese stations leave the air. We may expect compound results from the simultaneous rain of bombs and the flow of truth into Japan.

"The Office of War Information was proud to have its two powerful psychological warfare weapons initiated by carrying the highly significant statements of Undersecretary of State Joseph C. Grew and Admiral Chester W. Nimitz into what Admiral Nimitz so aptly described as 'the very vitals of Japan.'

"Admiral Nimitz's splendid summary of the war in the Pacific to date, we feel, will have considerable effect on the listeners in Japan. Mr. Grew's statement to the people of Japan made clear not only that their troubles of recent years are the result of the seizure of control by the Japanese militarists, but that their future depends on regaining authority over their government's policies and actions.

"That he promised them the truth about the war, as a contrast to the twisted subterfuges their own government has been feeding them, is of paramount importance. It is OWI's job to carry out that promise, and we naturally are

pleased, now, to be operating the first radio station penetrating Japan on a wave length that the average civilian set can hear, as well as the powerful short-wave station covering China, India, the Philippines, and Japan.

"We are pleased also to have again the Japanese government's reiteration of its fear of having the truth about the progress of the war given to its people. Between their attempts to 'jam' our broadcasts and our counter measures, we may look forward to a lively battle in this phase of psychological warfare."

BROADCAST TECHNICIANS URGENTLY NEEDED FOR PSYCHOLOGICAL WARFARE OVERSEAS

To maintain the position of domestic broadcasting as an industry which is cooperating with and necessary to the war effort, NAB has maintained close contact with the Office of War Information and has urged stations to make available such personnel as can be reasonably spared to staff the OWI stations in war theaters. Along these lines the NAB Engineering Department is cooperating with the Communication Facilities Bureau of OWI in an effort to staff American broadcast stations in the European and Pacific war theaters. It is planned to fill many of the operating positions through specialized training of radio-men who have had little or no previous broadcast experience. However, there is an urgent need for supervisory personnel such as those who are qualified as chief engineers or installation specialists on broadcast transmitters ranging in power from 1 to 50 kilowatts.

The equipment utilized in this service, which will be installed and operated by the men who volunteer for this service, is of the most modern design. Several types of transmission are used, including radio-photo. These positions offer the practical radioman and the qualified chief engineer an opportunity to perform vital war work and, at the same time, to gain a wealth of practical experience that will be of value in the post war period.

It is fully realized that the broadcast industry has been scraping the bottom of the technical manpower pool for some time. Nevertheless, it is hoped that the management of every broadcast station will carefully review their technical personnel requirements in an effort to offer one or two men for this service on a temporary release basis. Please advise NAB Director of Engineering, Howard S. Frazier, of any men now on your staff or residing in your community who are available. Information as to salaries, physical requirements and working conditions can also be obtained from NAB.

CONFIRMS NEED FOR "HOME TOWN" PGMS.

Michigan's Representative Paul Shafer's December statement, that GI's want more news from home, is in line with the Army's own observation. Otherwise, General Eisenhower would not have requested the broadcast industry, last August, to provide 180 home town shows for global broadcast. Congressman Shafer recently returned from an overseas trip.

In satisfying this need seven more home town shows have been completed. Receipt of the first three programs listed below has been acknowledged by Armed Forces Radio Service, Los Angeles. The other four are en route.

Riverside-San Bernardino—Charles C. Craig, KFXM-KPRO, TFC*

Rochester—Gunnar Wiig, WHEC, TFC*

Troy—Woodbury Carter, WTRY, TFC*

Birmingham—Henry Johnston, WSGN, TFC*—Shipped Jan. 2

Salt Lake City-Ogden—Ralph W. Hardy, KSL, TFC*—Shipped Dec. 29

St. Paul—K. M. Hance, KSTP, TFC*—Shipped Dec. 30
Tampa—W. Walter Tison, WFLA, TFC*—Shipped Dec. 30

The "Let's Go to Town" show from Salt Lake City-Ogden area is the second produced under the direction of Ralph W. Hardy, KSL, Task Force Commander. This is the first multi-allocation area to complete its assignment.

READY "MARCH OF DIMES" CAMPAIGN

Radio plans for the 1945 March of Dimes campaign in behalf of The National Foundation for Infantile Paralysis are almost complete.

The campaign will be launched over CBS, Sunday, January 14, 1:30-1:45 p. m., EWT, by Basil O'Connor, Foundation president, and Harold Ryan, NAB president, who is chairman of the National March of Dimes division.

Serving with Mr. Ryan as co-chairman are four network presidents: William S. Paley, CBS; Niles Trammell, NBC; Edgar Kobak, MBS; Mark Woods, Blue.

Transcriptions

A series of 15-minute, 5-minute and 1-minute transcriptions will be sent all stations, according to Howard J. London, radio director of the Foundation. Receipt will be staggered, some reaching stations after the campaign opens. A packet of live announcements also is to be sent.

Network Support

A number of network sponsored shows will support the campaign as will programs of a number of network advertisers.

NETWORK RECORDING RULE POSTPONED

The Federal Communications Commission today announced that it had postponed for an indefinite period consideration of Order 119 which requires that recordings be made of network programs. This determination was prompted by the fact that the adoption of the rule would require the utilization of scarce material and skilled personnel. While much of this material and personnel is already available and in use, it was felt that the adoption of the rule would require an expansion in this field and the Commission was of the opinion that this expansion should not be undertaken at this time.

The evidence presented to the Commission quite clearly indicates the ultimate desirability of a rule such as that proposed by Order 119, at least for certain types of programs—e.g. speeches, news broadcasts, commentary, etc.. The facts show that in some instances recordings are already being made and preserved. Undoubtedly, the practice will continue and if anything will be expanded.

The amount of information and material presented at the oral argument by the representatives of the industry on a subject as important as this was very meager. With the opportunity for further study presented by the indefinite continuance, it is hoped that the radio industry will be prepared when the Commission once again takes up consideration of the adoption of a regulation requiring the recording of programs to furnish more detailed data concerning the desirability and type of rule which should be promulgated.

FCC MANPOWER SURVEY

The Federal Communications Commission has made available to the War Manpower Commission and to interested groups in the communications industry the names of 1,050 licensed radiotelephone and radiotelegraph opera-

tors who have indicated their availability for full- or part-time employment in communications work.

This is the fifth in a series of such lists compiled by the FCC and turned over to the WMC in an effort to relieve current shortages of technically qualified persons in communications jobs.

The FCC began its survey of licensed radio operators in the summer of 1943. So far some 20,000 of the nation's radio operators have been canvassed.

This is the first list containing the names of *radio-telegraph* as well as *radiotelephone* licensees.

The information given on the list includes name and address of the candidate for employment, his draft status, class of license, present employment, his availability for employment in the communications industry and his preference as to branch of the industry.

The Commission, of course, does not certify as to the experience or availability of any person listed but merely sets forth the information recorded on the questionnaire. Additional lists will be released as returns come in.

DICK FISCHER NEW PROGRAM MANAGER AT WHAS

Louisville, Ky.: Dick Fischer has been appointed Program Manager of WHAS, W. Lee Coulson, Manager of the radio station has announced. Fischer succeeds A. W. Marlin who resigned December 15.

Well known to WHAS listeners, Fischer had been newscaster and director of the station's newsroom since November 1938, until he went to KMOX, St. Louis, last July as newscaster.

REPORTS INDEX DELAYED

Due to printing difficulties the Cumulative Index of Volume XII (1944) NAB REPORTS will not be mailed until the mailing of next week's REPORTS.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 8. They are subject to change.

Monday, January 8

WNLC—Thames Broadcasting Corp., New London, Conn.—C. P. to change frequency from 1490 kc. to 1240 kc., 250 watts, unlimited.

Wednesday, January 10

Consolidated Hearing

NEW—Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co., Birmingham, Ala.—C. P., 1490 kc., 250 watts, unlimited.

NEW—Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson Broadcasting Service, Birmingham, Ala.—C. P., 1490 kc., 250 watts, unlimited.

NEW—Thomas N. Beach, Birmingham, Ala.—C. P., 1490 kc., 250 watts, unlimited.

NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—C. P., 1260 kc., 250 watts, unlimited.

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

Friday, January 12

NEW—Newark Broadcasting Corp., Newark, N. J.—C. P., 620 kc., 5 KW, unlimited DA-night and day.

* Task Force Commander.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WMPC—The Liberty Street Gospel Church of Lapeer, Lapeer, Mich.—Granted modification of license to change specified hours of operation by adding one hour, 9 to 10 a. m., daily, except Sunday. (B2-ML-1204)
- KFJI—George Kincaid and Rachel J. Kincaid (Transferors), Willard D. Miller (Transferee), KFJI Broadcasters, Inc. (Licensee), Klamath Falls, Ore.—Granted consent to transfer of control of KFJI Broadcasters, Inc., licensee of station KFJI, from George Kincaid and Rachel J. Kincaid to Willard D. Miller, for a consideration of \$115,000 for 100 shares, or 100% of issued and outstanding capital stock of licensee. (Commissioner Durr voting for hearing.) (B5-TC-407)

LICENSE RENEWALS

- KXYZ—Harris County Broadcast Co., Houston, Texas.—Granted renewal of license for main and auxiliary transmitter for the period ending November 1, 1945.
- KCRC—Enid Radiophone Co., Enid, Okla.—Granted renewal of license for the period ending November 1, 1947.

DESIGNATED FOR HEARING

- WKAT—A. Frank Katzentine, Miami Beach, Fla.—Designated for hearing application for construction permit to change frequency from 1360 to 820 kc., increase power from 1 to 50 KW, install new transmitter and directional antenna for night use and change transmitter location. The application is designated for hearing to determine whether the proposed operation would be in conformity with the provisions of Sec. 3.25(a) of the Commission's Rules. (B3-P-3690)

MISCELLANEOUS

- WHEB—WHEB, Inc., Portsmouth, N. H.—Granted motion for dismissal without prejudice of application for construction permit. (Docket 6700)
- WJZ—Blue Network, Inc., New York City—Petition for enlargement of issues in re applications of KOB for modification of construction permit and license to cover (Dockets 6584 and 6585) was referred to the Commission.
- WNEW—Greater New York Broadcasting Corp., New York City.—Granted petition for leave to intervene in the hearing now scheduled for January 18, 1945, on application of WDGY. (Docket 6693)
- KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted in part motion to postpone filing of written appearance in the matter of application for construction permit (Docket 6689), and postponed until ten days after action is taken by the Commission on petition of KDYL for waiver of or an exception or amendment to Sec. 3.25 of the Commission's rules.
- Marshall Broadcasting Co., Marshall, Texas.—Granted petition to amend application for construction permit (Docket 6706), and ordered application as amended be retained in the hearing docket.
- KGBX—Springfield Broadcasting Co., Springfield, Mo.—Granted motion to intervene in the hearing now scheduled for January 10 on application of Courier Broadcasting Service, Inc., for a new station in Birmingham, Ala.
- KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted petition for extension of time to file proposed findings in re Docket 5994, and the time was extended from January 2 to January 12, 1945.
- Mississippi Broadcasting Co., Inc., Macon, Miss.—Withheld action on motion for leave to amend application in Docket 6659. Granted motion for additional time within which to file proposed findings and extended same to January 18, 1945.

- Thompson Broadcasting Co., Altoona, Pa.—Granted motion for order to take depositions in re application for construction permit, Docket 6698.
- Blue Network Company, Inc.—Denied petition filed by Blue Network Co., Inc. (WJZ, New York, N. Y., and KECA, Los Angeles, Calif.), to enlarge the issues in hearing on applications of Albuquerque Broadcasting Co. Radio Station KOB, Albuquerque, New Mexico, for modification of construction permit, for license to cover construction permit, and authority to determine operating power by direct measurement. (Dockets 6584 and 6585)
- KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Granted application for consent to transfer control of Pacific Coast Broadcasting Co., licensee of Station KPAS, by Wesley I. Dumm, Loyal K. King, Thomas L. Bailey, Clarence A. Nisson, John K. Evans, Emer D. Bates, Maurice Enderle and John A. Smith, through purchase of 43.78% of outstanding, or 1116½ shares common stock, from J. Frank Burke, Sr., J. Frank Burke, Jr., and W. M. Burke, for a consideration of \$178,640. (B5-TC-423)
- WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted modification of construction permit, as modified, which authorized change of frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter, for extension of completion date from December 31, 1944, to January 30, 1945. (B1-MP-1787)

APPLICATIONS FILED AT FCC

590 Kilocycles

- WFTC—Jonas Weiland, Kinston, N. C.—Construction permit to change frequency from 1230 kc. to 590 kc., increase power from 250 watts to 5 KW, install new transmitter, directional antenna for night use and change transmitter location.
- WFTC—Jonas Weiland, Kinston, N. C.—Special service authorization to operate on 590 kc. with power of 250 watts daytime and 100 watts night for the period ending 1-30-45.

630 Kilocycles

- WLAB—American Broadcasting Corp., Lexington, Ky.—Special service authorization to operate on 630 kc. with power of 100 watts night, 250 watts daytime for the period 2-1-45 to 10-1-45.

640 Kilocycles

- NEW—Mike Benton, d/b as General Broadcasting Co., Atlanta, Ga.—Construction permit for a new standard broadcast station to be operated on 640 kc., power of 1 KW and limited time using directional antenna from local sunset to sunset at Los Angeles, Calif.

910 Kilocycles

- NEW—Howard W. Davis, McAllen, Texas.—Construction permit for a new standard broadcast station to be operated on 910 kc., power of 1 KW and unlimited hours of operation, employing directional antenna for night use.

920 Kilocycles

- NEW—Reno Broadcasting Co., Reno, Nevada.—Construction permit for a new standard broadcast station to be operated on 920 kc., power of 1 KW and unlimited hours of operation, employing directional antenna day and night. Amended: re change in type of transmitter and changes in directional antenna system.

940 Kilocycles

- NEW—Independent Broadcasting Co., Des Moines, Iowa.—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 250 watts night, 1 KW daytime and unlimited hours of operation. Amended: re change in transmitter site.

950 Kilocycles

- WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Modification of construction permit (B3-P-3384 as modified, which authorized increase in power and changes in directional antenna system) for further changes in directional antenna system.

1070 Kilocycles

KFBI—The Farmers and Bankers Broadcasting Corp., Wichita, Kans.—Construction permit to increase power from 1 KW night, 5 KW daytime to 1 KW night, 10 KW daytime and make change in transmitting equipment.

1230 Kilocycles

KTHT—Texas Star Broadcasting Co., Houston, Texas.—Voluntary assignment of license to Roy M. Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Co.

1240 Kilocycles

NEW—Norfolk Broadcasting Corp., Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to 1200 kc. and hours of operation to daytime.

1270 Kilocycles

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—License to cover construction permit (B4-P-3597), which authorized installation of an auxiliary transmitter.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Authority to determine operating power of auxiliary transmitter by direct measurement of antenna power.

1340 Kilocycles

NEW—Sierra Broadcasting Co., Reno, Nevada.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

1370 Kilocycles

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924 as modified), which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter and move of transmitter for extension of completion date from 12-31-44 to 1-30-45.

1420 Kilocycles

NEW—Radio Station WKEU, Thomaston, Ga.—Construction permit for a new standard broadcast station to be operated on 1420 kc., power of 250 watts and unlimited hours of operation.

1450 Kilocycles

NEW—Greater Huntington Radio Corp., Huntington, W. Va.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Ronald B. Woodyard, Utica, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re change in transmitting equipment.

1490 Kilocycles

NEW—WGCM Broadcasting Co., a co-partnership composed of Hugh O. Jones, William E. Jones and James O. Jones, Biloxi, Miss.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: re change in transmitter.

NEW—Joseph Gardberg and Sam J. Ripps, d/b as Mobile Broadcasting Co., Mobile, Ala.—Construction permit for a new standard Broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

KRRR—News-Review Co., Roseburg, Ore.—License to cover construction permit (B5-P-3657) which authorized move of transmitter and studio.

KRRR—News-Review Co., Roseburg, Ore.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Pacific Agricultural Foundation, Ltd., San Francisco, Calif.—Construction permit for a new high frequency (FM)

broadcast station to be operated on 44300 kc., coverage of 19,000 square miles.

NEW—Eagle Publishing Company, Pittsfield, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46300 kc. with coverage of 10,061 square miles.

NEW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc. with coverage of 2,430 square miles.

TELEVISION APPLICATION

NEW—World Publishing Co., Omaha, Nebr.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102000-108000 kc.), ESR 976.

NEW—Capitol Broadcasting Corp., Indianapolis, Ind.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (66000-72000 kc.), ESR 1520.

MISCELLANEOUS APPLICATIONS

NEW—Harvey Radio Laboratories, Inc., Cambridge, Mass.—Construction permit for a new developmental broadcast station to be operated with power of 250 watts using A4, A0 and special emission.

NEW—State University of Oklahoma, Norman, Okla.—Construction permit for a new non-commercial educational broadcast station to be operated on 42300 kc., power of 3 KW and special emission. Amended: re change in type of transmitter.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission issued no complaints this week.

CEASE AND DESIST ORDER

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

E. J. Brach & Sons, Chicago candy manufacturer, has been ordered to cease and desist from violation of the Robinson-Patman Act by knowingly inducing and receiving favorable discriminations in price on its purchases of glucose, one of the principal ingredients used in the manufacture of candy. (4548)

STIPULATIONS

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

Walter Camp, et al.—A stipulation to cease and desist from certain representations in connection with the sale of a vitamin preparation designated Vitapan, advertised as being capable of restoring original color to gray hair, has been entered into by Walter Camp and Werner Orbach, co-partners whose places of business are at 3040 14th St. N. W., and 619 12th St., N. W., Washington, D. C., and who trade as The Vita Health Food Co., Nutritional Products Co., American Health Products Co., and Eastern Health Food Stores Assn. (3948)

Consolidated Carpet Mills, 134 North La Salle St., Chicago, entered into a stipulation to discontinue using the word "Mills" as part of their trade name, or any other word of like meaning that tends to convey the belief that they own and operate or directly and absolutely control a factory where the carpets they sell are manufactured. (3953)

Halco Chemical Corp., 551 Fifth Ave., New York, has stipulated that it will cease and desist from representing that the compound it sells under the name Whippet is an instant fire extinguisher successful against all types of fires and is an adequate or dependable preparation for putting out bomb, household, factory, forest, lumber or straw fires. (3950)

C. H. Hood & Company, Inc.—Under a stipulation, C. H. Hood & Co., Inc., trading as Gro-Plant Foundation, 683 Broadway, New York, agrees to cease representing that the product it sells under the name "Gro-Plant" is a complete plant food, contains all the nourishment of rich soil, and that results are assured through its use. (03240)

Pepgo Chemical Products Co., 2301 North Park Ave., Philadelphia, stipulated that in connection with the sale of a battery compound designated "Pepgo" he will cease and desist from representing that it forms a new doubly efficient electrolyte, eliminates battery charging, makes battery troubles almost obsolete, prevents sulphation or overheating, does not permit the battery to go dead, or that such results can be obtained by only one treatment or any number of treatments with Pepgo. (3952)

Philadelphia Organic Laboratories, San Diego, Calif., stipulated that it will discontinue misrepresenting the therapeutic properties of three medicinal preparations collectively referred to as "Maro-Glan" and individually designated "Maro-Glan No. 1," "Maro-Glan No. 2" and "Maro-Glan No. 3." (03241)

Progressive Educators, 2452 Peachtree Road, N. W., Atlanta, Ga., have entered a stipulation to discontinue misrepresentation in the sale of a set of books entitled "Wonderland of Knowledge." (3949)

Tamms Silica Co., 228 North La Salle St., Chicago, engaged in the sale of a product designated "Sani-Litt," advertised for use in poultry houses, stipulated that it will cease representing that the product is dustless, absorbs all odors and keeps poultry houses smelling sweet and clean for 8 to 10 weeks with one application. (3951)

DAVIS HEADS FTC

Ewin L. Davis, of Tennessee, becomes Chairman of the Federal Trade Commission on January 1, to serve during the calendar year 1945. He succeeds Commissioner Robert E. Freer, of Ohio, who has been Chairman during 1944. The chairmanship of the Commission rotates annually among its members.

Commissioner Davis previously served as Chairman during 1935 and 1940. He was appointed to the Commission as a Democratic member, by President Roosevelt, on May 23, 1933, and was reappointed on July 14, 1939, for the seven-year term authorized by statute.



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 2, January 12, 1945

PLATTER TURNER DISPUTE BACK TO NLRB

Alleging an "unfair labor practice" on the part of the National Broadcasting Company and the Blue Network, the National Association of Broadcast Electricians and Technicians (NABET) has again taken the matter to the National Labor Relations Board (NLRB).

It will be recalled that NABET filed an unfair labor practice charge against the two networks in March of last year with the regional office of the NLRB in New York. The NLRB decided on November 24, 1944 (NAB REPORTS, page 441) in favor of NABET and awarded jurisdiction over all technicians, including platter turners (outside of Chicago), to NABET and specifically denied the A. F. of M. jurisdiction over them.

Following this decision, NABET entered into negotiations with the networks which have evidently now come to an impasse. This resulted in the filing of the new charges before the Labor Board. If the Board finds that the networks have indulged in an unfair labor practice, a Cease and Desist order will be issued and if disobeyed, the Circuit Court will be asked to enforce it.

This recent move rose out of the persistent activity of James C. Petrillo in insisting that the networks fulfill an agreement which they are alleged to have made with Petrillo for the hiring of A. F. of M. platter turners in all of their M & O stations. Following the alleged agreement, the NLRB proceedings were had, but despite the ruling against him Mr. Petrillo insisted, that the networks carry out their alleged agreement.

RADIO BILLS INTRODUCED IN NEW CONGRESS

Early in the First Session of the Seventy-ninth Congress Radio Legislation has been confined largely to the reintroduction of bills which were before the previous Congress.

Chairman Wheeler has called an executive session of the Senate Interstate Commerce Committee for 10:30 a. m., Monday, January 15, to consider the confirmation of the nomination of Mr. Paul A. Porter as a Member of the Federal Communications Commission.

Senator McFarland has introduced a resolution on behalf of himself and Senators Wheeler and White calling for the continuance of authority for the Senate Interstate Commerce Committee to investigate International Communications by wire and radio and increasing the limit for expenditures of the Committee by \$10,000. The Resolution has been referred to the Senate Interstate Commerce Committee.

Senator Vanderberg of Michigan has reintroduced his bill dealing with the Petrillo situation. It is S-63 and is exactly the same as the bill which passed the Senate in the closing days of the previous Congress but was never acted upon by the House. It prohibits interference with cultural or educational programs broadcast on a sustaining basis. The bill has been referred to the Senate Interstate Commerce Committee.

Representative Holmes (R), Massachusetts, has introduced H. R. 1109 To Amend the Communications Act of

1934 as amended. It is similar in many respects to the Bill which he introduced in the previous Congress. It has been referred to the House Committee on Interstate and Foreign Commerce.

FCC FILES ANNUAL REPORT WITH CONGRESS

Following is the letter of transmittal sent by Chairman Paul A. Porter which was sent simultaneously to the Senate and the House of Representatives.

FEDERAL COMMUNICATIONS COMMISSION

Washington 25, D. C., January 9, 1945

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the requirement of Section 4(k) of the Communications Act, the Tenth Annual Report of the Federal Communications Commission for the fiscal year ending June 30, 1944, is submitted herewith.

Significant activities of the Commission since the close of the fiscal year include the following:

Allocation hearings for a complete review of the spectrum from 10 kilocycles to 30,000,000 kilocycles to determine the post-war frequency needs of the various radio services were conducted by the Commission, sitting en banc, from September 28 through November 2. During 25 hearing days, the Commission heard 4559 pages of testimony by 231 witnesses, including representatives of the radio industry, of other interested organizations and government agencies and by members of its own staff, and received 543 exhibits. Most of the industry recommendations were presented by the 13 panels of the Radio Technical Planning Board which, since its inception one year before, had conducted detailed studies. At the close of the calendar year, the Commission was studying the various recommendations and conferring with the Interdepartment Radio Advisory Committee preparatory to issuing proposed findings.

Some 35 witnesses representing a dozen railway systems, industry and government agencies who testified in the Commission's railroad radio hearings September 13 to 18 were unanimous in recommending some type of radio communications on trains for increased safety and efficiency regardless of the communication and signalling techniques now in use. The testimony provided a basis for the consideration of providing frequencies for radio in railroad operations at the general allocation hearings which opened September 28. The railroad radio hearings were held before Commissioners Paul A. Walker (chairman), Norman S. Case and E. K. Jett.

Concerned by the high prices being paid for radio stations, the Commission on July 24 asked the Congress for guidance on the policy it should follow in passing on the sale of stations where the sales prices are far in excess of the going-concern and physical property values of the stations and appear to involve compensation for the radio frequencies themselves. The statute makes it clear that the frequencies are not in any way the property of the licensees, the Commission pointed out.

A report, "Preliminary Studies on Some Aspects of the Availability of Landline Wire Communications Service," issued by the Commission on November 15, disclosed the limited availability of telegraph service and a decline in

(Continued on page 10)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

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

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

FCC FILES ANNUAL REPORT WITH CONGRESS

(Continued from page 9)

farm telephone service. The report showed that only 5.2 per cent of the cities in the 5,000-25,000 population group, only 18 per cent in the 25,000-50,000 group and only 49 per cent in the 50,000-100,000 group have telegraph offices always open. From 1920 to 1940 farms having telephones decreased 39 per cent.

As part of an over-all program agreed to earlier in conferences with the Commission, the American Telephone & Telegraph Company filed tariffs from August through December putting into effect new reduced rates on overseas telephone calls between the United States and several points in South America, Central America, the West Indies, Bermuda and Hawaii.

To give the public fuller information concerning the source and kind of payment received by radio stations for sponsored programs, including political broadcasts, the Commission on December 12 adopted a rule requiring appropriate announcements.

Respectfully,

PAUL A. PORTER,
Chairman.

Following is the Commission's summary of the Report:

"Fostering improvement of American wire and radio services at home and abroad despite extra wartime burdens, obtaining substantial common carrier rate reductions and preparing for far-reaching postwar communications developments were highlights of the activities of the Federal Communications Commission during the past fiscal year.

"The number of standard broadcast stations increased from 912 to 924, the additional permits having been issued to applicants who showed that the grant would serve an outstanding public need and that they had materials available. In line with its fundamental policy of encouraging diversification of ownership, the Commission prohibited ownership by one person of more than one station in the same locality. Another expression of this policy, the network rules, effective since June 15, 1943, had a full year of operation during the period covered by this report. It is apparent that program service throughout the nation has benefited through increased competition between networks and the extension of network service to a greater number of stations. In recognition of the advancement of the radio art and the growth of the radio industry, the Commission increased the standard broadcast license period from two to three years. Revenues of networks and broadcast stations increased 19 per cent over the previous year.

"At the close of the fiscal year 47 frequency modulation (FM) stations were operating, with an estimated 500,000 FM receiving sets in use. Indicative of the expansion to be expected when materials and manpower are available was the total of 202 applications on file for permits to construct new FM stations. In the field of television, six commercial stations and two experimental stations were rendering program service and 52 applications for commercial stations were on file.

"Wartime demands for telephone service continued to mount during the year. Traffic of the Long Lines Department of the A. T. & T., for example, was one-seventh heavier than last year but the speed of service improved. Reductions of approximately \$8,000,000 annually in interstate rates were agreed to by the Bell System Companies, following negotiations by the Commission with the A. T. & T. On December 10, 1943, the Commission held that surcharges on interstate and foreign toll calls from hotels, apartment houses and clubs in the District of Columbia were subject to regulation by the Commission, and it ordered the telephone companies to file proper tariffs. The Bell Companies throughout the country subsequently filed tariffs having the effect of requiring the discontinuance of the surcharges by such establishments. This matter is now being contested in the courts. The elimination of these surcharges would result in an annual saving of over \$2,000,000 to users, in addition to the rate reductions of \$8,000,000 mentioned above.

"Improvement in the financial condition of the domestic telegraph industry has resulted from the merger of Western Union and Postal Telegraph which was approved by the Commission September 27, 1943. There was also an improvement in the speed of telegraph service. The time required for the fastest 95 per cent of ordinary full rate messages to pass through Western Union message centers was reduced from 14.1 minutes to 10.1 minutes.

"Radiotelegraph carriers have been able to maintain efficient communication with various countries throughout the world and even to establish new circuits. Prior to the allied invasion operations in Italy and France, the Commission assisted the Joint Chiefs of Staff and the Board of War Communications in making arrangements to have the United States companies install and operate semi-portable stations in the invasion areas for the speedy handling of press and government messages.

"Many reductions in international rates were made during the fiscal year and the Commission ordered an investigation of the rates and charges of all carriers. A delegation consisting of a Commissioner, a Commission staff member and a representative of the State Department conferred with officials of a number of South American countries with the result that several of the nations agreed to the reduced rates provided for in an order issued by the Commission on June 22, 1943.

"Following several disastrous train wrecks in 1943, wide interest developed in the experimental use of radio on railroads and during the year 35 applications for railroad radio authorizations were received by the Commission. Many of these were granted. On May 2, the Commission ordered a public hearing to obtain information on the feasibility of the regular use of radio by railroads to promote efficiency and safety.

"Technical studies inaugurated by the Commission during the year included the Low Frequency Recording Project, the Very High Frequency Recording Project and the Determination of Origin of Burst Signals.

"The Radio Intelligence Division (RID), which is charged with safeguarding the nation's radio channels from misuse, investigated 1895 complaints of illicit or subversive transmission and of interference; located 32 unlicensed stations and continued to render emergency direction finding service to aircraft. The Foreign Broadcast Intelligence Service (FBIS) regularly monitored programs from stations in 55 countries in 41 languages for the use of agencies of this and allied governments.

"To assist in the transition of the radio communications industries from wartime conditions to the many new and enlarged opportunities of peace, the Commission began extensive studies for frequency allocation hearings. Simultaneous studies were conducted by the Interdepartment Radio Advisory Committee on which the Commission is represented, and by the Radio Technical Planning Board, representing industry groups. The Commission assigned staff members as observers at meetings of the RTPB and also made information available. Near the end of the fiscal year, the Commission set up a committee composed of representatives of all of its departments and divisions to develop plans for a public allocations hearing. It was deemed necessary to complete such a review of the spectrum and make allocation recommendations as soon as possible for forthcoming telecommunications conferences

and to enable manufacturers to prepare for the production of new apparatus designed on the basis of such recommendations as soon as the facilities and manpower are available for the manufacture of civilian radio equipment.

"The Commission, on January 13, 1944, closed the record and dismissed the investigation into the newspaper ownership of radio stations. The Commission concluded, in the light of the record in the proceeding and of the grave legal and policy questions involved, not to adopt any general rule regarding such ownership."

FTC REPORTS ON ADVERTISING COPY

The Federal Trade Commission in its annual report has the following to say in connection with radio and periodical advertising:

In connection with its continuing survey of radio and periodical advertising, the Commission during the fiscal year examined some 308,000 newspaper, magazine, and other periodical advertisements and more than 627,000 radio commercial continuities, of which 22,350 (7.26%) advertisements and 19,500 (3.11%) continuities were designated for further review as containing possibly false and misleading representations of the products advertised. This work involved examination of advertisements in 1,792 editions of representative newspapers and 967 issues of magazines and farm and trade journals, 1,304 pages of almanac advertising, and catalogs of 54 mail-order houses. In addition, an average of 4,866 pages of radio script was read each working day.

Of the radio and periodical cases thus developed, a large majority were adjusted by the Commission's procedure under which an advertiser is extended the privilege of entering into a stipulation to cease and desist from the false and misleading advertising practices involved.

Discussing its work in the field of radio and periodical advertising, the Commission says that its only object "is to prevent false and misleading advertisements. It does not undertake to dictate what an advertiser shall say, but merely indicates what he may not say under the law. The Commission believes its work in this field has contributed substantially to the improvement that has been evident in recent years in the character of all advertising. * * *

"In general, the Commission has received the cooperation of the four nation-wide network chains, 19 regional network groups, and transcription producers engaged in preparing commercial radio recordings; and of 850 commercial radio stations, 504 newspaper publishers, and 458 publishers of magazines, farm journals, and trade publications. It has observed a desire on the part of these broadcasters and publishers to aid in the elimination of false and misleading advertising."

NEW SENATE INTERSTATE COMMERCE COMMITTEE

The Senate Interstate Commerce Committee to which Communications Legislation is referred for Senate consideration will differ substantially from that of the last Congress. The late Senator Ellison D. Smith (D) South Carolina, and Senator D. Worth Clark (D) Idaho, were defeated for reelection. Senators Homer T. Bone (D) Washington, resigned to accept a judgeship and Harry S. Truman (D) Missouri, will resign to become Vice-President on January 20. Senators Wagner (D) New York and Hill (D) Alabama, have resigned from the Committee to accept other Committee assignments.

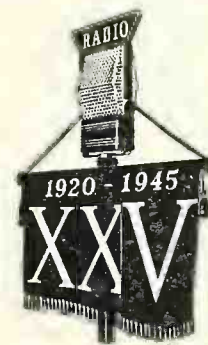
New members will be Senators Olin D. Johnston (D) former Governor of South Carolina, Clyde R. Hoey (D) former Governor of North Carolina, Francis J. Myers (D) Pennsylvania, former representative from Philadelphia and Brien McMahon (D) Connecticut.

This will result in only six of the twelve Democrat members of the Committee during the 78th Congress, remaining on the Committee for the 79th Congress. The only change that has been made in the Republican members

of the Committee is Homer E. Capehart, Indiana, replacing C. Wayland Brooks.

Membership on the Committee as presently constituted is:

<i>Democrats</i>	<i>Republicans</i>
Burton K. Wheeler, Mont., <i>Chairman</i>	Wallace H. White, Jr., Me.
Alben W. Barkley, Ky.	Warren R. Austin, Vt.
Harry S. Truman, Mo.	Henrick Shipstead, Minn.
Edwin C. Johnson, Colo.	Charles W. Tobey, N. H.
Tom Stewart, Tenn.	Clyde M. Reed, Kans.
James M. Tunnell, Dela.	Chan Gurney, S. D.
Ernest W. McFarland, Ariz.	Albert W. Hawkes, N. J.
Clyde R. Hoey, N. C.	E. H. Moore, Okla.
Olin D. Johnston, S. C.	Homer E. Capehart, Ind.
Brien McMahon, Conn.	
Francis J. Myers, Penna.	



25TH ANNIVERSARY WAR PLEDGE TO BE DISTRICT MEETING TOPIC

Radio's Twenty-Fifth Anniversary "Pledge to Victory" will be one of the important topics on the agenda for NAB District Meetings, beginning next week.

The industry's promise of an increased war effort throughout 1945 will be discussed in sessions presided over by District Public Relations Chairmen, who will outline the war job as the reason for the year long observance, with references to radio's quarter century of operation purposely relegated to second place. The possibility of setting aside a week or some other period later in the year, if war conditions permit, for a brief nation-wide recognition of radio's twenty-fifth year, will be considered as part of the original NAB plan.

Methods and ideas for Anniversary programming, advertising, promotion, publicity, sales and public relations will be sought from station men in attendance.

Material is being sent from NAB headquarters to District Public Relations Chairmen for use in the meetings.

EGOLF PRESENTS A.F.A. CHARTER TO LYNCHBURG ADVERTISING CLUB

Phillip Allen, General Manager of WLVA and the Tri-City Network, officer and one of the organizers of the Lynchburg Advertising Club, introduced Willard Egolf to a banquet of advertising men and women Monday, January 8, when the latter brought the Charter of Affiliation with the Advertising Federation of America to the Virginia city.

Egolf, NAB Director of Public Relations, presented the Charter as Vice-President of the Advertising Federation of America, in which office he is now serving his third term.

Speaking on the position of advertising under the "free speech" amendment to the Constitution, Egolf pointed out that an advertisement is as much a symbol of free speech as an editorial. "A man who has something to sell has as much right to speak as a man who merely has something to say, so long as he tells the truth," he stated. "Advertising not only supports free speech; it is free speech."

Egolf described advertising's tremendous stake in victory and protection of the "free speech" principle, hailing the great job it has done nationally and locally. "A city with an organized ad club is fortunate," he declared. "Civic leaders may turn over war drives and civic projects to the ad club with assurance of a first class advertising and promotion job. City fathers just have to be sold on the idea of doing this instead of singling out some individual for the task, who usually is a member of the ad club anyway."

NAB RESEARCH COMMITTEE MEETS

The first meeting of the 1944-45 NAB Research Committee was held in Washington January 8. Chairman Roger W. Clipp, President of WFIL, Philadelphia, Pa., presided over the meeting. Others attending were: Martin B. Campbell, WFAA, Dallas, Texas; John K. Churchill, CBS, New York; Edward F. Evans, WJZ, New York; Barry T. Rumpel, NBC, New York; Dale L. Taylor, WENY, Elmira, New York; John C. Tully, WJAC, Johnstown, Pa.; and, Paul F. Peter, NAB Director of Research, who serves the committee as secretary. George M. Burbach, KSD, St. Louis, Mo., was the only member of the committee who was unable to attend. Hugh M. Feltis, newly elected President of the Broadcast Measurement Bureau, attended the meeting as a guest. Helen H. Schaefer, NAB Assistant Director of Research, also attended.

The agenda for the meeting included the following subjects: 1. Broadcast Measurement Bureau matters; 2. Standard calculation of radio's contribution to the War Effort for War Advertising Council; 3. Annual estimate of radio ownership; 4. Audience Measurement project; and, 5. Future projects.

The meeting was originally scheduled for two-day sessions. However, the second day was cancelled because of the scheduling of a meeting of the Broadcast Measurement Bureau Board of Directors on which Roger Clipp serves as Secretary-Treasurer.

Most of the meeting was devoted to Broadcast Measurement Bureau matters during which the research phases of the project were discussed with Hugh Feltis. Edward Evans made a report of his Sub-committee on Sample Requirements and submitted the final report of the Sample Consultants retained by the Research Committee. Short discussions were had on the War Advertising Council matter and the annual estimate of radio ownership. The remainder of the agenda will be carried over to the next meeting of the Research Committee which will probably be held during the latter part of February.

SHIP FIVE MORE GLOBAL SHOWS

Two west coast "Let's Go to Town" programs, one from mid-continent, Great Lakes Region, one from the east coast were shipped to Armed Forces Radio Service this week.

The present schedule of three home town shows per week will be increased to six per week as soon as stations overtake the existing production deficit.

The completed programs are from:

Charleston, S. C. area, John M. Rivers, WCSC, TFC*
 Cleveland area, Vernon H. Pribble, WTAM, TFC*
 Santa Barbara area, Frank B. Weltmer, KTMS, TFC*
 Spokane area, Harvey Wixson, KGA-KHQ, TFC*
 Tulsa area, Allan Page, KVOO, TFC*

* Task Force Commander.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 15. They are subject to change.

Monday, January 15

CONSOLIDATED HEARING

KOMO—Fisher's Blend Station, Inc., Seattle, Washington—Renewal of License (Main & Aux.) 1000 kc., 5 KW (Main), 1 KW (Aux.). Unlimited.
 KJR—Fisher's Blend Station, Inc., Seattle, Washington—Renewal of License (Main & Aux.), 950 kc., 5 KW, Main, DA-N; 1 KW, Auxiliary. Unlimited.

Thursday, January 18

WDGY—Dr. George W. Young, Minneapolis, Minn.—Modification of license to decrease night power and change hours of operation, 1130 kc., 250 watts night, 5 KW day. Unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WMBD—H. D. Morgan (Transferor), Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott (Transferees), Peoria Broadcasting Co. (Licensee), Peoria, Ill.—Granted consent to transfer of control of Peoria Broadcasting Company, licensee of station WMBD (and relay stations WAIN, WEKH, WEKI and WPOE), from H. D. Morgan to Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott, for a consideration of \$114,750, for 510 shares (or 51%) of the issued and outstanding capital stock of licensee. (Commissioner Durr not voting.) (B4-TC-412)

WING—Great Trails Broadcasting Corp., Dayton, Ohio.—Granted extension of time, until Feb. 16, 1945, within which to comply with the procedural conditions attached to a conditional grant to move a new transmitter site and make changes in directional antenna. (B2-F-3267)

The Constitution Broadcasting Co., Atlanta, Ga.—Granted petition for reinstatement of application (B3-P-2905) for construction permit for a new station to operate on 550 kc., 1 KW night, 5 KW-LS, using DA at night, and designated same for consolidated hearing with application of WOPI already in hearing (Docket 6661), and application of Bob Jones College, Inc. (B3-P-3231)

Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Granted construction permit for new developmental broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; power 1 KW, upon an experimental basis only; conditions. (B3-PEX-57)

School District of Kansas City, Mo., Kansas City, Mo.—Granted application for construction permit for new noncommercial educational high frequency (FM) broadcast station to operate on frequencies to be assigned by the Commission's Chief Engineer; power 1 KW. (B4-PED-38)

Bob Jones College, Inc., Cleveland, Tenn.—Granted petition for reinstatement of application for construction permit for a new station to operate on 550 kc., 1 KW night, 5 KW-LS, unlimited time, and designated same for consolidated hear-

ing with application of The Constitution Broadcasting Co. (B3-P-2905) and application of WOPI. (Docket 6661)

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Granted construction permit to install a new vertical antenna to replace tower destroyed by hurricane, at a site approximately 265 feet from former location.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit, which authorized installation of DA, etc., for extension of completion date from January 20 to April 20, 1945. (B3-MP-1786)

KGGF—Hugh J. Powell, Coffeyville, Kans.—Granted license to use formerly licensed W.E. 106-B main transmitter as an auxiliary, with power of 500 watts night, 1 KW-LS; on temporary basis; conditions.

WNHC—The Elm City Broadcasting Corp., New Haven, Conn.—Granted license to cover construction permit which authorized a new station to operate on 1340 kc., 250 watts, unlimited time; also authority to determine operating power by direct measurement of antenna power. This licensee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules upon the following conditions: (a) That approved frequency and modulation monitors will be installed when available; and (b) That frequency checks by an external standard will be submitted weekly until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer. (B1-L-1846; B1-Z-1649)

WRHI—Ernest H. Carroll, et al., c/b as York County Broadcasting Co., Rock Hill, S. C.—Granted license to cover construction permit authorizing a new station to operate on 1340 kc., 250 watts, unlimited time; and authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules, upon the following conditions: (2) That approved frequency and modulation monitors will be installed when available; and (b) that frequency checks by an external standard will be submitted weekly until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer. (B3-L-1848; B3-Z-1650)

DESIGNATED FOR HEARING

Capital Broadcasting Corp., Little Rock, Ark.—Designated for consolidated hearing with application of Arkansas Democrat Co., application for construction permit for new station to operate on 1400 kc., 250 watts, unlimited time. Site to be determined. (B3-P-3729)

Arkansas Democrat Company, Little Rock, Ark.—Designated for consolidated hearing with application of Capital Broadcasting Corp. application for new station to operate on 1400 kc., 250 watts, unlimited time. (B3-P-3760)

MISCELLANEOUS

Mississippi Broadcasting Co., Inc., Macon, Miss.—Deferred action on amended motion for leave to amend application for new station and remove from hearing docket.

WARC, Inc., Rochester, N. Y.; WENY—Elmira Star-Gazette, Inc., Rochester, N. Y.; Rochester Broadcasting Corp., Rochester, N. Y.; The Finger Lakes Broadcasting System, Geneva, N. Y.; Seneca Broadcasting Corp. Rochester, N. Y.—Granted motions filed by these applicants for extension of time from January 4, 1945, to January 19, 1945, within which to file proposed findings of fact and conclusions in re their applications for construction permits, and the time within which WARC, WENY, Rochester Broadcasting Corp., The Finger Lakes Broadcasting System, and Seneca Broadcasting Corp. may file their proposed findings of fact and conclusions was extended to January 19.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition for continuance of hearing on application for renewal of license now scheduled for January 10, and continued same to February 5, 1945.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for order to take depositions, place of taking to be decided, in re application for renewal of license.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted petition for extension of time in which to file proposed findings in re application for renewal of license, and extended same to January 13, 1945.

Reed D. Smith, Charleston, W. Va.—Granted request for dismissal of application for construction permit to operate on 1400 kc., 250 watts. (Docket 6678)

Chatham Broadcasting Co., Savannah, Ga.—Granted petition for leave to amend application for construction permit (Docket 6641), and the application as amended, retained in the hearing docket.

Patterson Broadcasting Co., Birmingham, Ala.—Granted petition for leave to amend application for construction permit, and the application as amended be retained in the hearing docket. The issues to be determined in the hearing were also enlarged to include the following: "To determine the feasibility of the applicant's proposal to furnish programs as well as to maintain synchronization between the master and the booster transmitter."

Courier Broadcasting Service, Inc., Birmingham, Ala.—Granted petition for leave to amend application for construction permit and removal of amended application from the hearing docket.

KTHT—Texas Star Broadcasting Co. (Transferor), Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Co. (Assignee), Houston, Texas.—Granted consent to assignment of license of station KTHT, from the Texas Star Broadcasting Company, a corporation, to a partnership organized by the stockholders of the corporation (Roy Hofheinz and W. N. Hooper), under the firm name of Texas Star Broadcasting Company.

Placed in the pending files, pursuant to Commission policy adopted February 23, 1943, the following applications for new high frequency (FM) broadcast service:

Louis G. Baltimore, Wilkes-Barre, Pa.; Josh L. Horne, Rocky Mount, N. C.; Orville W. Lyerla, Herrin, Ill.; The Patriot Co., Harrisburg, Pa.; and the Times-World Corp., Roanoke, Va.

Thomas N. Beach, Birmingham, Ala.—Denied motion to strike from the record the depositions heretofore and on December 28, 1944, taken in the matter of the application of Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co. for construction permit; and for authority to take depositions in the matter of applicant's application, without prejudice, however, to the right of applicant Beach to renew his motion at the consolidated hearing on his application, that of Magic City Broadcasting Co. and Patterson Broadcasting Service, all requesting a new station in Birmingham, Ala.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from 1260 to 590 kc., install DA for day and night use, using present power of 1 KW, both day and night. (B5-P-2918)

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from 1340 to 1260 kc., increase power from 100 watts to 1 KW, install new antenna and move transmitter site. (B5-P-2917)

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

Memphis Publishing Co., Memphis, Tenn.; Harrisburg Broadcasting Co., Harrisburg, Ill.; Inland Broadcasting Co., Omaha, Neb.; The W. H. Greenhow Co., Hornell, N. Y.

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

Maryland Broadcast Co., Baltimore, Md.; and The Star-Times Publishing Co., St. Louis, Mo.

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—License to cover construction permit (B5-P-3659 as modified) which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Authority to determine operating power by direct measurement of antenna power,

620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Modification of construction permit (B-P-3489 as modified which authorized move of transmitter and studio) for extension of completion date from 1-26-45 to 7-26-45.

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Modification of construction permit (B-P-3501 as modified which authorized move of auxiliary transmitter and studio) for extension of completion date from 1-26-45 to 7-26-45.

980 Kilocycles

NEW—Skyland Broadcasting Corp., Dayton, Ohio—Construction permit for a new standard broadcast station to be operated on 980 kc., power of 500 watts, and daytime hours of operation; AMENDED to change requested power to 1 KW and make changes in transmitting equipment.

1200 Kilocycles

WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construction permit to change frequency from 1420 kc. to 1200 kc., increase in power from 1 KW to 50 KW, install new transmitter, make changes in directional antenna for day and night use, and change transmitter location.

1400 Kilocycles

NEW—Chatham Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation; AMENDED, re change in transmitter site.

WEOA—Evansville on the Air, Inc., Evansville, Ind.—Voluntary assignment of license to LOMA, Inc.

1430 Kilocycles

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—Involuntary transfer of control of licensee corporation from J. T. Griffin, deceased, to John Toole Griffin and Marjorie Griffin Leake, executors under the will of J. T. Griffin, deceased—251 shares common stock.

1450 Kilocycles

NEW—Marshall Broadcasting Co., Marshall, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation; AMENDED re change in transmitting equipment, antenna and ground system.

1490 Kilocycles

NEW—Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson Broadcasting Service, Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., 250 watts power and unlimited hours of operation; AMENDED re changes in antenna system, specify a transmitter site, and request installation of a 250 watt synchronous amplifier.

NEW—George A. Ralston and Jerry C. Miller, d/b as The Elgin Broadcasting Co., Elgin, Ill.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.

1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Involuntary transfer of control of licensee corporation from J. T. Griffin, deceased, to John Toole Griffin and Marjorie Griffin Leake, executors under the will of J. T. Griffin, deceased—50 shares common and 2015 shares preferred stock.

1590 Kilocycles

WAKR—Summit Radio Corp., Akron, Ohio.—Construction permit to make changes in directional antenna system for night use and make changes in the ground system.

FM APPLICATIONS

NEW—WJJD, Inc., Chicago, Ill.—Construction permit for a new developmental broadcast station to be operated on 47700 kc., power of 3 KW and special emission for FM.

NEW—Central States Broadcasting Co., Omaha, Nebr.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47700 kc., with coverage of 24,000 square miles.

NEW—News-Examiner Company, Connersville, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49100 kc., with coverage of 3,020 square miles.

NEW—Nashville Radio Corp., Nashville, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46500 kc., with coverage of 16,000 square miles; AMENDED to change coverage to 19,100 square miles, change type of transmitter, specify a transmitter site and antenna.

NEW—Truth Publishing Co., Inc., Elkhart, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46500 kc., with coverage of 9,757 square miles.

NEW—Contra Costa Broadcasting Co., Richmond, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49500 kc., with coverage of 4,940 square miles; AMENDED to change coverage to 2,770 square miles.

NEW—WLIB, Inc., New York, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45100 kc., with coverage of 8,430 square miles.

TELEVISION APPLICATIONS

NEW—WDEL, Inc., Wilmington, Del.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.), ESR 1077.

NEW—The Crosley Corporation, Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60000-66000 kc.), ESR 6850.

Federal Trade Commission Docket

COMPLAINTS

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

Fleming & Sons, Inc., 1120 East 12th St., Dallas, Tex., and Albert Couchman, trading as Couchman Advertising Agency, Dallas, are charged in a complaint with misrepresenting the insulating properties of a building paper designated "Wallrite." Fleming & Sons, Inc., is engaged in the sale and distribution of the paper, the advertisements for which are prepared and placed by Couchman. (5264)

Modern Manner Clothes, 315 Fifth Ave., New York, is charged in a complaint with misrepresentation in connection with the sale of women's wearing apparel, in violation of the Federal Trade Commission Act, and with misbranding wool products, in violation of the Wool Products Labeling Act. (5263)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week.

Colonial Alloys Company, Colonial Stove Company and Base Products Company, 2154 East Somerset St., Philadelphia, have been ordered to cease and desist from various misrepresentations concerning the nature and size of their business and the purported superior quality of aluminum-base alloys which they sell under the trade name "Colalloy." Edward Engel, an employee of the Cohn brothers who claims to be a chemical engineer, also is named in the order. (4943)

STIPULATIONS

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

Burstein-Applebee Company, 1012 McGhee St., Kansas City, Mo., stipulated that it will cease and desist from representing that any radio receiving set it sells contains a designated number of tubes or is of a designated tube capacity, when actually one or more of the tubes referred to do not perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (3957)

Palm Lodge Tropical Fruit Groves, Homestead, Fla., has entered into a stipulation to cease misrepresenting the therapeutic properties of leaves of the Aloe Vera plant which he sells in interstate commerce. (3954)

Reese Chemical Company, 10617 Frank Ave., S. E., Cleveland, Ohio, stipulated that it will discontinue certain representations in connection with the sale of "Doughboy" prophylactic kits, which are fitted with two tubes each containing a different kind of ointment. (3955)

Rudolph Wurlitzer Company, 121 East Fourth St., Cincinnati, stipulated that it will discontinue representing that any radio receiving set it sells contains a designated number of tubes or is of a designated tube capacity, when one or more of the tubes referred to do not perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (3242)

Wizard Products Company, 1527 Irving Park Boulevard, Chicago, entered into a stipulation to cease representing that the skin ointment he sells under the trade name "A-1 Salve" is a competent treatment or an adequate remedy for, or aids in the healing of, eczema, certain types of rash, scalp eruptions, athlete's foot of a deep-seated nature, boils, severe cuts, or ulcers. (3956)

FCC ANNOUNCES PROPOSED ALLOCATION

Proposed allocations for the portion of the spectrum above 25 megacycles were announced by the Federal Communications Commission on Tuesday, January 16. Members of the press were given an advance preview at a press conference conducted jointly by the FCC and the Interdepartmental Radio Advisory Committee on Monday, January 15.

Broadcast Services

According to the proposed plan, FM broadcasting will be moved up from 42-50 to 84-102 megacycles. Commercial television will have twelve 6 megacycle channels beginning at 44 mc and ending at 216 mc. Experimental television on the higher frequencies will be assigned channels between 480-920 megacycles. Broadcast relay pickup frequencies are moved from the 30-40 mc region to the 25-28 mc band. Provision is made for the control of standard broadcast satellite transmitters through the use of ultra high frequency radio connecting links in the experimental bands above 1900 mc. Provision is also made for studio-transmitter links to be used by aural broadcast stations. The allocations proposed for the various broadcast services will be set forth in detail under the sub-heads for each service.

Further Proceedings

The Commission has announced that oral argument on the proposed allocations will be heard by the Commission beginning 10:30 A. M., February 14. All persons desiring an opportunity to appear before the Commission for oral argument have been requested to file a written request with the Commission on or before January 29, 1945. The Commission order further states, "All persons who have filed a request to be heard in such oral argument shall file with the Commission on or before February 9, 1945, twenty-five copies of a brief. As early before the date of the oral argument as possible, the Commission will issue a notice setting forth the order in which the persons may be heard and length of time allotted for the argument."

During the Monday press conference Commissioner Jett called particular attention to a paragraph appearing in the introduction of the proposed report which reads as follows:

"A word of caution should be added. Most, if not all, of the allocations which we propose at this time cannot be placed into effect until after transmitter, receiver and other materials, facilities and manpower again become available for civilian use. The recent trend of events indicates that it will be necessary for the Commission to continue indefinitely, and perhaps strengthen its present policies restricting the use of critical materials and manpower for civilian radio purposes. The Commission, however, does believe that it is in the public interest to announce its proposed allocations at this time so that broadcasters, manufacturers of radio equipment and persons desirous of entering the radio field may be in a position to make whatever advance planning is necessary as soon as possible and so that adequate preparation may be made

for future international conferences. In the meantime, the full efforts of the radio industry and the Commission must continue to be devoted to the prosecution of the war."

Television

Commercial television is permitted to remain roughly where it is in the lower portion of the spectrum. Specifically, it now has 18 channels six mc wide at intervals from 50 to 294 mc. The new allocation gives it six channels, also six mc wide, from 44 to 84 mc and six from 180 to 216 mc. This gives television the same number of channels—12—below 225 mc as heretofore. No additional frequencies can be assigned to television between 225 and 300 mc because all these frequencies are required for government services.

However, to permit the development of a system for color pictures and higher definition monochrome pictures through the use of wider channels, the Commission proposes space for experimental television between 480 and 920 mc in the ultra high frequency portion of the spectrum.

Whether television should stay "downstairs" or go "upstairs" was one of the most controversial questions discussed at the allocation hearings.

Explaining this decision, the report says: "The Commission does not believe that broadcast service to the public through the use of a 6-mc channel with the improvements now available over pre-war developments should be abandoned and commercial television held in abeyance, until a wide channel system in the ultra-high frequencies can be developed to operate on wider channels in these ultra-high frequencies is indefinite and primarily dependent upon the resourcefulness of the industry in solving the technical problems that will be encountered."

It was pointed out by the Commission that twelve channels are considered "inadequate for a nationwide television service." However, due to the interspersing of other services between certain television channels, it will be possible to accommodate a maximum of seven 6 mc television channels in some of the large metropolitan market areas. In the congested northeastern region of the country there will be an insufficient number of television channels below 225 mc to provide even a single television station in some of the secondary market areas. But it was pointed out that due to geographical separation, many of the smaller communities in the central and western regions of the country would find it possible to obtain television channels in the lower frequency bands. The Commission expressed the hope that the limited facilities available to television below 225 mc, due to the demands of other important services, might encourage the development of color television in the higher frequency band between 480 and 920 mc.

Since theater television is still in the experimental stage, the Commission has not allocated any specific frequencies for the service but announces that it will consider applications for experimental authorization, in bands being allocated for that purpose. During the hearing it was

(Continued on page 18)



The NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

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

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

FCC ANNOUNCES PROPOSED ALLOCATION

(Continued from page 17)

stated that the major motion picture companies at the end of the war will begin experimentation with the production and exhibition of theater television programs in specific local theaters and with the transmission of such programs to distant cities.

FM

FM Broadcasting, notable for high fidelity and freedom from static, is proposed to be moved from its 42-50 kc space in the spectrum up to 84-102 kc on the grounds that skywave interference in the lower region would be severe enough to impair the utility of FM to such an extent that its full development might be retarded. "Public interest," the report reads, "requires that FM be established in a permanent place in the radio spectrum before a considerable investment is made by the listening public in receiving sets and by the broadcasters in transmitting equipment."

Holding that the present FM allocations—35 commercial channels and 5 non-commercial educational channels—are not adequate, the Commission proposes to assign 90 channels beginning at 84 mc and continuing to 102 mc, of which 20 (84 to 88 mc) will be reserved for non-commercial educational stations. The remaining 70 channels from 88 to 102 mc are assigned for regular commercial use. To provide room for expansion should this space not prove adequate, the space 102 to 108 will be left unassigned for the present and if a need arises in the future, FM stations can be considered along with other services for assignment in these additional 6 mc or in such portions of the space as may be necessary.

In regard to channel width, the Commission stated, "The Commission is of the opinion that an integral part of FM will be lost if the present standards of high fidelity are lowered, or the present signal to noise ratio reduced. The economy of spectrum utilization urged by the advocates of the narrower channel, will be far less than the significant advantages that will be lost by such a change, and accordingly, the Commission proposes to retain the present 200 kc channel." The Commission proposes to make available for immediate assignment only 70 of the 90 proposed channels. The remaining 20 channels will be held in reserve and will be assigned when additional spectrum space is required for FM service in accordance with a licensing policy yet to be determined.

The Commission asserts that the service the non-commercial educational FM stations propose to render "may profoundly affect not only American education but our democratic institutions as a whole."

Five non-commercial educational FM stations were in operation, four under construction, and eight applications on file at the time of the hearing. Approximately

160 educational institutions have written to the Commission expressing interest in this service.

No specific allocation is made for subscription radio, the service which would carry no advertising but would be supported by rental of a device to eliminate a superimposed "pig squeal". If this service proves technically feasible and the Commission decides to license stations of this type, applicants will be permitted to apply for channels in the regular FM commercial band.

As of October 1944, 46 commercial FM stations were in operation, seven were under construction and 248 applications were on file.

Facsimile

To provide for the future growth of facsimile broadcasting—the sending of script, printed or typed matter, sketches, drawings or pictures—the Commission will permit it to use the regular FM channels and also a band between 470 to 480 mc.

Standard Broadcasting

The Commission made no announcement or proposed decisions in connection with proposals to extend the broadcast band to 520 kilocycles. It was pointed out that the allocations now proposed are only for that portion of the spectrum above 25 mc. It is expected that a proposed allocation for the lower portion of the spectrum below 25 mc, including standard broadcasting, will be released in about five or six weeks. The proposal of Panel 4 on Standard Broadcasting that satellite broadcast transmitters be controlled through the use of ultra high frequency radio control circuits received favorable action from the Commission. It is proposed to authorize this service on experimental frequencies above 1900 mc in order that the industry may have an opportunity to develop standards and prove the practicability of such service.

Studio-transmitter links will be moved from the present band, 330-344 mc, to a new proposed band of 900-960 mc. Frequency modulation would be used for this type of service.

Relay broadcast frequencies used to transmit programs from points where wire facilities are not available will be moved from the 30-40 mc region. Sixteen channels are currently assigned in this band and it is proposed to provide twenty-two channels between 25 and 28 mc. These channels will be shared with other services having intermittent operation. At the present time relay broadcast operation is also permitted on eight frequencies in the range 156-162 mc. It is now proposed to reduce this number to four channels. The Commission stated further that the subject will be reviewed if at some future time the needs of this service indicate the necessity of assigning additional channels.

Some Present Services Expanded

Aviation

Heavy demands of the aviation industry for radio channels above 25 mc in the post-war period were granted by the Commission almost exactly as specified. Commission comment on this service: "The importance of aviation to our present and post-war transportation and economy does not require elaboration. Aviation operations are wholly dependent upon the use of radio for insuring the safety of life and property in the air."

Amateur

The allocation plan boosts the number of channels allotted to amateurs, pointing out that this service is one of the oldest in radio and its development closely parallels that of the entire radio art. The Amateur Service is a vast training school and constitutes a huge reservoir of skilled radio operators, experienced in handling radio com-

munications through terrific interference and radio technicians skilled in the building, operation and maintenance of radio equipment; and also renders valuable public service during periods of natural disaster, the report states.

Police Radio

Criminals of the future will find the way of the transgressor harder as the police build up radio communication networks with the greatly-increased number of frequencies allotted by this allocation. The number of channels in the 30 to 44 mc band is increased from 29 to 56. In addition a band from 152 to 156 mc was assigned. With suitable equipment likely to be available in the near future, the Commission has provided channels which will make possible facsimile networks for transmitting photographs and fingerprints from one police department to another and to the FBI in Washington.

Fire Service

Channels are provided for much wider use of radio by fire departments which hitherto have largely depended on an outgrown arrangement of sharing police radio systems. Ninety-two cities of over 100,000 population have indicated their intention of using radio for fire service.

Emergency and Miscellaneous Services

Increased channels are allotted for forestry and conservation radio systems; for electric, gas and water companies, for buses, streetcars, trucks and highway maintenance departments; for oil companies drilling in inaccessible areas, for the location of oil by seismograph recording, for motion picture crews out on location and for press associations and newspapers reporting events at places where regular facilities are not available.

New Radio Services

Railroad Radio

Its week-long hearing in September on the use of radio on railroads having shown that it will contribute to the safety of life and property and should be of almost universal benefit to the public, the Commission has set aside a sizeable number of channels for that purpose.

Citizens Radiocommunications Service

The success of the "walkie-talkie" on the battlefield and the possibilities for its varied uses in peacetime have induced the Commission to allocate the band from 460 to 470 mc for a new radio service to be known as the "Citizens Radiocommunication Service." Small portable radios can be used, for example, to establish a physicians' calling service, for communication to and from trucks and tractors operating in and around large plants, on farms and ranches, on board harbor and river craft, in mountain and swamp areas. Sportsmen and explorers can use them to maintain contact with camps. Department stores, dairies, laundries and other business organizations can use the service to communicate with their delivery vehicles.

Common carrier operation will not be permitted and no charge can be made for messages. Only the minimum requirements of the Communications Act plus a few minimum traffic rules will be set up. No technical knowledge will be required.

Rural Telephone Service

Provision is made for a Rural Telephone Service to furnish a radio-telephone link for isolated communities, farmers, ranchers, miners and others who cannot be or are not served by wire line facilities. The Commission does

not set aside specific frequencies for this service but will permit it to share the band of frequencies allocated to television, most of which will be concentrated in urban areas.

Industrial and Medical Service

Three bands are assigned for industrial and medical radio equipment to prevent interference with other radio services.

General Mobile Service

Certain frequencies have been designated for ultimate use by urban and interurban mobile units such as trucks, buses, taxicabs, doctors' cars, ambulances, etc. Before assigning any frequencies in this band, however, the Commission will determine the most efficient plan by which they may be employed.

Demand Bigger Than Supply

Proof of how precious spectrum space has become was the fact that requests for frequencies far exceeded the supply.

Recommendations of the radio industry as to allocations were formulated and presented to the Commission largely by the Radio Technical Planning Board sponsored by non-profit associations and societies interested in radio. The Commission expressed its gratitude to the RTPB "and to those who participated in its studies for the conscientious and thorough way in which this work was done."

As the result of a series of meetings between Commission representatives and the Interdepartment Radio Advisory Committee, there are no conflicts between the allocations proposed in this report for non-governmental services and those which the IRAC considers necessary for the government services. A revised report of the IRAC was released simultaneously with the FCC's report. Both reports are being forwarded to the Department of State for use at international conferences.

PORTER CONFIRMED

The Senate on Thursday confirmed the nomination of Paul A. Porter as a member of the Federal Communications Commission, succeeding James Lawrence Fly. He had been favorably reported by the Senate Committee on Interstate Commerce on Monday.

RADIO BILLS REPORTED

Senate Resolution 24 which was introduced by Senator McFarland on behalf of himself and Senators Wheeler and White was favorably reported to the Senate by the Committee on Interstate Commerce. The resolution authorizes the continuance of authority for the committee to investigate International Communications by wire and radio and increases the authorization limiting the expenditure by \$10,000.

The committee also favorably reported S. 63 reintroduced at this session by Senator Vandenberg of Michigan. This bill deals with the Petrillo situation and the bill is the same as passed by the Senate during the closing days of the last Congress but not passed by the House. It prohibits interference with cultural or educational programs. The resolution has been referred to the Senate Committee on Audit and Control.



WAR MANPOWER COMMISSION CONTINUES BROADCASTING ON ESSENTIAL LIST

The War Manpower Commission has announced a list of essential and critical activities to be used by selective service as a guide for the induction of men in the 26-29 age group in connection with the directive recently issued by Director of War Mobilization and Reconversion James F. Byrnes.

In May 1944, the old List of Critical Occupations was abolished (NAB Selective Service Handbooks Supplement Number 22). At that time the List of Essential Activities was reaffirmed. The recent War Manpower Commission action re-established the former policy of maintaining both essential and critical classifications for the guidance of the selective service system.

Men engaged in activities appearing on the critical list will be the last to be inducted in the 26-29 age group. Those engaged in activities included in the essential list will be scheduled for induction after the supply of men engaged in non-essential activities has been exhausted.

Broadcasting is included on the essential list under Section 29, Communications Services, reading as follows:

"29. Communication Services.—Magazines of general circulation which are devoted primarily to the dissemination of public information; newspapers and news syndicates; military, naval, and technical charts and maps, instructional and technical manuals, and training literature; production of motion pictures (including industries); motion picture film processing, news reels; development of sensitized films; protective signal systems which supplement fire and police protection to military, public and private industrial and commercial establishments; radio broadcasting; radio communications (radiotelephone and radiotelegraph); cable service (land or submarine); telegraph; telephone; television; production for essential activities of continuous forms with or without one-time carbon, and produced on rotary equipment; and production of salesbook-type forms contracted for by governmental agencies."

According to the War Manpower release, all technical, scientific and research personnel engaged in any of the activities either critical or essential are regarded as being engaged in critical activities. This provision should aid materially in the securing of occupational deferments for technical personnel of broadcast stations in the 26 through 29 age group.

Included on the list of critical activities under Section 28 is the following:

"28. Production of Communication Equipment.—Radios and radio equipment; radar; telephone, telegraph, cable, television, signalling apparatus; electrical sound equipment."

The lists were drafted after consultation with the Army, Navy, Selective Service, War Production Board and War Manpower Commission. We are informed government claimant agencies such as the Office of Defense Transportation, Federal Communications Commission, etc., were not invited to participate in the preparation of the new lists. At the present time there is some uncertainty as to the effect the new regulations will have on the induction of men now employed in the broadcast industry. New regulations are promulgated from day to day and the situation is being followed closely. Attention is directed to NAB Selective Service Handbook Supplements Numbers 23, 24 and 25 recently mailed to the NAB membership. Additional Selective Service Supplements will be issued just as soon as authoritative information can be secured.

6TH DISTRICT MEETS

Memphis, Tenn., January 16. The most attended and most spirited meeting ever held in the Sixth District

XXV SPECIAL BULLETIN NUMBER TWO ENCLOSED WITH THIS ISSUE

Special Twenty-Fifth Anniversary Bulletin Number Two is enclosed with this issue of NAB REPORTS.

This Bulletin presents the full script of a thirty-minute broadcast over WBNX, New York City, New Year's Day, which catches the spirit of our Anniversary and gives valuable historical data. Since the Bulletin went to press, scripts from other stations are coming in showing how the Anniversary theme has been given local application. As the collection grows, it will be published. Please send yours.

The Bulletin reports on a most interesting visit with "Mac" McGill, Advertising Manager of Westinghouse Stations, Inc., who is throwing open to the industry his vast photo and information files going back to the 1920 founding of KDKA, Pittsburgh. "Mac" promises to handle any requests which come in now and he is preparing considerable material for distribution.

An appeal to the industry to incorporate the "XXV" banner and microphone illustration in house organ title cuts, station schedules, newspaper, magazine and outdoor advertising, stationery and printed matter is supported by the quick action of WCCO, Minneapolis, in that direction.

A digest of the RCA-NBC broadcast of December 2, highlighting events of human interest nature, should provide stations with ideas for reminiscent public event and personality shows.

Announcement of KMBC's year long trade paper campaign saluting pioneer broadcasting stations on their part in building American radio strikes a new note in industry relations and strengthens our Anniversary observance.

Program Idea

Hearing of our Twenty-Fifth Anniversary year, a woman said recently: "I remember when they let school out in 1925 so the children could go home and listen to the inauguration of President Coolidge over the radio." That word picture of early radio could be built into a complete program, ending on the expanded educational theme of "D-Day" broadcasts in schools all over America—an excellent application of our Anniversary theme to the war effort. Program ideas such as this one should exist abundantly in every community in this country, obtained right from the listeners who have been with us through the years. *Talk to them. Ask for their stories by mail.* Give prizes for the best and most significant stories of early day radio listener experiences.

XXV Musical Signature

If you want to hear how the "XXV" Musical Signature might be built into a complete symphonic movement, listen to the "March and Scherzo" from Dmitri Prokofiev's Opera, "The Love for Three Oranges." By a coincidence in composition, the "XXV" Musical Signature bears remarkable resemblance to the basic movement in "March and Scherzo."

closed here this afternoon. During the two-day meeting, station managers and sales managers, government officials and NAB executives explored the present problems and immediate and future possibilities of broadcasting from every angle.

The meeting was called to order at 10:30 a. m. on Monday, January 15, by Hoyt B. Wooten of WREC, Director of the Sixth District. J. Harold Ryan, NAB president, was unable to attend the opening sessions through the necessity of remaining in Washington to introduce Basil O'Connor on the CBS Sunday afternoon broadcast to inaugurate the "Mile of Dimes" campaign. In his stead, C. E. Arney, Jr., NAB secretary-treasurer, reviewed the labor problems facing the industry with special reference to the Petrillo platter-turner demands. He then brought the members up to date on the latest directives of Selective Service and voiced a sincere warning in connection with men now in a deferred status.

Robert Atherton of WMC, District chairman of the Program Managers Committee, presented a very provocative talk on programming, with special emphasis on the need for better programming in connection with government campaigns of war information. Using C. E. Hooper ratings for Memphis, he pointed out the need for more intelligent program planning to achieve greater use of sets as well as larger audiences for individual programs.

Following luncheon, Lewis H. Avery and Miss Helen A. Cornelius presented the report of the Department of Broadcast Advertising, using charts and tables. Mr. Avery reviewed the proposed revision of the NAB-AAAA Standard Contract for Spot Broadcasting and obtained the District opinion on the contemplated changes. Miss Cornelius outlined many of the factors that have retarded the use of radio by department stores and suggested means of overcoming objections on the part of the retail trade to the increased use of the medium by retailers.

On the morning of the second day, Mr. Ryan, who had arrived the previous evening, reviewed the activities of NAB in several fields and introduced Hugh M. Feltis, president of Broadcast Measurement Bureau. (The complete report of the first presentation of BMB appears in BMB Bulletin No. 3, which is being mailed with this issue.)

The morning meeting was closed with a report from Robert T. Bartley, NAB director of Government Relations, on the regulatory and legislative situation, urging stations to better acquaint their congressmen with the service they render.

After luncheon, the following resolutions were proposed and adopted unanimously:

1. WHEREAS the Sixth District Meeting of the National Association of Broadcasters in Memphis has been a success due largely to the untiring efforts of the broadcasting stations of Memphis, therefore,

BE IT RESOLVED this convention go on record as extending its sincere thanks and appreciation to Hoyt Wooten, Director of the Sixth District of NAB, and the Memphis radio stations for the splendid arrangements and the delightful hospitality.

2. WHEREAS an effort is being made to induce radio stations to change their present method of basing net rates for broadcasting on yearly contracts in order that extended periods beyond one year would enjoy the same discounts as the business used within said year, and

WHEREAS a majority of the members of the Sixth District of NAB feel that such a change in the rate structure would not be in the best interests of the radio industry at this time, therefore,

BE IT RESOLVED that the Sixth District of NAB go on record as opposing such a change in the standard contract form now in use.

3. WHEREAS the radio industry has for years felt that a standard method of measuring radio circulation was not only desirable but necessary, and

WHEREAS the several methods now in use tend to confuse and mislead buyers of radio time, and

WHEREAS, as a result of the diligent and efficient work of the Research Committee of NAB, there has been submitted to the industry a plan known as the Broadcast Measurement Bureau which has been tried and proven in Canada; which has the approval of the AAAA and the ANA; therefore,

BE IT RESOLVED that the members of the Sixth District of NAB in convention assembled at Memphis do hereby heartily endorse the Broadcast Measurement Bureau and urge that all other broadcasters assure the success of this bureau by pledging their support.

4. WHEREAS the radio industry possesses one of the most powerful influences for the moulding of public opinion and the dissemination of information, and

WHEREAS the industry to date has made practically no use of its own medium in acquainting the public with accomplishments and problems, and

WHEREAS radio has been generous in its contribution of time to other organizations and media for similar purposes, therefore,

BE IT RESOLVED that the time has come when serious consideration shall be given to the use of our own medium to the extent that requests be made of the four major networks for time to present a series of programs under the guidance of NAB, designed to acquaint the American people with radio's achievements and contributions to the civic life of the nation and to seek to offset the dangerous influences that are from time to time directed against the industry through unfavorable legislation, arbitrary regulation, and uneconomic practices.

5. WHEREAS the radio industry in 1945 is observing its 25th Anniversary, and

WHEREAS radio has been recognized as having rendered outstanding accomplishment in the war effort before and since Pearl Harbor, therefore,

BE IT RESOLVED that the industry will reaffirm its faith in the American way of life and will redouble its efforts to serve more fully our nation to the end that the war may be more speedily concluded.

The Sixth District also passed the following resolution:

BE IT RESOLVED that the Sixth District go on record as recommending that discussions be had at all District meetings to the end that NAB, through its Engineering Committee, co-operate with manufacturers in establishing minimum standards for receiver production; all receivers meeting such standards earning an official NAB stamp of approval.

The two-day meeting was attended by the following broadcasters, government representatives and NAB staff members:

ARKANSAS: John A. England, Bill Slates, KFPW, Fort Smith; J. O. Floyd, William T. Tappan, J. C. Warren, KFFA, Helena; William E. Ware, KWFC, Hot Springs; Julian F. Haas, Ed Zimmerman, KARK, Little Rock; Roy Judge, KLRA, Pat Walsh, United Press, Little Rock; Jack Parrish, KOTN, Pine Bluff.

WASHINGTON, D. C.—J. H. Ryan, Pres., C. E. Arney, Jr., Lewis H. Avery, Robert T. Bartley, Helen A. Cornelius, NAB; H. M. Feltis, Broadcast Measurement Bureau; Willett Kempton, OWI, Domestic Radio Bureau; Robert K. Richards, Broadcasting Magazine.

GEORGIA—Madelinn Chace, OWI, Stanley Whitaker, United Press, Atlanta.

ILLINOIS—Ralph S. Hatcher, CBS, Chicago.

LOUISIANA—Roy Dabadie, WJBO, Baton Rouge; J. C. Limer, Jr., KMLB, Monroe; J. D. Bloom, Jr., WWL, Harold M. Wheelahan, WSMB, New Orleans; T. B. Lanford, KRMD, John C. McCormack, KTBS, Fred Ohl, KWKH, Shreveport.

MISSISSIPPI—David M. Segal, WROX, Clarksdale; Bob McRaney, WCBI, WELO, WROX, Columbus; Thomas Goldin, Emmet H. McMurry, WJPR, Greenville; F. C. Ewing, WGRM, Greenwood; Wiley P. Harris, WJDX,

L. M. Sepaugh, WSLI, Jackson; D. A. Matison, Hugh M. Smith, WAML, Laurel; P. K. Ewing, Jr., WMIS, Natchez; Gene Tibbett, WELO, Tupelo.

MISSOURI—Jerry A. Deane, OWI, Kansas City; George A. Kercher, Edward Petry & Co., Inc., St. Louis.

NEW JERSEY—Herman H. Rathkamp, Finch Tel., Passaic.

NEW YORK—Claude Barrere, NBC; James H. Connolly, Peter Schloss, Blue Network; Charles Godwin, Mutual; John Mayo, Langworth Library; Burt Squire, SESAC; Ralph C. Wentworth, BMI.

TENNESSEE—W. A. Wilson, WOPI, Bristol; Carter M. Parham, Norman Thomas, Earl Winger, WDOD, Chattanooga; W. E. Williams, WJZM, Clarksville; Jess Swicegood, WKPT, Kingsport; John P. Hart, WBIR, Knoxville; Claude Frazier, Allen Stout, WROL, Knoxville; E. A. Alburty, Eugene Pournelle, John Orr, WHBQ, Memphis; Bob Atherton, E. C. Frase, Jr., Cliff Goodman, H. W. Slavick, WMC, Memphis; Francis Chamberlain, Robert Hobgood, H. R. Krelstein, WMPS, Memphis; William Raney, Hollis R. Wooten, Hoyt B. Wooten, Roy Wooten, S. D. Wooten, Jr., WREC, Memphis; James A. Reid, Dixie Portland Flour Co., Memphis; F. D. Binns, F. C. Sowell, WLAC, Nashville; Jack M. Draughon, WSIX, Nashville; Ottis Devine, George Reynolds, Harry Stone, Dean Upson, WSM, Nashville.

TEXAS—Ruth Fulling, OPA, Dave Russell, OWI, W. M. Witty, RCA, Dallas.

The next District meeting will be held at Dallas when 13th District broadcasters from the stations in Texas will get together. The rest of the schedule follows:

First Section

District 16—Los Angeles, California, Monday and Tuesday, January 22 and 23, Biltmore Hotel.

District 15—San Francisco, California, Thursday and Friday, January 25 and 26, Fairmont Hotel.

District 17—Portland, Oregon, Monday and Tuesday, January 29 and 30, Benson Hotel.

District 14—Salt Lake City, Utah, Thursday and Friday, February 1 and 2, Utah Hotel.

Districts 10-12—Kansas City, Missouri, Wednesday and Thursday, February 7 and 8, Muehlebach Hotel.

District 11—Minneapolis, Minnesota, Monday and Tuesday, February 12 and 13, Nicollet Hotel.

District 3—Pittsburgh, Pennsylvania, Thursday and Friday, February 15 and 16, William Penn Hotel.

Second Section

District 1—Boston, Massachusetts, Monday and Tuesday, March 5 and 6, Statler Hotel.

District 2—New York, New York, Thursday and Friday, March 8 and 9, Roosevelt Hotel.

District 5—Jacksonville, Florida, Monday and Tuesday, March 12 and 13.

District 4—Hot Springs, Virginia, Friday and Saturday, March 16 and 17, Homestead Hotel.

District 7—Cincinnati, Ohio, Monday and Tuesday, March 19 and 20, Gibson Hotel.

Districts 8-9—Chicago, Illinois, Wednesday and Thursday, March 21 and 22, Palmer House.

RYAN BROADCASTS TO NATION IN MARCH OF DIMES APPEAL

J. Harold Ryan, NAB President and Chairman of the Radio Division of The National Foundation for Infantile Paralysis, introduced Basil O'Connor, President of the Foundation, over CBS, Sunday, January 14, at 1:30 P. M. O'Connor launched the annual fund-raising appeal.

Delaying his appearance at the first NAB District Meeting in Memphis, Ryan remained in Washington Sunday to perform this service for the drive. His opening remarks were as follows:

"There is one thing of which the broadcasting industry is justifiably proud. That is the leading role it has been able to play in giving voice to just and good causes—in

bringing to the attention of all Americans the human problems which need their aid and solution.

"Today, as we stand on the threshold of the 1945 March of Dimes, the radio industry is once more proud of the important part it can play in transmitting a great need. You are about to hear from Mr. Basil O'Connor, President of the National Foundation for Infantile Paralysis—that humanitarian organization which seeks help for the thousands of children crippled by this cruel disease. We of the radio industry feel that at this time there is no more important duty for us on the home front than to carry on the fight against the crippler. Wars on foreign fronts are crippling thousands of our soldiers. But right here at home, infantile paralysis is dealing just as cruelly with the small children of our land.

"You have been asked to help this cause before, and radio has played its part in bringing you the urgency of the need. Now once again—in the year following almost the worst epidemic of polio in recorded history—radio brings you again the story of the ravages of this disease and the part you can play in conquering it.

"Many of you may be able to remember back to 1938, when the first organized national campaign against infantile paralysis got under way. You may remember how throughout these past six years, the National Foundation for Infantile Paralysis, with the enthusiastic support of the American people, has fought desperately against this enemy of our children. The message you are about to hear will tell you some of the victories that have been won—Ladies and Gentlemen—the broadcasting industry proudly presents Mr. Basil O'Connor speaking to you from New York. Mr. O'Connor."

FCC TO RESTRICT NEW CONSTRUCTION

In actions taken by the Commission January 16 in the meeting in which it adopted a further statement of policy concerning applications for new broadcast facilities or changes in facilities involving use of critical materials and manpower, 8 applications were designated for hearing in accordance with the policy. Two applications for permits to construct local channel stations were granted but in these instances it was found that no primary service was available to the communities concerned from any station now authorized and that the applicants had made the showing required under the January 26, 1944, statement of policy. The three applications for change in facilities which were granted involved improvements in local channel stations which could be accomplished without substantial construction and at costs substantially less than \$500.

The further statement of policy follows:

The Commission's Statement of Policy of January 26, 1944, relating to the construction of new radio stations and the making of improvements in existing radio facilities, is to be interpreted in the light of present conditions, which require that all available manpower and critical materials be devoted to the furtherance of the war program.

In this connection, the War Production Board has advised the Commission that:

"Installation of new broadcasting services will be reviewed with extreme care. All such applications received and showing that the required equipment was on hand were approved until the latter part of December. The increasing problem of finding manpower for war industries has made it necessary to consider the manpower needed to construct, operate and provide maintenance for additional stations.

"It is not felt that the general premise that 'broadcasting is in the war interest' will longer suffice to support the use of manpower and maintenance materials for new stations. Applications must be critically reviewed from the standpoint of available manpower and the need for the service to contribute to the war effort. The use of manpower cannot be approved unless an actual contribution is to be made."

In view of this, it will be the Commission's policy to designate for hearing all applications involving construction of new standard broadcast stations unless the applicant establishes (1) that the construction will result in making service available to a community which does not receive primary service from any existing broadcast station and (2) that all requirements of the January 26, 1944, Statement of Policy have been met.

Applications for changes in existing standard broadcast facilities will be handled in the same manner except where the change does not involve substantial construction work and costs less than \$500.

No change will be made in the Commission's handling of commercial FM and Television applications which will be kept in the pending file.

The full text of the War Production Board's letter of January 16, 1945, is attached. This letter sets forth the War Production Board policies not only with respect to broadcast stations, but also with respect to various other radio services.

January 16, 1945

Federal Communications Commission
Room 6149—New Post Office Building
Washington 25, D. C.

SUBJECT: Report to FCC on Critical Materials

GENTLEMEN:

The procedure announced jointly by the Federal Communications Commission and the War Production Board on January 26, 1944, has been of benefit to not only both Agencies concerned, but also to a number of applicants wishing to install various types of radio services. It seems advisable to again review conditions to determine if changes in either policy or procedure are advisable.

The War Production Board has taken and is taking the following steps to make available radio equipment for non-military use:

- A. An effort has been made to increase the production of portable-mobile equipment as used by the Special and Emergency services to several times its past production. The ultimate goal has not been reached.
- B. A number of planes were made available to the Airlines in 1944, and an increased number are expected to be made available in 1945. It is expected that all these planes will be equipped with radio.
- C. Every effort has been made to aid in development work. Priorities have been provided for laboratories, and aid has been given in all fields of development. Application of radio to bus lines, railroads, etc., has been tested by several companies. In conjunction with the Federal Communications Commission, several broadcast stations have received priorities for developmental work in frequency modulation.
- D. The War Production Board has authorized the starting of construction of a number of new broadcasting stations. Priorities have generally not been provided for this purpose.

Present problems in production to meet military requirements for radio equipment are different and perhaps more severe than those problems existing a year ago. The two basic problems are materials and manpower. During the last two years, problems have shifted to a large extent from those of materials to those of manpower. Basically, even the problem of materials usually resolves itself to a combination of manpower and time necessary for processing or obtaining more basic raw materials.

The problems in procurement of maintenance materials for radio transmission and communication may in a general way be said to be over. There are only a few specific types of tubes and other components which are not obtainable on the maintenance rating provided for radio. It should be remembered that this rating is the same rating that is used by the Army and Navy to obtain their equip-

ment. In almost every case where such products are in short supply, the reason is insufficient manpower to make full use of existing production facilities.

There follows the general attitude now taken by the WPB toward various radio services:

- (1) *Aviation*: The WPB is endeavoring to equip all planes operating as common carriers with the necessary communication equipment. Some equipment may be available for other planes used in essential services.
- (2) *Special and Emergency Services*: It is expected that more equipment will be available for these services in 1945. Release of such equipment is no longer restricted mainly to police systems, but it is now possible to public utilities and other users. The use of such equipment will often result in increased efficiency and pay dividends in the use of manpower. There will not be enough equipment to fulfill all requirements from essential public services and war industries.
- (3) *Marine*: A number of boats are being made available to fisheries. Where possible these boats will be equipped from existing stocks of equipment. No equipment is contemplated for tugs, barges, etc., or for fresh-water fishing vessels.
- (4) *Broadcasting*: No provision is made for new broadcast facilities.

Certain types of changes in facilities may be made without WPB approval. New installations costing less than \$500 may be made on shipboard without WPB approval. In general, any change not involving construction work and costing less than \$500, but not requiring the purchase of a transmitter or receiver, is allowable. This dollar limit is raised to \$2,500 in the case of international point-to-point stations (which does not include international broadcasting). No radio operator may start construction which will cost more than a fixed amount unless he has WPB approval. In most cases, the limit is \$200 for cost of materials, new equipment and labor. In general, restrictions on the purchase of equipment and materials have not been greatly changed during the last year except for the provision made last September allowing the expenditure of up to \$500 for a minor capital addition or change not involving construction.

It is felt that in general the WPB will give its approval (if necessary) to the installation of equipment on hand for two-way communication services. Applications involving construction will be reviewed much more critically than in the past in an effort to determine the relative value of manpower involved and services to be rendered to the war effort.

Installation of new broadcasting services will be reviewed with extreme care. All such applications received and showing that the required equipment was on hand were approved until the latter part of December. The increasing problem of finding manpower for war industries has made it necessary to consider the manpower needed to construct, operate and provide maintenance for additional stations.

It is not felt that the general premise that "broadcasting is in the war interest" will longer suffice to support the use of manpower and maintenance materials for new stations. Applications must be critically reviewed from the standpoint of available manpower and the need for the service to contribute to the war effort. The use of manpower cannot be approved unless an actual contribution is to be made.

Very truly yours,

JOHN CREUTZ, *Chief*,
Domestic & Foreign Branch.
Radio and Radar Division.
WPB Dept. 4510.

PERSONALS

Robert Kliment has been appointed Program Director of station WEBR, Cy King, Station Director, announces. Kliment will continue doing sports and handling a popular

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6 p. m. news and sports show in addition to his duties as Program Director.

Dr. Charles F. Church, Jr., has been named Educational Director of KMBC, succeeding R. Edwin Browne, resigned to become Director of Public Relations for the University of Kansas. Dr. Church will retain his post as Acting Research Director. The potentialities of radio as an educational medium are soon to be outlined in a report to the industry based largely on a nationwide tour of stations made by Dr. Church in 1944.

GLOBAL SHOW PRODUCTION HOLDS STEADY

Four more completed "Let's Go to Town" programs as requests by General Eisenhower for global broadcast have been shipped to or received by Armed Forces Radio Service since last week as follows:

Fort Wayne area, J. B. Conley, WOWO, TFC*
Oakland area, Glenn Shaw, KLX, TFC*
Saint Louis area, John W. Tinnea, KWK, TFC*
South Bend area, Franklin D. Schurz, WSBT, TFC*

New Allocation

WTAD, Quincy, Ill., C. Arthur Fifer, Task Force Commander, has been added as a new allocation.

Indiana Soon to Be 100%

The show produced in the Fort Wayne area under direction of Task Force Commander Conley was shipped December 20, lost en route and recovered. It was then handled so fast that it was shortwaved on January 9.

Franklin D. Schurz, station manager, WSBT, Task Force Commander of the South Bend-Elkhart area, shipped his "Let's Go to Town" show to Los Angeles on January 13.

Those cooperating in the program, in addition to WSBT, were: WTRC, Elkhart, The Elkhart Truth, WHOT, South Bend, and The South Bend Tribune.

TFC Clarence Leich, WGBF, Evansville, air mailed his "Let's Go to Town" script January 17.

C. Bruce McConnell, WISH, Task Force Commander, Indianapolis area, is responsible for two programs. One script is already in the hands of AFRS and the other is expected to be ready for editorial approval next week.

TREASURY TO CONTINUE "TREASURY SALUTES"

Treasury telephoned NAB Wednesday (17) that the "Treasury Salutes" series of dramatic transcriptions would be continued on the present three weekly basis right up to the start of the Seventh War Loan, late May or early June. Announcement was made by Thomas H. Lane, director of radio, press and advertising, War Finance Division.

Stations now receiving transcriptions will remain on the list. They will be sent to other stations on request to:

Radio Section
War Finance Division, Treasury Dept.
Washington 25, D. C.

Mr. Lane said that Treasury's decision to continue the series was influenced by two factors: a) that 756 stations were now using "Treasury Salutes" and wanted them continued; and b) that NAB and Treasury surveys showed programs to be spotted consistently at good times, assuring a large audience.

War Finance's radio section will not again survey stations to determine whether or not they want to continue use of the transcriptions beyond the thirteen week period. It is being taken for granted that stations now receiving them will desire to continue their use beyond the middle of March.

For the Seventh War Loan, Mr. Lane said that it was quite possible that release of "Treasury Salutes" will again be increased to six per week.

"Treasury Salutes" may be used sustaining or on a sponsored basis, at the option of the broadcaster.

FM IN AUSTRALIA

According to a recent issue of "Commercial Broadcasting," Australian broadcast trade publication, thirty-six applications have already been filed in that country for FM broadcast stations. The government has not yet made a decision as to whether or not FM stations will be licensed in Australia. The matter is now being investigated by the Federal Parliamentary Committee on Broadcasting which is currently studying FM, television and facsimile developments.

RADIO ENGINEERS BEGIN BUILDING-FUND CAMPAIGN

The Institute of Radio Engineers, at its Winter Technical Meeting in New York, January 24-27, inaugurated a campaign for the raising of \$500,000 for a Building Fund, in anticipation of postwar expansion of its service to the electronic and communication industries. The directors of the society announced that they are leaving their plans flexible enough to permit their establishing new quarters jointly with other engineering and scientific societies if to do so ultimately proves desirable. The appeal for funds will extend to the Institute's membership and interested corporations.

WAR LABOR BOARD DECISION IN WMAL CASE

The National War Labor Board has approved as being in conformance with the national wage stabilization policy an arbitrator's award which granted a union request that six staff announcers of Radio Station WMAL in Washington, D. C., be paid a fee ranging from \$1 to \$4 when assigned to commercial broadcasts, in addition to their base salary of \$200 a month.

The industry members of the Board and one of the public members dissented on the technical point that the arbitrator had actually served as a hearing officer of the Board and made a "recommendation" to Board, and that, therefore, the Board should have reaffirmed an earlier decision in the case or consulted with the arbitrator to determine whether his conclusions would have been the same in either case. The earlier decision had rejected the arbitrator's award with respect to the payment of fees for commercial broadcasts, but approved a \$50 increase in the base monthly salary requested by the employer, which decision the Board held was in accord with its policy not to order a change in the method of wage payment.

The Evening Star Broadcasting Company, owner of the radio station, and the American Federation of Artists, AFL, bargaining agent of the announcers involved, were in agreement that the staff announcers should receive additional compensation, but were not in agreement as to the method. The company desired only a \$50 increase in the base salary and was opposed to the institution of fees for commercial broadcasts. The \$50 monthly increase is roughly equivalent to the average increase which would result from the fee system proposed by the union and granted by the arbitrator.

The fee system granted by the arbitrator, Dr. Royal E. Montgomery, and approved by the Board as not violating wage stabilization, is similar to that contained in contracts between the union and three other Washington stations.

Retroactive date of the arbitrator's award is October 15, 1943, the date on which the parties signed a stipulation to arbitrate the dispute.

In an opinion for the majority of the Board, Lewis M. Gill, a public member, explained that the case was referred to the War Labor Board solely for the appointment of an arbitrator and that the only function of the Board was to appoint the arbitrator and "to review his award, if it involved a wage adjustment, to determine whether or not the award was compatible with the wage stabilization program."

By mistake the case was handled as a regular dispute case and Dr. Montgomery made "recommendations" to the Board and identified himself as a "hearing officer," Mr. Gill said, although the company and the union recognized the proceedings as an arbitration.

Although Dr. Montgomery acted under the belief he was merely making recommendations to the Board rather than issuing a final and binding arbitration award, Mr. Gill said the majority found no basis—for the purposes of review—for not treating his recommendation as a final award.

To have referred the case back to Dr. Montgomery with instructions to reconsider the matter as an arbitrator, the opinion continued, would have contained "an unwarranted implication that Professor Montgomery's conclusions might have represented something other than his considered judgment as to the proper settlement of this dispute. A careful reading of his report makes it perfectly clear that there is no ground for any such suspicion.

"Under all these circumstances, we think that both parties should in fairness be bound by their arbitration agreement, even though the award was set up in terms of a recommendation. Our decision therefore does not represent a review of the merits of the case, but is limited to a determination that the increase awarded is permissible within the stabilization program. There is no dispute within the Board on this latter fact, since the decision merely puts the radio announcers on this station on the same basis of pay as the announcers in the other major stations in Washington—a permissible application of the bracket principle."

In a dissenting opinion, Public Member Dexter M. Keezer asserted that while the "result secured by the decision of the majority in this tortured little case may be relatively satisfactory . . . the process of reaching this result involved what I regard as a flagrant error in reasoning and procedure."

Reviewing the reasoning of the majority, the dissenting opinion said that "the task of recommending an appropriate solution of a labor dispute is a quite different task than that of making a settlement of the dispute which is to be final and binding on the parties. In the latter case, the referee or arbitrator bears the full responsibility for a proper settlement. In making recommendations he shares this responsibility with others and in so doing, has freedom of action denied to the arbitrator—a fact which gives the two operations basically different characters."

Mr. Keezer added that a person recommending a solution of a labor dispute would not necessarily offer the same solution as he would if he were making a final and binding award.

"It would have been possible to discover whether or not there would have been such a coincidence in this case by consulting the referee," he said.

The Board's order and opinions follow:

National War Labor Board

December 28, 1944

In the Matter of

THE EVENING STAR BROADCASTING COMPANY, and
AMERICAN FEDERATION OF RADIO ARTISTS, Affiliated with
the Associated Actors and Artists of America, AFL

Case No. 111-4517-HO

Directive Order

By virtue of and pursuant to the powers vested in it by Executive Order 9017 of January 12, 1942, the Executive Orders, Directives and Regulations issued under the Act of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby decides the dispute between the parties and rules as follows:

- I. The Directive Order of the National War Labor Board in this case dated August 10, 1944 is hereby vacated.
- II. It is found that the parties stipulated to submit their dispute to the final and binding decision of an arbitrator to be reviewed by the National War Labor Board only to determine conformance with the national wage stabilization policy. There being no violation of the national wage stabilization policy, the findings of the arbitrator are hereby approved and the parties are directed to incorporate his determination in a signed agreement.

Representing the Public:

Lewis M. Gill
Dexter Keezer (dissent-
ing)
Nathan Feinsinger
Edwin Witte

Representing Industry:

(Dissenting)
Fred Climer
Walter T. Margetts
James Tanham
Clarence Skinner

Representing Labor:

Carl Shipley
George Meany
John Brophy
Robert Watt

National War Labor Board

January 1, 1945

In the Matter of

THE EVENING STAR BROADCASTING COMPANY, and
AMERICAN FEDERATION OF RADIO ARTISTS AFL

Case No. 111-4517-HO

Majority Opinion

This case began on October 15, 1943, when the company and the union signed a "Stipulation to Arbitrate" before a Commissioner of Conciliation. The exact language of the stipulation is as follows:

"Stipulation to Arbitrate"

"It is hereby agreed by the parties listed below that the issues described below shall be arbitrated before a referee to be named by the National War Labor Board, or the Chairman thereof. The award and decision of the referee shall be final and binding in all respects, and where the referee has awarded a wage adjustment his award on wages will be subject to review by and approval of the National War Labor Board.

"The issues to be determined are as follows:

"Collective bargaining agreement negotiated to conclusion on all points at issue except compensation to be paid staff announcers:

1. (a) Union requesting present base salary for staff announcers of \$200.00 a month, plus payment of fees for each commercial radio program assigned a staff announcer on his regular tour of duty. (b) Company wishes instead to increase compensation to announcers through base salary increases in an amount equal to the fee system proposed by Union.

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"2. (a) Whether or not increases in income to announcers as a result of Union's proposal shall be retroactive to work week beginning August 22, 1943.

The Evening Star Broadcasting Company. By /s/
K. H. Berkeley, General Manager.
American Federation of Radio Artists. By /s/
Leonard R. Lyons, National Representative.

"Witness:

/s/ W. A. McAlister,
Commissioner of Conciliation
Done at Washington, D. C.
Date October 15, 1943"

Since this stipulation provided for the appointment of the arbitrator by the War Labor Board or its Chairman, the case was referred to the Board by the Secretary of Labor for this purpose. It was not certified as a labor dispute in the usual manner, since the only function the Board was called upon to perform was to appoint the arbitrator and to review his award if it involved a wage adjustment, to determine whether or not the award was compatible with the wage stabilization program.

At this point some confusion set in, for which the Board must take a major share of the blame. Instead of merely appointing an arbitrator in accordance with the stipulation, the Board designated Professor Royal E. Montgomery as "hearing officer," and advised Professor Montgomery and the parties that the case would be handled in the same manner as other dispute cases. Throughout the hearings and in the submission of various briefs in the case, the terms "arbitrator," "referee" and "hearing officer" were bandied about in a rather indiscriminate fashion by everyone concerned. The company's original brief before the hearing was headed "Before the National War Labor Board—in Arbitration." The union's briefs both before and after the hearing were headed in the same fashion. Both parties were evidently proceeding on the understanding that they were engaged in an arbitration hearing in accordance with their stipulation. Professor Montgomery's decision was, however, labelled "Recommendation," and he signed the document as "Hearing Officer." The Board submitted his report to the parties and invited comments. This was an inappropriate procedure in view of the arbitration stipulation. The company filed extensive comments objecting to the conclusions in Professor Montgomery's report, pursuant to this invitation by the Board. The union filed comments in support of Professor Montgomery's conclusions, but stated therein that it was refraining from discussing certain aspects of the report with which it was in disagreement, in view of the Board's recently announced policy of not accepting any additional arguments on the merits of an arbitrator's award, unless the Board itself asked for more information.

The case then came to the Board where all this rather confused history was considered and reconsidered several times, finally resulting in the present majority vote to treat Professor Montgomery's recommendation as an arbitration award and approve it as consistent with the wage stabilization program.

It seems quite clear, as the minority of the Board stressed in the discussion of this case, that Professor Montgomery acted under the belief that he was merely making recommendations to the Board and not issuing a final and binding award. This position on his part is entirely understandable in view of the Board's handling of the case. However, we find no basis for not treating his recommendation as a finding award for the purposes of our review. There was some suggestion in the discussion in the Board that a person might conceivably take a different view of a case if he knew that his decision would be final and binding on the parties, than he would if he were only composing a recommendation to the Board. Following this line of approach, it was suggested that we might refer the case back to Professor Montgomery with instructions to reconsider the matter as an arbitrator, with a view toward ascertaining whether he would reach the same conclusion if he realized that he was supposed to act in that capacity. It is our judgment that this procedure would contain an unwarranted implication that Professor Montgomery's conclusions might have represented something other than

his considered judgment as to the proper settlement of this dispute. A careful reading of his report makes it perfectly clear that there is no ground for any such suspicion.

Under all these circumstances, we think that both parties should in fairness be bound by their arbitration agreement, even though the award was set up in terms of a recommendation. Our decision therefore does not represent a review of the merits of the case, but is limited to a determination that the increase awarded is permissible within the stabilization program. There is no dispute within the Board on this latter fact, since the decision merely puts the radio announcers on this station on the same basis of pay as the announcers in the other major stations in Washington—a permissible application of the bracket principle.

Opinion by: LEWIS M. GILL,
Public Member.

National War Labor Board

January 6, 1945

In the Matter of:

THE EVENING STAR BROADCASTING COMPANY AND
AMERICA FEDERATION OF RADIO ARTISTS, AFL

Case No. 111-4517-HO

Dissenting Opinion

While so far as I know the result secured by the decision of the majority in this tortured little case may be relatively satisfactory (the merits of the case were never discussed during three extended Board sessions devoted to it), the process of reaching this result involved what I regard as a flagrant error in reasoning and procedure. Since it is the sort of error which there well may be opportunities to repeat, I feel constrained to call attention to it and thus explain my dissent from the decision of a majority of my colleagues, including all of my fellow public members.

In this case the parties agreed to submit their dispute, which concerns the method of paying a half a dozen radio announcers, to a referee whose decision was to be final and binding on the parties. Due to confusing instructions, however, the referee did not understand that he was called upon to make an award which would be final and binding, but thought that he was expected to make recommendations of a proper settlement of a dispute. Since the record left room for doubt as to what the referee understood his commission to be, I asked him directly, and he told me directly, that he understood it to be that of a hearing officer making recommendations rather than that of an arbitrator making a final and binding award.

Nonetheless, a majority of the Board, flying straight in the face of the referee's assertion that he was not making an award designed to be final and binding, treated his award as such. In justification of this course it was argued that the true nature of the job done by the referee was what the parties agreed he should do rather than what he actually did. It was also solemnly contended that it could reasonably be assumed that a sincere and experienced referee, such as the referee in this case, would act no differently if he were recommending a settlement of a dispute than if he were making a final and binding award.

It seems to me that both of these propositions are patently misguided. If a person who has done a job asserts that he has done one thing, it certainly cannot be made something else merely by citing the agreement of those asking that the job be done to have it something else. Also the task of recommending an appropriate solution of a labor dispute is a quite different task than that of making a settlement of the dispute which is to be final and binding on the parties. In the latter case, the referee or arbitrator bears the full responsibility for a proper settlement. In making recommendations he shares this responsibility with others and in so doing, has freedom of action denied to the arbitrator—a fact which gives the two operations basically different characters.

It might happen that a person recommending a solution of a labor dispute would offer the same solution as he would if he were making a final and binding award. How-

ever, that would be a coincidence and not a necessity. It would have been possible to discover whether or not there would have been such a coincidence in this case by consulting the referee. Without doing so, however, a majority of the Board went right ahead and treated the referee's decision in this case as a final and binding award. Since this operation imputed to the referee's handiwork a character which he said it never possessed, I could not bring myself to share in it, and hence, unhappily, dissented from the opinion of the majority in this case.

DEXTER M. KEEZER,
Public Member.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 22nd. They are subject to change.

Monday, January 22

- New—Calumet Broadcasting Corp., Hammond, Ind.—C. P., 1520 kc., 5KW, daytime.
KFVD—Standard Broadcasting Co., Los Angeles, Cal.—Renewal of license, 1020 kc., 1 KW, limited.
KPAS—Pacific Coast Broadcasting Co., Pasadena, Cal.—Renewal of license, 1110 kc., 10 KW, unlimited, DA-night & day.

Wednesday, January 24

Consolidated Hearing

- NEW—F. R. Pidcock, Sr., & James M. Wilder, d/b as Georgia Broadcasting Company, Savannah, Ga.—C. P., 1230 kc., 250 watts, unlimited.
NEW—A. C. Neff, Savannah, Ga.—C. P., 1400 kc., 250 watts, unlimited.
NEW—Chatham Broadcasting Company, Savannah, Ga.—C. P., 1400 kc., 250 watts, unlimited.

Thursday, January 25

Further Hearing

- WNLC—Thames Broadcasting Corp., New London, Conn.—C. P. to change frequency from 1490 kc. to 1240 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WMBD—H. D. Morgan (Transferor), Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott (Transferees); Peoria Broadcasting Co. (Licensee), Peoria, Ill.—Granted consent to transfer control of Peoria Broadcasting Company, license of station WMBD (and relay stations WAIN, WEKH, WEKI and WPEO), from H. D. Morgan to Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott, for a consideration of \$114,750, for 510 shares (or 51%) of the issued and outstanding capital stock of licensee. (Commissioner Durr not voting). (B4-TC-412)
- WING—Great Trails Broadcasting Corp., Dayton, Ohio—Granted extension of time, until Feb. 16, 1945, within which to comply with the procedural conditions attached to a conditional

grant to move a new transmitter site and make changes in directional antenna. (B2-F-3267)

The Constitution Broadcasting Co., Atlanta, Ga.—Granted petition for reinstatement of application (B3-P-2905) for construction permit for a new station to operate on 550 kc., 1 KW night, 5 KW-LS, using DA at night, and designated same for consolidated hearing with application of WOPI already in hearing, (Docket 6661) and application of Bob Jones College, Inc. (B3-P-3231)

Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Granted construction permit for new development broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; power, 1 KW, upon an experimental basis only; conditions. (B3-PEX-57)

School District of Kansas City, Mo., Kansas City, Mo.—Granted application for construction permit for new noncommercial educational high frequency (FM) broadcast station to operate on frequencies to be assigned by the Commission's Chief Engineer; power, 1 KW. (B4-PED-38)

Bob Jones College, Inc., Cleveland, Tenn.—Granted petition for reinstatement of application for construction permit for a new station to operate on 550 kc., 1 KW, night; 5 KW-LS, unlimited time, and designated same for consolidated hearing with application of The Constitution Broadcasting Co. (B3-P-2905) and application of WOPI. (Docket 6661)

KFFA—The Helena Broadcasting Co., J. Q. Floyd, et al., Helena, Ark.—Granted, subject to procedural requirements of Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945, application for construction permit to change frequency from 1490 to 1230 kc.; this application involves only change in crystals, the cost of which is less than \$500. (B3-P-3724)

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wisc.—Granted, subject to procedural requirements of Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945, application for construction permit to increase power from 100 watts to 250 watts and change type of transmitter; this application involves only change in tubes, the cost of which is less than \$500. (B4-P-3676)

WOMT—Francis M. Kadow, Manitowoc, Wisc.—Granted, subject to procedural requirements of Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945, application for construction permit to increase power from 100 watts to 250 watts and make changes in transmitting equipment; application involves only change in tubes, the cost of which is less than \$500. (B4-P-3718)

Robert W. Rounsaville, Cleveland, Tenn.—Granted conditionally application for construction permit for new station to operate on 1340 kc., 250 watts, unlimited time; application was granted under the procedure outlined in the Commission's Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. The application is for a station in a community which has no primary service. (B3-P-3689)

Loys Marsdon Hawley, Conway, S. C.—Granted conditionally application for construction permit for new station to operate on 1490 kc., 250 watts, unlimited time; application was granted under the procedure outlined in the Commission's Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. The application is for a station in a community which has no primary service. (B3-P-3709)

KOIN—KOIN, Inc., Portland, Ore.—Designated for hearing application for construction permit to change frequency from 970 to 660 kc., increase power from 5 KW to 25 KW, install new equipment and make changes in the directional antenna system for daytime and nighttime use, upon issues relating to conformity with the provisions of Section 3.25 of the Commission's Rules and relating to the January 26, 1944, Supplemental Statement of Policy as supplemented by statement of January 16, 1945. (B5-P-3712)

KWKW—Marshall S. Neal, Paul Buhlig, Edwin Earl and E. T. Foley, d/b as Southern California Broadcasting Co., Pasadena, Calif.—Designated for hearing application for construction permit to change frequency from 1430 to 830 kc., increase power from 1 to 5 KW, install new transmitter and antenna, and move transmitter site to Monterey Park, Calif.,

upon issues relating to critical materials and manpower as outlined in January 26, 1944, Supplemental Statement of Policy as supplemented by statement of January 16, 1945. (B5-P-3710)

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Granted petition for 30-day extension of time within which to comply with the conditions attached to grant of construction permit B-3-P-3384, as modified.

DESIGNATED FOR HEARING

Capital Broadcasting Corp., Little Rock, Ark.—Designated for consolidated hearing with application of Arkansas Democrat Co., application for construction permit for new station to operate on 1400 kc., 250 watts, unlimited time. Site to be determined. (B3-P-3729)

Arkansas Democrat Company, Little Rock, Ark.—Designated for consolidated hearing with application of Capital Broadcasting Corp. application for new station to operate on 1400 kc., 250 watts, unlimited time. (B3-P-3760)

The Eagle-Gazette Co., Lancaster, Ohio.—Designated for hearing application for construction permit for new station to operate on 880 kc., 1 KW, daytime only, upon issues relating to use of critical materials and manpower in areas now receiving primary service, as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B2-P-3700)

Central Louisiana Broadcasting Corp., Alexandria, La.—Designated for hearing application for construction permit for new station to operate on 1490 kc., 250 watts, unlimited time, upon issues relating to use of critical materials and manpower in areas now receiving primary service, as outlined in Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B3-P-3722)

Independent Broadcasting Co., Des Moines, Iowa.—Designated for hearing application for construction permit for new station to operate on 940 kc., 1 KW day, 250 watts night, unlimited time, upon issues relating to the use of critical materials and manpower in areas now receiving primary service, as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B4-P-3770)

Dixie Broadcasting Co., Montgomery, Ala.—Designated for hearing application for construction permit for new station to operate on 800 kc., 250 watts, daytime only, upon issues relating to the use of critical materials and manpower in areas now receiving primary service, as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B3-P-3691)

KJBS—KJBS Broadcasters, a partnership consisting of William B. Dolph, et al., San Francisco, Calif.—Designated for hearing application for construction permit to install new transmitter and increase power from 500 watts limited to WTAM, to 500 watts night, 1 KW day, upon issues relating to critical materials and manpower as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B5-P-3685)

KOVO—KOVO Broadcasting Co., Provo, Utah.—Designated for hearing application for construction permit to change frequency from 1240 to 960 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use, and change transmitter location, upon issues relating to critical materials and manpower as outlined in Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B5-P-3667)

LICENSE RENEWALS GRANTED

The following stations were granted renewal of licenses for the period ending February 1, 1946: (Commissioner Durr not participating in action on renewal applications.)

KGFJ, Los Angeles, Calif.; KGHI, Little Rock, Ark.; KODL, The Dalles, Ore.; KVCV, Redding, Calif.; WCED, DuBois, Pa.; WFAS and auxiliary, White Plains, N. Y.; WIL, St. Louis, Mo.; WJOB, Hammond, Ind.; WMFR, High Point, N. C.; WMPC, Lapeer, Mich.

The following stations were granted renewal of licenses for the period ending November 1, 1947: (Commissioner Durr not participating in action on renewal applications.)

KFRO, Longview, Texas; WAAB, Worcester, Mass.; WHEC, Rochester, N. Y.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Texas.—Granted renewal of license for the period ending November 1, 1945. (Commissioner Durr not participating.)

MISCELLANEOUS

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted petition for leave to intervene in the hearing on the application of Augusta Broadcasting Company for construction permit for a new station at Charleston, S. C. (Docket 6708)

Newark Broadcasting Corp., Newark, N. J.—Granted motion for continuance of hearing on application for new station; hearing continued to March 12, 1945. (Docket 6190)

KOMO, KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing on applications for renewal of licenses of main and auxiliary transmitters of Stations KOMO and KJR; hearing continued to March 15, 1945. (Dockets 6614 and 6644)

WIBX—WIBX, Inc., Utica, N. Y.—Granted petition to intervene in the hearing on the application of Glens Falls Broadcasting Corp. for construction permit for new station at Glens Falls, N. Y. (Docket 6702)

Robert C. Haberstroh, Altoona, Pa.—Granted motion for admission to practice *pro hoc vice* for the purpose of participating in certain deposition proceedings in Altoona, Pa., on behalf of Roy F. Thompson, tr/as Thompson Broadcasting Co., re hearing on applications of Altoona Broadcasting Co. and Thompson Broadcasting Co. for new stations in Altoona, Pa. (Dockets 6697 and 6698)

WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted motion to dismiss without prejudice application for modification of license to decrease night power from 500 watts to 250 watts and change hours of operation. (Docket 6693)

WICC—The Yankee Network, Inc., Bridgeport, Conn.—Granted petition to intervene in hearing on application of Newark Broadcasting Corp. for construction permit for new station at Newark, N. J. (Docket 6190)

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from 1260 to 590 kc., install DA for day and night use, using present power of 1 KW both day and night. (B5-P-2918)

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from 1340 to 1260 kc., increase power from 100 watts to 1 KW, install new antenna and move transmitter site. (B5-P-2917)

WLIB—WLIB, Inc., Brooklyn, N. Y.—Passed over petition for intervention in the hearing on application of New Haven Broadcasters, Essex, Conn.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition to accept appearance filed late in re application of WBAX for renewal of license, and other Wilkes-Barre cases.

Thompson Broadcasting Co., Altoona, Pa.—Granted petition for continuance to February 21 of the consolidated hearing now scheduled for January 31 in re applicant's application and that of Altoona Broadcasting Co.

Centennial Broadcasting Co., Portland, Me.—Granted petition to reopen the record and accept amendment to application for construction permit.

Glens Falls Broadcasting Corp., Glens Falls, N. Y.—Granted petition for leave to amend application for construction permit, and the application as amended, removed from hearing docket and hearing now scheduled for February 12, cancelled.

The Commercial Cable Co., Commercial Pacific Cable Co., Mackay Radio & Teleg. Co., Inc.—The Commission continued the hearing now scheduled for January 23 to February 21, in the Matter of Limitation of Liability for Mistakes or Delays in Transmission or Delivery of Messages.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Denied (Chairman Porter not participating) petition to reinstate, amend, reconsider and grant application for construction permit (B5-P-3021) to change frequency from

1010 to 740 kc., increase power from 5 to 50 KW, install transmitter equipment and make changes in directional antenna; petition being inconsistent with supplemental statement of policy of January 26, 1944; petition denied without prejudice.

KSFQ—The Associated Broadcasters, Inc., San Francisco, Calif.—Denied (Chairman Porter not participating) petition in answer to KQW petition above, and requesting reinstatement of its own application for construction permit (B5-P-2776) to change frequency from 560 to 740 kc., increase power from 1 KW night, 5 KW day, to 50 KW, unlimited time, install new transmitting equipment, erect directional antenna for day and night use and change transmitter location provided the KQW petition is granted; petition being inconsistent with supplemental statement of policy of January 26, 1944; petition denied without prejudice.

Philco Radio & Television Corp., Arlington, Va.—Granted construction permit for new experimental television broadcast station; frequencies to be assigned by FCC Chief Engineer; the station is to be used in connection with the Washington end of the Washington-Philadelphia relay system for experimental television broadcast purposes in Washington. At the same time the Commission notified the applicant that the grant for experimental purposes is not to be construed as a commitment by the Commission for approval of commercial operation.

Allen B. DuMont Labs, Inc., Washington, D. C.—Granted construction permit (reinstatement) for new experimental television broadcast station; frequencies to be assigned by FCC Chief Engineer; transmitter site at Hotel Harrington, 11th and E Streets, N. W. At the same time the Commission notified the applicant that the grant for experimental purposes is not to be construed as a commitment by the Commission for approval of commercial operation.

P. R. Mallory & Co., Inc., Indianapolis, Ind.—Granted construction permit for new experimental television broadcast station; frequencies to be assigned by FCC Chief Engineer. At the same time the Commission notified the applicant that the grant for experimental purposes is not to be construed as a commitment by the Commission for approval of commercial operation.

APPLICATIONS FILED AT FCC

640 Kilocycles

KTBS—George D. Wray, Allen D. Morris, P. E. Furlow and John C. McCormack, a partnership, d/b as Radio Station KTBS, Shreveport, La.—Construction permit to change frequency from 1480 kc. to 640 kc., increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use, and change transmitter site.

800 Kilocycles

NEW—Dixie Broadcasting Co., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on 1400 kc. with 250 watts power, unlimited time. Amended: To change frequency to 800 kc., hours of operation to daytime only, make changes in antenna and ground system and specify transmitter location.

1230 Kilocycles

WJNO—WJNO, Inc., West Palm Beach, Fla.—License to cover construction permit (B3-P-3707 as modified) for move of transmitter and studio.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Authority to determine operating power by direct measurement of antenna power.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—License to cover construction permit (B4-P-3619) which authorized installation of a new antenna.

WJNO—WJNO, Inc., West Palm Beach, Fla.—Authority to determine operating power by direct measurement of antenna power.

NEW—Howard R. Imboden, tr/as Southwest Broadcasting Co., Pulaski, Va.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. Amended: re change in transmitter site.

1240 Kilocycles

NEW—Gus Zaharis and Penelope Zabaris, d/b as Chemical City Broadcasting Co., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

1250 Kilocycles

NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on 1260 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency to 1250 kc., hours of operation to daytime, changes in antenna and transmitter site.

1300 Kilocycles

NEW—Raoul A. Cortez, San Antonio, Texas—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and daytime hours of operation. Amended: to specify studio location.

1390 Kilocycles

NEW—Frank R. Gibson, Lake Charles, La.—Construction permit for a new standard broadcast station to be operated on 1390 kc., power of 1 KW and unlimited hours of operation employing directional antenna day and night.

1400 Kilocycles

NEW—Atlantic Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1410 Kilocycles

KQV—KQV Broadcasting Co., Pittsburg, Pa.—Assignment of license to Allegheny Broadcasting Corp.

1450 Kilocycles

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Boughton and Kirke M. Beall, d/b as Escambia Broadcasting Co., Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

1470 Kilocycles

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas—Construction permit to change frequency from 1150 kc. to 1470 kc., and change hours of operation from daytime to unlimited time, using 1 KW power.

1490 Kilocycles

NEW—Idaho Radio Corporation, Idaho Falls, Idaho—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

1500 Kilocycles

NEW—Methodist Radio Parish, Inc., Flint, Mich.—Construction permit for a new standard broadcast station to be operated on 1500 kc., power of 250 watts and daytime hours of operation.

FM APPLICATIONS

NEW—Asbury Park Press, Inc., Asbury Park, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 1,279 square miles.

NEW—Allen T. Simmons, Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 45100 kc. with coverage of 10,000 square miles.

NEW—Mississippi Valley Broadcasting Co., East St. Louis, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc. with coverage of 10,737 square miles.

NEW—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47700 kc. with coverage of 5,689 square miles.

NEW—Times-Star Publishing Co., Alameda, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49100 kc. with coverage of 6,450 square miles. Amended: to change coverage to 1,014 square miles, change transmitter site, change type of transmitter and changes in antenna system.

NEW—WHP, Inc., Harrisburg, Pa.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc. with coverage of 27,450 square miles.

NEW—Herbert Herff, Memphis, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45300 kc. with coverage of 15,400 square miles.

NEW—Summit Radio Corp., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 46500 kc. Amended: to specify coverage of 5,380 square miles, specify type of equipment and antenna.

TELEVISION APPLICATIONS

WTZR—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PCT-9 as modified, which authorized a new commercial television broadcast station) for changes in visual transmitter, change in ESR from 1270 to 2700 and extension of commencement and completion dates.

NEW—WLIB, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #17 (282000-288000 kc.), ESR 2080.

MISCELLANEOUS APPLICATIONS

NEW—Stephens College, Columbia, Mo.—Construction permit for a new noncommercial educational broadcast station to be operated on the frequency of 42100 to 42900 kc., power of 1 KW and A3-FM emission.

WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-45 as modified, for new International Broadcast Station) for extension of completion date from 2-7-45 to 5-7-45.

KNBX—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-60), which authorized construction of a new International Broadcast Station.

KNBI—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-59), which authorized construction of a new International Broadcast Station.

WEJC—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for reinstatement of (B1-PRE-440), which authorized move of relay broadcast transmitter and changes in antenna.

WFBM—WFBM, Inc., Indianapolis, Ind.—Construction permit to install a 1 KW auxiliary transmitter, using directional antenna at night.

Foster's Drug Store, Pine Bluff, Ark., stipulated that in connection with the sale of a poultry medicine designated "Greatest of All' Tonic" he will discontinue representing that the preparation will facilitate or contribute to the success of the hatching and raising of chickens; will eliminate or "starve-out" mites, lice, fleas, or other insects which attack poultry; will have any effect upon gapes, limberneck, roup, worms or white diarrhea; will improve the condition of poultry after the initial dosage or maintain poultry in a healthy condition; will have any effect upon poultry during the molting period or increase egg production; or, through use of the word "Tonic" in the brand name of the product, or otherwise, that the preparation has any tonic properties. (03244)

Juliette Frocks, 237 South Market St., Chicago, stipulated that he will cease and desist from selling, advertising, labeling, or otherwise representing dresses, which are made from or contain rayon, without clearly and unqualifiedly disclosing in the invoices and labeling and in all advertising matter that such dresses are rayon in whole or in part, as the case may be. (3960)

Hance Bros. & White Co., 12th and Hamilton Sts., Philadelphia, distributors of pharmaceutical products, have stipulated that they will cease and desist from representing that calcium pantothenate, which they sell in tablet form, is effective in restoring the original color to gray hair or in preventing hair from becoming gray, or that experiments or tests have demonstrated that the normal or original color of hair was restored to 22 out of 25 persons, or to any number of persons, as a result of taking calcium pantothenate. (3962)

R. M. Hollingshead Corp., Camden, N. J., will cease and desist from representing that the compound it sells under the name "Metal-Weld" is a welding agent. (3961)

B. Jadow, Inc.—A stipulation to discontinue misrepresenting the quality, composition and value of watch straps has been entered into by B. Jadow, Inc., 41 Maiden Lane, New York. (3959)

Stipulation (3958) (Liquid Shampoo)

Dr. Krauter's Laboratories, Inc., 860 South 11th St., Newark, N. J., engaged in the sale of a liquid shampoo designated "Kroilon," entered into a stipulation in which it agrees to cease representing that the preparation is not an ordinary soap shampoo or is sensationally or substantially different from various other liquid shampoos on the market. (3958)

Midwest Radio Corp., 909 Broadway, Cincinnati, entered into a supplemental stipulation to cease and desist from representing that any radio receiving set that it sells contains a designated number of tubes or is of a designated tube capacity, when one or more of the tubes referred to do not perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (03243)

Federal Trade Commission Docket

COMPLAINTS

No complaints were issued by the Commission last week.

STIPULATIONS

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

CEASE AND DESIST ORDER

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

Danville Engraving Co., 220 North Logan Ave., Danville, Ill., has been ordered to cease and desist from misrepresentation in connection with the sale of photoengraving plates used by the printing trade in the reproduction of photographs, drawings and other copy. The respondent produces his plates by the wet plate process, as distinguished from the film or dry plate process, and sells them under the trade name "Decotones." (5045)



13TH DISTRICT MEETING

The Thirteenth District opened a two-day session on January 17, with J. Harold Ryan, NAB president, presenting summary of industry activities and problems. Robert T. Bartley spoke on the possibility of legislation and urged stations to inform their congressmen fully on service they are rendering.

Following presentation of the Broadcast Measurement Bureau, which is reported in a special bulletin that will be issued tomorrow, Mrs. Lillian C. Jarman of KTSM, El Paso, presented a public relations report for Karl Wyler of that station, who is District chairman.

A report of the activities of the Broadcast Advertising Department by Lewis H. Avery was followed by a discussion of small market stations, led by James R. Curtis of KFRO, member of the NAB Small Market Station Committee.

In a close election, Martin B. Campbell of WFAA-WBAP-KGKO was elected director of the Thirteenth District for the two-year term starting at the end of the next annual NAB membership meeting or at such time as the Board may designate.

In a series of resolutions, those present urged the radio industry to extend and expand its interest in and devotion to public service programs; suggested that the NAB Board continue its efforts to create resources for training newcomers to broadcasting and for refreshing present practitioners; endorsed BMB; thanked the radio stations of Dallas, their hosts, as well as J. Harold Ryan and Hugh A. L. Half, present director of the 13th District; opposed the proposed continuing renewal clause, and sharply condemned Petrillo's platter-turner demands.

The following resolutions were adopted unanimously:

1. WHEREAS District 13 of the National Association of Broadcasters has voted to oppose the adoption of a policy of continuing discounts as a provision of the Standard Contract Form, therefore

BE IT RESOLVED that the Board of Directors of NAB is requested to delete the proposed revision of Section 5(d) of the NAB-AAAA Standard Contract for Station Facilities.

2. WHEREAS District 13 of the National Association of Broadcasters is opposed to the principle of "made work" in the radio industry, and

WHEREAS it is concerned over an effort to require the industry to employ members of the American Federation of Musicians to turn and perform recordings, therefore

BE IT RESOLVED that the Board of Directors of NAB and the radio industry at large resist all efforts to compel compliance with such practice, which is both capricious and impractical, and an encroachment upon the right of every station to determine its own operating policies consistent with the responsibilities which its license imposes.

3. WHEREAS District 13 of the National Association of Broadcasters recognizes the need for a standard method of measuring coverage of radio stations, and

WHEREAS it recognizes that the plan of Broadcast Measurement Bureau, Inc., will meet such a need, therefore

BE IT RESOLVED that all stations of the radio industry are urged to support and subscribe to BMB.

4. WHEREAS the members of District 13 of the National Association of Broadcasters recognize their obligation to operate their stations in the public interest, convenience and necessity, and

WHEREAS they find opportunities to perform a unique public service by the application of the Broadcasting Art, therefore

BE IT RESOLVED that the radio industry be urged to continue to extend and expand its interest in and devotion to public service programs and develop all opportunities in the field of public relations.

5. WHEREAS the members of District 13 of the National Association of Broadcasters recognize the fluid characteristics of the broadcasting art and the continuing and rapid development of this art, therefore

BE IT RESOLVED that the radio industry and the Board of Directors of NAB continue efforts to create the resources for the training of newcomers to broadcasting and establish facilities for review and refresher studies by its present practitioners.

6. WHEREAS this meeting has afforded everyone in attendance benefits of highly informative talks and discussions of matters of interest and concern to broadcasters, therefore

BE IT RESOLVED that District 13 of the National Association of Broadcasters expresses its thanks and appreciation to the radio stations of Dallas and all others who have assisted in holding and entertaining the District Meeting.

7. WHEREAS he is devotedly serving the radio industry with talent and distinction, and

WHEREAS his administration is marked with a genuine contribution to the dignity and prestige of broadcasting, both within and without the industry, therefore

BE IT RESOLVED that District 13 of the National Association of Broadcasters extends its deep appreciation of the service of J. Harold Ryan as President of NAB.

8. WHEREAS his service to his district is and has been outstanding, and

WHEREAS he has made a valuable contribution to the radio industry as a member of the Board of Directors of NAB from District 13, therefore

BE IT RESOLVED that the members of the District acknowledge, with deep appreciation, the services of Hugh A. L. Half.

REGISTRATION

13th District

TEXAS: Howard Barrett, KRBC, Abilene; Raymond D. Hollingsworth, Aubrey Jackson, O. L. (Ted) Taylor, KGNC, Amarillo; Alex Keese, Taylor-Howe-Snowden, Amarillo; Walter G. Russell, KASA, Amarillo; Hardy C. Harvey, KNOW, Austin; Pat Adelman, KTBC, Austin; John W. Gunstream, State Dept. of Education, Austin; C. B. Locke, KFDM, Beaumont; E. C. Davis, KRIC, Beaumont; Wendell Mayes, KBWD, Brownwood; Aubrey H. Escoe, KAND, Corsicana; J. W. Crocker, W. A. Roberts, KRLD, Dallas; Morris M. Ming, R. G. Terrell, KSKY, Dallas; Ray Collins, WFAA, Dallas; Karl Lambert, Ralph K. Maddox, James M. Moroney, WFAA/KGKO, Dallas; Charles B. Jordan, Roy Newman, Pete Teddlie, WRR, Dallas; J. H. Douglas, General Electric, Dallas; Clyde B.

(Continued on page 32)

J. H. Ryan, *President*

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

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

REGISTRATION

(Continued from page 31)

Melville, Lone Star Chain, Dallas; Herbert Denny, Standard Radio, Dallas; B. V. Hammond, Jr., Denison; Lillian Caldwell Jarman, KTSM, El Paso; C. L. Trigg, KROD, El Paso; Gene L. Cagle, KFJZ, Forth Worth; Layne Beaty, George Cranston, Ed Lally, R. C. Stinson, WBAP/KGKO, Fort Worth; Troy McDaniel, KGBS, Harlingen; Kern Tips, KPRC, Houston; Roy Hofheinz, KTHT, Houston; B. F. Orr, KTRH, Houston; Bill Bennett, Reese Reinecke, T. Frank Smith, KXYZ, Houston; James R. Curtis, KFRO, Longview; DeWitt Landis, KFYO, Lubbock; J. M. McDonald, KRLH, Midland; Bill Laurie, KNET, Palestine; Wayne Phelps, Tex DeWeese, KPDN, Pampa; Ernest Jones, KPLT, Paris; Jack Hawkins, KIUN, Pecos; W. I. Harpole, KVOP, Plainview; Lewis O. Seibert, KGKL, San Angelo; Charles W. Balthrope; Bill Michaels, KABC, San Antonio; George W. Johnson, Rex Preis, Doug Romine, KTSA, San Antonio; C. K. Beaver, Hugh A. L. Halff, Frederick A. Peery, WOAI, San Antonio; L. L. Hendrick, KRRV, Sherman; Burton Bishop, KTEM, Temple; Robert Bielch, Ernest Hackworth, Walter E. Hussman, Don H. Myers, Frank O. Myers, KCMC, Texarkana; James G. Ulmer, KGKB, Tyler; R. Lee Glasgow, WACO, Waco; Archie J. Taylor, KRGV, Weslaco.

ILLINOIS: Gus Hagenah, Standard Radio, Chicago; Ralph S. Hatcher, Station Relations, CBS, Chicago; A. W. Kaney, NBC, Chicago.

LOUISIANA: George H. Thomas, KVOL, Lafayette.

NEW YORK: Claude Barrere, NBC, New York City; James H. Connolly, Blue Network, New York City; Hugh Feltis, Broadcast Measurement Bureau, New York City; Charles Godwin, Mutual, New York City; George W. Johnston, SESAC, Inc., New York City; Linned Nelson, J. Walter Thompson, New York City; Ralph C. Wentworth, Broadcast Music, Inc., New York City.

NEW JERSEY: Sherman H. Rothkamp, Finch Telecommunications, Inc., Passaic.

MISSOURI: George A. Kercher, Edward Petry & Co., St. Louis.

WASHINGTON, D. C.: J. Harold Ryan, Pres., Lewis H. Avery, Robert T. Bartley, Helen Cornelius, NAB.

PORTER'S SPEECH TO FCC BAR ASSOCIATION

Paul A. Porter, Chairman of the Federal Communications Commission, spoke before the FCC Bar Association Friday evening, January 19, 1945, at Washington, D. C. His remarks follow:

My major topic today is the Commission's "freeze policy" on new broadcast construction; and I had better warn you at the start that before I am through, most of you will have chilblains. For the essence of the Commission's present policy, as determined earlier this week, is to grant

no new broadcast applications involving construction, except for a few sharply defined classes of applications. The rigor of the rules may be judged by the fact that of fifteen applications for new standard broadcast stations or changes in facilities considered this week, only five were granted. Three of the grants were for changes in local channel stations. The two granted for new stations were both for communities which have no other broadcast stations and will serve areas having no primary service from any existing station.

The new statement of policy, made public January 17, 1945, does not supersede the January 26, 1944, statement of policy. All the restrictions of the 1944 policy, under which the Commission has operated for a year, remain in effect. What we have just done is to define sharply the category of grants which will be deemed to "serve an outstanding public need or national interest," as the 1944 freeze statement puts it. Specifically, applicants will now have to show, in addition to meeting all the earlier conditions, that the construction will result in making service available to a community *which does not receive service from any existing station*.

This policy will apply also to changes in existing standard broadcast facilities, except where the change does not involve any substantial construction work and does not cost more than \$500.

Having stated the Commission's present policy as strongly as it deserves to be stated, let me say that this new strictness does not arise out of any whim or caprice on the part of the Commission—or out of any change in Commission membership—but out of the logic of the situation in which we find ourselves. From the beginning, the Commission's policy has been closely geared to overall Administration policy, and dictated—like other Administration policy—by the primary urgency of winning the war with all our resources and with a minimum of unnecessary civilian dislocation.

The Commission first announced a freeze policy on February 23, 1942. That was the day a Japanese submarine shelled the California coast. The Nazi U-boats were in the Caribbean, MacArthur was holding Bataan. The country was mobilizing for victory.

Two months later, on April 27, 1942, the freeze policy was further tightened. That was the day 13,000,000 Americans from 45 to 64 years of age were registered for Selective Service. Bataan had fallen, and Corregidor was under attack. We were wondering whether we could ever get at Hitler through his U-boat barricade. Most of us were too worried to think about the construction of new standard broadcast stations.

There were minor additions to the Commission's policy through 1942 and 1944, and in August 1943 provision was made for establishment of local channel stations in communities where no station was then located, but the important change came on January 26, 1944. By then, the world looked brighter. Eisenhower had landed in Africa and had the situation well in hand. Our war production was in high gear; tanks, planes, guns, and communications equipment were streaming from the production line to the battlefronts. The great Russian victories on the Eastern front made it clear that Hitler was caught in a vise whose closing he could at worst only delay. In those circumstances the Commission and the WPB put their heads together, reassessed the situation, and came up with the January 26, 1944, policy which is still in full force and effect.

That policy has two major facets. First, an applicant for a new station, or for a change in an existing station involving substantial construction, must show that a grant will "serve an outstanding public need or national interest." Second, FCC grants in the first instance are conditional upon the applicant's procuring within a reasonable time all the necessary clearances from WPB.

The phrase "serve an outstanding public need or national interest" can be interpreted more or less rigorously; and looking back, I am inclined to think that what was needed was a phrase having that flexibility. The year just past saw the utter defeat of Hitler in France, and his precipitate retreat into his lair. The reports from Europe justified the actions of the time—the WPB spot authorization plan, the removal of many foodstuffs from

the OPA ration list, reconversion plans everywhere. During that period of optimism, the phrase "serve an outstanding public need or national interest" was flexible enough to bend to the temper of the period.

Then came the German stand before the Rhine, the von Rundstedt counter-offensive, and the quickening of the pace here at home. The country saw that it must gird itself for a new and even greater effort. The racetracks were closing. Reconversion talk is put aside. The President has urged National Service legislation. And these factors require a reinterpretation of the standard of "outstanding public need or national interest" to fit the facts of life as we know them today.

Accordingly, all standard broadcast applications are frozen with the following exceptions:

1. Applications not involving substantial construction, and involving less than \$500 costs, can be granted if they meet the other terms of the January 26, 1944, freeze policy.

2. Applications can be granted upon a showing that the construction will result in making service available to a community which does not receive primary service from any existing broadcast station, if the application meets all the requirements of the January 26, 1944, freeze.

Applications must also, of course, conform to the Commission's Rules and Regulations, and Standards of Good Engineering Practice.

The critical wartime situation with respect to materials and manpower confronting the Commission is described in a report of January 16, 1945, to the Commission from John Creutz, Chief of the Domestic and Foreign Branch, Radio and Radar Division, WPB, copies of which were made public along with the Commission's Supplemental Statement of Policy on January 16. The report states:

"Present problems in production to meet military requirements for radio equipment are different and perhaps more severe than those problems existing a year ago. The two basic problems are materials and manpower. During the last two years, problems have shifted to a large extent from those of materials to those of manpower. Basically, even the problem of materials usually resolves itself to a combination of manpower and time necessary for processing or obtaining more basic raw materials."

In addition to showing the Commission that service will be made available to communities which do not receive primary service from any existing broadcast station, applicants will hereafter as in the past have to get all necessary clearances from the WPB before the Commission's conditional grant becomes final. The WPB policy in reviewing such cases is very clearly set forth in the report of January 16, 1945:

"Installation of new broadcasting services will be reviewed with extreme care. All such applications received and showing that the required equipment was on hand were approved until the latter part of December. The increasing problem of finding manpower for war industries had made it necessary to consider the manpower needed to construct, operate and provide maintenance for additional stations.

"It is not felt that the general premise that 'broadcasting is in the war interest' will longer suffice to support the use of manpower and maintenance materials for new stations. Applications must be critically reviewed from the standpoint of available manpower and the need for the service to contribute to the war effort. The use of manpower cannot be approved unless an actual contribution is to be made."

Let me add just one point to that trenchant statement. Applications which on their face do not meet the stringent requirements of the freeze policy will be designated for hearing without delay. With respect to applications on file, including applications in process of hearing, the policy is equally applicable. It is expected that persons interested in radio will cooperate with us until such time as conditions

warrant a return to a more liberal policy. So much for standard broadcast applications.

With respect to FM and television, the "pending file" policy still holds. Applications are accepted for the pending file, where they will remain until the manpower and materials situation permits actual construction. At that time due notice will be given to all concerned, and in an orderly manner all applications will be processed and acted upon. FM and television grants will *not* be made on a first-come, first-served basis. We hope that in most communities there will be enough channels for all qualified FM applicants; where that is not the case, grants will be made, after hearing, to those best qualified—not to those under the wire earliest.

The freeze order does not apply, and has never applied, to experimental and developmental services. In that connection, the WPB Report of January 16, 1945, states:

"Every effort has been made to aid in development work. Blanket priorities have been provided for laboratories, and every possible aid has been given in all fields of development. Application of radio to bus lines, railroads, etc., has been tested by several companies. In conjunction with the Federal Communications Commission, several broadcast stations have received priorities for developmental work in frequency modulation."

Let me hasten to add, however, that the developmental license is *not* a loophole in the general freeze. Only those experimental or developmental applications will be granted which involve *bona fide* exploration of new techniques or devices, and which give promise of adding to our knowledge of the art. An experimental or developmental license, moreover, gives no priority on a frequency for subsequent commercial operation.

There is real need for experiment and development, especially in the higher frequencies, with respect to both FM and television. The freeze does not stand in the way of real work in this field. But fruitless experimental or developmental applications, like unsubstantial applications generally, will merely waste the time of applicants, the time of the Commission, and the time of the WPB.

I hope that I have answered some of your questions about the freeze except one: namely, how long will the freeze last? That is a question which neither the Commission nor anybody else can answer. It depends upon the success of our forces in the field, upon the duration of enemy resistance—and upon the wholeheartedness with which we here at home support with every power at our command the men on the firing lines. But I do want to urge one caution:

A few months back, the military news was unqualifiedly good, and the thoughts of many people focused promptly on postwar plans. A flood of applications descended upon the Commission. No blame is attached to that situation; it was a very human error. But if it happens *again*, we will not again be blameless.

The news this week is filled with the victories of our Russian Allies on the Eastern front and our own progress on Luzon. Let us rejoice in those victories, but—

Let's keep our eye on the ball. To quote the President's words on National Service:

"As the United Nations enter upon a truly total offense against their enemies, it is vital that total offense should not slacken because of any less than total utilization of our manpower on the home front."

NAB NEWS COMMITTEE MEETS

The NAB News Committee met in Chicago on Wednesday, January 24.

- (a) They formulated recommendations relative to the maintenance of high status of radio news.

- (b) Completed plans for the organization of the Council on Radio Journalism.

- (c) Arranged to extend cooperation with the Radio Correspondents Association of Washington, D. C.

The sub-committee handling this matter consists of L. Spencer Mitchell, WDAE, Tampa, and H. K. Carpenter, WHK, Cleveland.

On Thursday, January 25, the News Committee met with a committee from the American Association of Schools and Departments of Journalism. Fred S. Siebert, Director of the School and Professor of Journalism, was elected chairman of the Council on Radio Journalism. Arthur Stringer, NAB, was elected secretary. Both were elected unanimously.

Membership of the News Committee:

*Karl Kierper, chairman, KMBC; *William Brooks, NBC, New York; H. K. Carpenter, WHK, Cleveland; Rex G. Howell, KFXJ, Grand Junction; L. Spencer Mitchell, WDAE, Tampa; *E. R. Vadeboncoeur, WSyr, Syracuse; and *Paul White, CBS, New York.

Asterisk indicates membership on the Council on Radio Journalism. The additional Council member is Arthur Stringer, NAB.

Council membership, representing the Schools and Departments of Journalism are:

Wilbur Schramm, State University of Iowa
 Mitchell Charnley, University of Minnesota
 Floyd Baskette, Emory University
 I. Keith Tyler, Ohio State University.

FMBI TO PROTEST FCC ALLOCATION

The Board of Directors of FM Broadcasters, Inc., at a special meeting held in Washington Jan. 19, after reviewing the report of the Federal Communications Commission proposing a re-allocation of frequencies above 25 megacycles, reaffirms the position taken by the Association at the public hearing held last fall and expressed its opposition to the proposed drastic change in the position of FM broadcasting in the spectrum.

(FM commercial and educational broadcasting is now assigned to the band from 42 to 50 megacycles and the Commission's report proposes to move the band to 84 to 102 megacycles.)

While the Board expressed its unanimous approval to that part of the report allocating additional frequencies for FM broadcasting and the maintenance of high fidelity standards, it expressed concern over changing from a band where FM has been operating satisfactorily for more than five years to one which has been unexplored for this type of service and for which receiving sets and transmitters have to date not been contemplated or designed.

The Board authorized the President to appoint a committee to prepare and supervise FMBI's appearance at the announced oral argument. This committee is as follows: John Shepard 3rd, Chairman; Theodore C. Streibert, Cecil D. Mastin, C. M. Jansky, Jr., J. E. Brown and Walter J. Damm, ex-officio.

NEW RADIO BILLS

Representative Dondero, Mich., has introduced a bill HR 1648, to amend the Communications Act of 1934 as amended, so as to prohibit interference with the broadcasting of non-commercial cultural or educational programs. The bill, which is identical with the Vandenberg in the Senate, has been referred to the House Committee on Interstate and Foreign Commerce.

943 STANDARD BROADCAST STATIONS

During the month of December the FCC granted six new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944												1945	
	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Jan. 1
Operating	910	910	909	909	909	910	912	913	912	914	916	919	919	919
Construction	2	4	8	9	11	13	12	13	16	15	15	18	24	24
	912	914	917	918	920	923	924	926	928	929	931	937	943	

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 29. They are subject to change.

Monday, January 29

Consolidated Hearing

NEW—Utica Broadcasting Company, Utica, New York—C. P. 1450 kc., 250 watts, unlimited.
 NEW—Ronald B. Woodyard, Utica, New York—C. P. 1450 kc., 250 watts, unlimited.

Thursday, February 1

Consolidated Hearing

KRBC—Reporter Broadcasting Company, Abilene, Texas—C. P. to install new transmitter, change antenna, change frequency, increase power and install direction antenna. 1470 kc., 1 KW, unlimited, DA-night.
 KPLC—Calcasieu Broadcasting Company, Lake Charles, Louisiana—C. P. to change frequency, increase power, install new transmitter and make changes in antenna. 1470 kc., 1 KW, unlimited.
 NEW—H. C. Cockburn, tr/as San Jacinto Broadcasting Company, Houston, Texas—C. P., 1470 kc., 1 KW, unlimited.

Federal Communications Commission Action

The meeting of the Commission was held this week after the Bulletin went to press.

LICENSE RENEWALS

Granted renewal of following relay broadcast station licenses for period ending not later than February 1, 1946:

KABG, Ben S. McGlashan, area of Los Angeles, Calif.; KIIF, Missouri Broadcasting Corp., area of St. Louis, Mo.; KBQA, Winona Radio Service, area of Winona, Minn.

Granted renewal of following relay broadcast station licenses for the period ending not later than November 1, 1947:

WEOY, John M. Rivers, Charleston, S. C.; WAID, WAUQ, WGBE, WGBH, Onondaga, Radio Broadcasting Corp., Syracuse, N. Y.; WEND, WHPA, WHP, Inc., Harrisburg, Pa.

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

WBWB, Banks of the Wabash, Inc., Terre Haute, Ind.; WBLR, Columbus Broadcasting Co., Inc., Columbus, Ga.; WAXL, Jonas Weiland, Kinston, N. C.; WAIJ, WAIY, WIBX, Inc., Utica, N. Y.; WJAE, WJNO, Inc., West Palm Beach, Fla.; WHPT, Radio Station WMFR, Inc., High Point, N. C.

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

KSFB, KEHV, KFJU, KETV, KRSA, KSFQ, The Associated Broadcasters, Inc., San Francisco, Calif.; KFAA, A. H. Belo Corp., Dallas, Tex.; KNED, Carter Publications, Inc., Ft. Worth, Tex.; WADA, Charleston Broadcasting Co., Charleston, W. Va.; WCBE, Columbia Broadcasting System, Inc., Charlotte, N. C.; WAUT, Evansville on the Air, Inc., Evansville, Ind.; KIEL, Fisher's Blend Station, Inc., Seattle, Wash.; WQER, Georgia School of Technology, Atlanta, Ga.; KAXY, KEJR, KGKO Broadcasting Co.,

Ft. Worth, Tex.; WAXJ, Lamar Life Insurance Co., Jackson, Miss.; WTAB, Indianapolis Broadcasting Co., Indianapolis, Ind.; KABF, McClatchy Broadcasting Co., Sacramento, Calif.; WABG, Memphis Publishing Co., Memphis, Tenn.; WAOE, Martin R. O'Brien, Aurora, Ill.; WAIN, WEKH, Peoria Broadcasting Co., Peoria, Ill.; KBTA, KBTB, Red River Broadcasting Co., Inc., Duluth, Minn.; WTNK, WOAX, Inc., Trenton, N. J.; WMWA, WOKO, Inc., Albany, N. Y.

Placed in pending file the following applications for construction permits for new non-commercial educational stations:

Western Illinois State Teachers College, Macomb, Ill. (B4-PED-43); State University of Oklahoma, Norman, Okla. (B3-PED-41)

Placed in pending file following applications for construction permits for new high frequency (FM) broadcast stations:

WLIB, Inc., New York, N. Y. (B1-PH-402); WCMO, Inc., Texarkana, Tex. (B3-PH-397); Eagle Publishing Co., Pittsfield, Mass. (B1-PH-398); The Farmers & Bankers Broadcasting Corp., Wichita, Kans. (B4-PH-380)

MISCELLANEOUS

WLAK—Radio Station WLAK, Lakeland, Fla.—Granted authority to determine operating power by direct measurement of antenna power.

KNAK—Granite Dist. Radio Broadcast Co., Salt Lake City, Utah.—Granted modification of construction permit which authorized a new station, for changes in transmitting equipment, approval of antenna, change in main studio location from 248 South Main St. to 1016 South Sixth St., West, Salt Lake City, and approval of transmitter location at 1016 S. Sixth, West, Salt Lake City.

Chatham Broadcasting Company, Savannah, Ga.—Adopted order granting petition to dismiss without prejudice application for construction permit for new station. (Docket 6641)

F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Co., Savannah, Ga.—Adopted order granting, in part, motion for continuance of consolidated hearing on applications of Georgia Broadcasting Co. and A. C. Neff for construction permits for new stations at Savannah, Ga.; hearing continued to February 14, 1945. (Dockets 6639 and 6640)

WBBF—Rock Island Broadcasting Company, Rock Island, Ill.—Granted license to cover construction permit which authorized installation of auxiliary transmitter (B4-L-1850); granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1653)

WBKY—University of Kentucky, Lexington, Ky.—Granted modification of construction permit to make changes in antenna system and extend completion date from February 27 to 60 days from date of grant. (B2-MPED-20)

WBGW—Westinghouse Radio Stations, Inc., area of Fort Wayne, Ind.—Granted renewal of relay broadcast station license for period ending May 1, 1945. (B4-RRY-140)

APPLICATIONS FILED AT FCC

970 Kilocycles

KOIN—KOIN, Inc., Portland, Oregon.—Construction permit to make changes in transmitting equipment.

1230 Kilocycles

WJEF—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—License to cover construction permit (B2-P-3590 as modified) for a new standard broadcast station.

WJEF—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WBIR—American Broadcasting Co., Knoxville, Tenn.—Voluntary assignment of license to Radio Station WBIR, Inc.

1280 Kilocycles

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Construction permit to increase power from 1 KW night, 5 KW daytime to 5 KW day and night and make changes in directional antenna system for night use.

1340 Kilocycles

KPDN—R. C. Hoiles, Pampa, Texas.—Assignment of license to C. H. Hoiles, Harry Hoiles and Jane Hoiles, a partnership, d/b as Radio Station KPDN.

1450 Kilocycles

NEW—Glens Falls Broadcasting Corp., Glens Falls, New York.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation; AMENDED to change requested frequency to 1450 kc.

NEW—Centennial Broadcasting Co., Portland, Maine.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation; AMENDED re changes in transmitting equipment.

1490 Kilocycles

WKIX—Inter-City Advertising Co., Columbia, S. Car.—Modification of construction permit (B3-P-3650 which authorized a new standard broadcast station) for approval of antenna and transmitter site, specify studio site and change type of transmitter.

FM APPLICATIONS

NEW—Green Bay Newspaper Co., Green Bay, Wisc.—Construction permit for a new high frequency (FM) broadcast station; AMENDED to specify frequency of 44900 kc., coverage of 6,790 square miles, type of transmitter and transmitter and studio locations and change in corporate structure.

NEW—The Radio Station KFH Co., Wichita, Kansas.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc., with coverage of 18,170 square miles.

MISCELLANEOUS APPLICATION

WNEX—Macon Broadcasting Co., Macon, Ga.—Modification of construction permit (B3-P-3688 for a new standard broadcast station) for approval of antenna, transmitter and studio sites.

Federal Trade Commission Docket

COMPLAINT

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

Shields of Faith Company, with places of business at 85 Van Braam Street, Pittsburgh, and 230 East Ohio Street, Chicago, are charged in a complaint with making false and deceptive representations with respect to the amount of protection afforded to members of the armed forces who carry steel-covered Bibles and Catholic prayer books sold by the respondents. (5265)

STIPULATIONS

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

Chas. Anzman & Son, 333 Seventh Avenue, New York, engaged in the manufacture and sale of women's fur coats, stipulated that they will cease and desist from the use of the words "civet cat"

or "civet," or terms of like meaning, either alone or in connection with other words, to designate furs or fur garments made of the peltries of the little spotted skunk or the little striped skunk, or of any peltries other than civet peltries. (3963)

Hook-Fast Specialties, Inc.—An amended stipulation relating to use of the word "free" to describe merchandise has been entered into by Hook-Fast Specialties, Inc., 220 Eddy Street, Providence, Rhode Island, dealer in belts, buckles, bracelets and other specialty items. (02545)

CEASE AND DESIST ORDERS

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

Dodge, Incorporated, 706 North Hudson Ave., Chicago, has been ordered to cease and desist from representing that the steel-covered religious books it sold for use by members of the armed forces will stop or deflect bullets or similar projectiles or will otherwise afford any substantial protection from such projectiles. (5185)

Hawkeye Sales, Inc., 615 Tenth Street, Des Moines, Iowa, and its sales manager, Tim Lake, from disseminating false advertisements concerning two poultry medicines they sell under the names "Blu-V-Spray" and "Jermite." (4919)

Healthaids, Inc.—An order has been issued prohibiting the dissemination of false advertisements which represent that the widely-advertised product "Serutan" is a cure or remedy for constipation.

Respondents named in the order are Healthaids, Inc., of New Jersey, 404 Tonnele Ave., Jersey City, manufacturer and distributor of Serutan, and The Journal of Living Publishing Corporation and Victor H. Lindlahr, both of 1819 Broadway, New York, who were found by the Commission to have cooperated with Healthaids, Inc., in advertising the preparation. Lindlahr is editor of the magazine "Journal of Living" and author of books, pamphlets and circulars published and sold by the publishing company, and is employed by Healthaids as a radio lecturer. He receives compensation from both corporate respondents and actively promotes the sale of Serutan to the public. He is a director of the publishing company, as are Matthew Rosenhaus and Maurice Haas, president and treasurer, respectively, of the Healthaids corporation. (4332)



ANNUAL MEETING ABANDONED

DISTRICT MEETING ATTENDANCE LIMITED

In response to the appeal made on January 5 by James F. Byrnes, Director of War Mobilization and Reconversion, for the curtailment of non-essential travel, plans for the annual convention have been abandoned and action to restrict attendance at the district meetings scheduled subsequent to February 1, has been taken. Directors in the districts involved have notified stations to limit their attendance to but one representative and have stated that in no case must the attendance at any meeting exceed 50, thus making them conform to regulations. A policy of advance registration will be followed in order to be certain that no more than 50 will attend any meeting. In this connection it is significant that a study of the attendance at the five meetings thus far held discloses that not as many as 50 from outside the community in which the meeting was held have been in attendance.

The limitation on attendance necessitated the cancellation of the 12th district meeting which was to have been held jointly with the 10th district at Kansas City on February 7 and 8. The combination of the two meetings made it impossible to keep the attendance below 50 if all stations in both districts were to be represented. Director William B. Way of the 12th District therefore, postponed his meeting and Director Gillin of the 10th District has taken steps to pre-register representatives from the stations in his district to assure himself that less than 50 from out of town will attend.

In addition, NAB associate members and government agencies and departments which had planned to send outside representatives to these meetings have been requested to abandon such plans.

President J. H. Ryan today issued the following statement with respect to this matter:

"In compliance with the expressed wishes of the Government to limit the amount of travel, and to avoid any conventions or meetings which would bring together from outside the city in which the meeting is scheduled more than 50 persons, the National Association of Broadcasters has cancelled its annual convention which would normally be held in the late spring. The NAB convention usually has an attendance of more than 1,000.

"In the matter of District meetings, on which the NAB is currently engaged, only those will be held which conform in all respects to the government's requirements. These, few in number, and bringing only a handful of broadcasters from out of town, will be scheduled only because in the opinion of the NAB they are absolutely essential in helping all broadcasting stations to consider and execute their 1945 plans for the furtherance of the war effort of the government and its various departments to the end that the war may be brought to a speedy and victorious conclusion. With this objective in mind, this 25th anniversary year of American radio broadcasting is dedicated to victory."

Announcement with respect to the meetings scheduled in the second series of district meetings to begin at Boston on March 6, will be made in the near future.

NLRB HEARS NABET-NBC-BLUE CASE

On Tuesday (30) a hearing was held in New York before trial examiner of the National Labor Relations Board on the complaint filed by the National Association of Broadcast Engineers and Technicians (NABET) charging the National Broadcasting Company and the Blue Network with an unfair labor practice. The charge grew out of the refusal of both NBC and the Blue to continue discussions with NABET with respect to a contract which covered platter turners. The issues are better understood in the light of letters which were sent on January 6 to Allan T. Powley, NABET president, by Niles Trammel and Mark Woods, presidents respectively of the two networks. The NBC letter follows:

"This letter is in response to the request you made on Wednesday of this week for a written statement of our position with respect to jurisdiction over 'platter turners.' You stated that your union did not deem it advisable to continue the negotiations for a new collective bargaining agreement unless your jurisdiction was recognized.

"The National Broadcasting Company has given this matter considerable thought and I must now advise you that we are not in a position to give you our commitment recognizing your union as the proper bargaining agent for 'platter turners.' We have come to this conclusion because, based on the facts which I shall summarize in this letter, it seems clear to us that this question can be resolved effectively only by judicial determination.

"In January 1944 in the course of negotiating with the American Federation of Musicians a new contract covering the instrumental musicians in our employ we agreed, effective in June, to employ musicians as 'platter turners.' We made this agreement in the belief that we and you could more exactly define 'on the air play-back' equipment (as those words are used in our NABET contract) so as to exclude therefrom the actual work of turning 'platters,' leaving the equipment itself solely under the jurisdiction of your engineers.

"In April your union instituted a proceeding before the National Labor Relations Board seeking a declaration that your union was the proper collective bargaining agent for the employees engaged in 'platter turning.' The American Federation of Musicians and the Company were parties to those proceedings. On November 24, 1944, the National Labor Relations Board handed down its order certifying your union as the proper collective bargaining agent for employees engaged (except in Chicago) in 'platter turning.' We expected that this order would finally settle this jurisdictional controversy between your union and the American Federation of Musicians and we were fully prepared to negotiate with you on that basis.

"However, on December 1, 1944, we were informed that the American Federation of Musicians did not regard the Board's decision as determinative of the issues involved and, accordingly, had ordered the musicians in Hollywood

(Continued on page 38)

J. H. Ryan, *President*

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

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

NLRB HEARS NABET-NBC-BLUE CASE

(Continued from page 37)

not to participate on the Jack Benny program scheduled for Sunday evening, December 3rd. We were able to have this strike call withdrawn by agreeing to confer with the President of the union, James C. Petrillo, on Tuesday, December 5th, in order that we might be fully apprised of his position with respect to this matter. Prior to attending that meeting, we received from Mr. Petrillo a letter dated December 1st, reading as follows:

"Now that the hearing before the National Labor Relations Board is terminated and certification has been granted NABET over work commonly termed 'pancake turning' except in Chicago, and which work you have yourself recognized belongs to our union, I deem it appropriate that I write to you my views in the matter.

"Regardless of the National Labor Relations Board certification, I firmly believe that the agreement we entered into awarding the work of pancake turning to the American Federation of Musicians is legal and proper and I take this means of notifying you that I shall continue to insist upon this jurisdiction so that the work of pancake turning is performed by members of the American Federation of Musicians throughout the country.

"I do not wish to enter into an argument on the merits of the jurisdiction, but I think I am within my rights in saying that NABET's claim that it is an independent non-dominated unit is not substantiated by the facts and the record. Had this been a 'complaint' case before the National Labor Relations Board I feel sure that we would have established that NABET is a dominated organization. Of course such facts and circumstances cannot be established in a representation case, which was the character of the case before the Board. If you were to consider the testimony of Mr. Fredendall at the last hearing you would, I think, be satisfied that it spells nothing more nor less than that NABET is controlled by the companies employing their members.

"I think the only fair thing to do in this matter is to cause NABET to release jurisdiction over this class of work. Unless that is done we shall be plunged into another controversy, which I am sure neither you nor I desire. Therefore, I hasten to bring to your attention my position in this matter irrespective of the certification by the Board, and I request you to take all necessary steps to put into force and effect the agreement we entered into for the members of the American Federation of Musicians in pancake turning.'

"On December 5th, during my first meeting with you after receiving the foregoing letter, we informed you of its contents.

"You will note from Mr. Petrillo's letter that he disputes that you are an 'independent non-dominated unit' and suggests that had the proceeding before the National Labor Relations Board been a 'complaint case' the Board would have sustained his contention. He also states that since his union was not in a position to raise the question of domination in the 'representation case' that issue is still

present and is controlling in the ultimate determination of who is entitled to represent employees engaged in 'platter turning.'

"The Company is and always has been willing to abide by a decision conclusively determining the jurisdictional question. However, in view of the fact that the American Federation of Musicians insists that the certification by the National Labor Relations Board did not effectively determine this issue and refuses to abide by it, we decided that we had no alternative but to decline to negotiate with either union with respect to 'platter turners' until the issue was finally and effectively determined.

"The status quo, I trust, will be maintained by all concerned until the issue is finally determined—interruption of our essential services should not be permitted to take place particularly in time of war."

The Blue letter is as follows:

"The following is a statement of the position of the Blue Network in reference to the dispute between your Union and the American Federation of Musicians, headed by Mr. James C. Petrillo, as to which union shall have jurisdiction of our personnel working as platter turners.

"In negotiating a new contract with Mr. Petrillo, for the American Federation of Musicians, in January, 1944, the Blue Network agreed, effective in June, 1944, to employ platter turners who are members of the American Federation of Musicians. This agreement was part of a general contract with the American Federation of Musicians. In making this contract, we were acting in good faith and were advised that we were within our legal rights to award this jurisdiction to the American Federation of Musicians.

"As you know, in April of last year, your Union instituted a proceeding before the National Labor Relations Board whereby you sought to have NABET named as the collective bargaining unit for platter turners. The Blue Network and the American Federation of Musicians were parties to this proceeding. On November 24, 1944, the National Labor Relations Board certified your Union as collective bargaining agent for platter turners, except in Chicago. The Blue Network was prepared to follow the decision of the National Labor Relations Board.

"However, on December 1, 1944, Mr. Petrillo informed us that he did not consider the findings of the National Labor Relations Board binding upon his organization, because he charged that NABET is a so-called company-dominated union. Mr. Petrillo further alleged that the question of whether or not your Union is an independent union had not been considered by the National Labor Relations Board in its proceedings covering the representation of platter turners. He served notice on the Blue Network that, as a result, he expected the network to comply with our agreement of January, 1944, and to employ musicians, rather than engineers, as platter turners.

"At this time, Mr. Petrillo told the Blue Network that unless we recognized the jurisdiction of the American Federation of Musicians over platter turners, in accordance with our contract, he would order a series of 'wild cat' strikes by withdrawing musicians from Blue Network programs at sporadic intervals. If Mr. Petrillo carries out this threat, it will be impossible for us to broadcast leading programs on the network because of the absence of musicians. We have no adequate legal relief in such situation and over a period of time it would be impossible for us to broadcast our leading programs. The result would be that the operation of the Blue Network would be seriously jeopardized.

"For the last month we have been negotiating with you the terms of a new collective bargaining agreement. You have now informed us that you will no longer negotiate unless we accept your Union as the collective bargaining unit for platter turners. In view of the circumstances described above, and particularly Mr. Petrillo's contention that the National Labor Relations Board has not determined the question as to whether your Union is an independent and non-dominated organization, we find ourselves unable to comply with your request unless and until such time as this issue has been finally and effectively determined in such a way as to be binding on all parties concerned.

"The first obligation of the Blue Network is to the public. Holding a public franchise, we will make every effort to continue the operation of the network, without interruption, and thus maintain our essential public service. I know you will agree that this is particularly important in time of war, when radio is serving as a vital source of public information, both on the progress of the war and on the efforts necessary to enable us to win the war. The public interest and that of the parties accordingly require that the pending dispute be finally determined as promptly as possible and we sincerely hope that your Union and the American Federation of Musicians will cooperate with us to that end."

Following receipt of these letters NABET charged the networks with an unfair labor practice. Meantime the American Federation of Musicians sought to enlarge the scope of the hearing by filing a complaint with NLRB charging that NABET is a "company-dominated" union. The hearing in New York confined itself to the NABET complaint of an unfair labor practice and did not hear any testimony on the AFM complaint.

The report and recommendations of the trial examiner will be filed with the NLRB at Washington for final disposition. (NOTE: For background information on this subject see NAB REPORTS, Vol. XII, pages 392, 441, 463, and 477.)

New York Times Comments

The New York Times (February 1) carried the following interesting editorial:

Petrillo Is Power

James Caesar Petrillo not only dictates terms to the big broadcasting companies; he not only ignores the orders of the War Labor Board and the written pleas of the President; but he is able in effect to set aside also the decisions of the National Labor Relations Board. This is brought out in the testimony of the vice president of the National Broadcasting Company and of the president of the Blue Network Company, Inc., before a trial examiner of NLRB.

The case arose out of a complaint brought by the independent technicians' union, the National Association of Broadcast Engineers and Technicians. Members of this union, as part of the studio engineers' job, perform the chores of putting on and turning over records. This union was certified by NLRB last November as the bargaining agent for these jobs. But Mr. Petrillo, head of the American Federation of Musicians, refused to recognize the Board's decision. He told the broadcasting company officials, according to their testimony, that he would order musicians off the air unless the companies refused to renew their contract with the independent technicians' union and hired musicians as "platter turners" instead. And the broadcasting company officials felt that they had no choice except to do what Mr. Petrillo ordered.

If precedent is followed, this new revelation of Mr. Petrillo's private power to overrule not merely employers and rival unions but Federal agencies will lead to a great deal of indignation, in the halls of Congress and elsewhere, against Mr. Petrillo personally. Such personal indignation, as in the past, will be misplaced. The real question is not whether Mr. Petrillo abuses his power but whether the law should place so much irresponsible power in his hands. "Upon what meat doth this, our Caesar, feed that he is grown so great?" When Congress has answered that question, by examining the special privileges and sweeping legal immunities that it has itself granted to union officials in recent years, it will be ready to bring the Petrillos within bounds. And not until then.

ALLOCATION DEVELOPMENTS

Following the recent announcement of proposed allocations by the Federal Communications Commission in the spectrum range above 25 megacycles, Dr. W. R. G. Baker, Chairman of the Radio Technical Planning Board, called

a meeting of the Board in New York City on January 24. The meeting of the Planning Board was well attended and there was considerable discussion on the position to be taken by RTPB in view of the proposed allocation.

The Board unanimously agreed to authorize the participation of all panel chairmen in the oral argument, and petitioned the FCC to postpone the date for the filing of briefs to February 21 and the oral argument to February 28. The FCC acted favorably on this request of RTPB on January 25 and the dates suggested by the Board were adopted. Dr. Baker has filed with the Commission notice of appearance for all panel chairmen. In connection with the announcement from RTPB, the following statement was made on behalf of the Board:

"The Panels of the Radio Technical Planning Board include engineering representation from all interests in the radio industry which can contribute to the discussions and solutions of the problems confronting each panel.

"These engineers are fully qualified and among the most experienced in their profession. It is natural, therefore, that they are among those who have been called upon to carry on the research and development necessary to the conduct of the war. Broadly, therefore, they had available to them the classified information necessary to the deliberations of the respective panels (even though they were not permitted to make direct reference to such information). It is the opinion of the Radio Technical Planning Board that due weight was given to all pertinent classified information in arriving at the conclusions and recommendations.

"Because the membership of the Panels was drawn from widely different interests, individual opinions in some instances, of necessity, differ from the broad conclusions reached. However, the weight of the panel's recommendations rests upon the fact that these conclusions are the result of broad experience and the wide representation of its panel membership, and have the support of large majority opinions."

The NAB committee of the Board of Directors on allocation problems is now considering participation in the oral argument by NAB. As of this date, February 1, no final conclusions have been reached. The committee consists of T. A. M. Craven, chairman; John E. Fetzer and Kolin Hager.

According to Howard S. Frazier, Chairman of Panel 4 on Standard Broadcasting, no decision has yet been made by that panel concerning participation in the oral argument. A subcommittee of the panel which studied broadcast relay pickup requirements is now reviewing the Commission's proposed allocations for this service. Comments on the allocation have been requested from all members of the panel.

15TH DISTRICT MEETS

San Francisco, January 26. William B. Smullin of KIEM was elected District Director at the closing session of the two-day NAB 15th District meeting here today at the Hotel Fairmont. Mr. Smullin's two-year term will begin at the close of the NAB 1945 Convention or, under the revised by-laws, at such time as the NAB Board of Directors shall determine.

Since the inception of the NAB Small Market Stations Committee nearly two years ago, Mr. Smullin has been one of its most active members and spoke at the NAB Executives War Conference in Chicago last August on "Small Market Stations as Training Grounds for the Broadcasting Industry." In addition, he has been an outstanding West Coast leader in the Army and Navy training programs for radio technicians.

Following the review of NAB activities and industry problems by J. Harold Ryan, NAB President, Robert Wesson of KGO, District Chairman of the Programs Managers Committee, presented the report of that group. He dwelled at some length on the importance of program-

sales co-operation with the station manager sitting as arbiter where policies conflicted.

At luncheon on the opening day, Nat J. L. Pieper, special agent in charge of the San Francisco office of the Federal Bureau of Investigation, reported an alarming increase in juvenile delinquency and urged broadcasters to take a personal interest in a reduction of the juvenile crime record by aiding in the creation of greater respect for law and order.

The Small Market Stations Panel on the second morning was presided over by Mr. Smullin who outlined the revenue, program and technical problems which such stations face. His report of the activities of the Small Market Stations Committee was roundly applauded by the radio station executives present.

After outlining the activities of the Sales Managers Committee, of which he is District Chairman, Ray Baker of NBC introduced Lewis H. Avery and Helen Cornelius, who reported at length on the current developments in national and retail radio advertising respectively.

The morning session on the second day closed with a report on legal and labor problems by John Morgan Davis, NAB General Counsel.

The speaker at luncheon on the second day was Henry F. Grady, President of the San Francisco Chamber of Commerce and President of American President Lines (Steamship). After reporting on his service with the American mission to aid in the rehabilitation of Italian agriculture and industry, Mr. Grady urged that Americans co-operate with equal unselfishness in meeting the tremendous post-war problems with which American agriculture and industry will be faced.

In addition to the election of Mr. Smullin as District Director, the concluding session passed the following resolutions:

WHEREAS Lou Keplinger, Regional Director of the Domestic Branch of OWI, has performed and is performing an outstanding service to his own organization in its relationship with the broadcast industry in this district, therefore

BE IT RESOLVED that our thanks and congratulations be extended to him and that a copy of this resolution be forwarded to Elmer Davis, the head of OWI.

WHEREAS J. Harold Ryan left the Office of Radio Censorship and his own private business to become the president of NAB and in this wartime has brought the industry into a closer knit unit for the prosecution of the war and the meeting of industry problems, therefore

BE IT RESOLVED that it is with the greatest regret that we of this district learn that Mr. Ryan has requested that he not be considered again as candidate for office of NAB presidency, and

BE IT FURTHER RESOLVED that we extend to him our heartfelt thanks and the best of wishes for his future.

WHEREAS Arthur Westlund, the director for the 15th District of NAB, at personal sacrifice has conducted said office with the utmost fairness and integrity, therefore

BE IT RESOLVED that this meeting go on record as extending a unanimous vote of thanks and appreciation for his untiring efforts and for the sincere work he has done.

INDUSTRY SUPPORT TO 6TH WAR LOAN—\$11,250,000

The broadcast industry, including its advertisers, backed the Sixth War Loan to the tune of \$11,250,000. This sum represents the contributions of all segments of the industry.

It was determined by following methods specified by the War Advertising Council for calculating war effort support. The amount is a quarter million in excess of industry-wide support to the Fifth War Loan.

FCC ON TOUR

Five of the six members of the Federal Communications Commission left Washington Friday (26) for an exten-

sive air tour of domestic military establishments. The object of the trip is to familiarize FCC with the developments which have resulted from the military use of radio and other electronic devices.

General Counsel Charles R. Denny and Chief Engineer George P. Adair and several members of the Inspection and Engineering Departments accompanied the Commissioners. Due to illness Commissioner Clifford J. Durr was unable to accompany the party.

NAVY AGAIN THANKS BROADCASTERS

The following communication from Captain G. W. Campbell, USN, Acting Director of the Office of Public Relations of the Navy Department, to Harold Ryan is a further recognition of the splendid job which radio is doing in behalf of the war effort:

"Our Radio Section has advised me of the very extensive coverage given by the broadcasters of the nation to the two series of transcribed WAVES recruiting programs, 'Something for the Girls.'

"I want you to know how much this Office appreciates all that the Radio Industry did, and all of the effort expended by the personnel of each station to make this outstanding coverage possible.

"It is hoped you will find some suitable means of conveying our thanks to the industry."

"CRISIS IN WAR TOWN" IN PRODUCTION

"Crisis in War Town" is name of new series of transcribed quarter-hour radio dramatizations to be completed about April 1, by Community Chests and Councils, Inc.

More than 250 stations aired "War Town," the organization's 1944 production, according to Bent Taylor, public relations director.

The 1945 programs will dramatize personal and family crises which have occurred during the war and involved one or more of the social services supported by local community war chests.

"Crisis in War Town" will be directed and produced by Robert Lewis Shayon, CBS. Nick Keeseley, also of CBS, will supervise.

Recordings may be obtained from local community chests; where they do not exist from state offices.

PRELIMINARY FIGURES RELEASED

The Federal Communications Commission on January 31 released preliminary figures of revenue from the sale of station time for the year 1944. These figures were compiled from the preliminary Annual Financial Questionnaires submitted by stations and networks. The figures reported by the FCC are for the four major networks and 569 standard broadcast stations. These indicate that network time sale revenue in 1944 was 21.2% above 1943. Assuming that the stations represented constitute a proper sample it appears that National Advertising increased 25.9% over 1943 and Local Advertising 28.3% above 1943.

It will be some time before the final tabulations of the FCC will be published. The actual release of the FCC as of January 31, 1945, is as follows:

Revenues from the sale of radio time (before deducting commissions to agencies) by the four major networks reached an alltime high of \$126,330,491 for 1944 according to preliminary network reports, the Federal Communications Commission announced today.

These figures indicate total major network time sales have more than doubled in the five-year period since 1939 when they topped \$62 million and are up 21.2% over the 1943 total of \$104,243,322—the previous all-time high.

Final figures on network time sales will be released some time after April 1, 1945.

At year-end 1944, the four major networks had a total

of 730 affiliated stations compared with only 661 as of December 31, 1943.

During the year, Mutual affiliated 33 additional stations, bringing its total to 244; Blue added 20 affiliates, making a total of 194; Columbia affiliated nine stations to total 143; and NBC picked up seven, making a total of 149. The number of stations shown as affiliated with each network includes stations that are on two or more networks.

Preliminary financial reports submitted by 569 standard broadcast stations show increased time sales for 1944 over 1943 of non-network time to national, regional and local users.

Total non-network time sales to national and regional users by these 569 standard broadcast stations amounted to \$58,665,371 in 1944, an increase of 25.9 per cent over 1943 sales by the same stations.

Non-network time sales to local and other users by these stations totaled \$61,990,623 or an increase of 28.3 per cent over 1943.

More comprehensive data on revenues and income of standard broadcast stations for 1944 will be released at a later time.

SENATE INVESTIGATION ON INTERNATIONAL COMMUNICATIONS AUTHORIZED

The Senate has passed S. Res. 24 which provides that the Committee on Interstate Commerce continue its investigation of international communications by wire and radio. The Senate Committee on Interstate Commerce recommended that the resolution be passed and after a favorable report from the Committee on Audit and Control, the Senate passed the resolution.

The resolution provided that \$10,000 additional be expended by the committee on the investigation.

COFFEE BILL REINTRODUCED

Representative Coffee has introduced H. J. Res. 89 which provides for the broadcasting of the proceedings of the House and Senate. A similar bill was introduced in the last session of Congress.

The bill has been referred to the House Committee on Rules.



SPECIAL XXV BULLETIN NO. 3 WITH THIS ISSUE OF REPORTS

The third Special Twenty-fifth Anniversary Bulletin comes to you with this issue of NAB REPORTS.

Of particular interest is the thirty minute script produced by KGVO, Missoula, Montana, in which the station observed its own fourteenth and radio's Twenty-fifth Anniversary.

KVOO, Tulsa, has launched a year long series of quarter hour weekly shows called "Inside Radio."

"Music America Loves Best" (RCA Victor), NBC, 4:30 p. m., EWT, Sundays, broadcast the first of a number of scheduled commercials employing radio's Twenty-fifth Anniversary theme last Sunday, January 28. It was introduced by a special XXV musical arrangement.

XXV Musical Signature

Varied use of the BMI-recorded XXV Musical Signature is reported by stations. WFMJ explains how it is incorporated in the station sign-on and sign-off.

Send Material to NAB

We renew our request that you send evidence of everything you are doing in observance of either your own or radio's Anniversary to NAB. Send scripts, tear sheets of advertisements, direct mail pieces, clippings, photos, house organs and *letters describing local ideas and usage of NAB material*. Help us to help other stations and the industry as a whole. Thank you!

IDENTITY DISCLOSED!



Under pressure of repeated inquiries we lift the veil of secrecy, discard policy and succumb to columnist temptation in revealing that the "Charming receptionist at one of America's most popular stations," whose picture graces the pre-view of the new book, "Management in the Public Interest," is Mary McCoy, of WSM, Nashville, Tennessee. Superb photography of this most becoming subject is credited to C. Lester Barnard, WSM Publicity Director, whose work will appear elsewhere in the book, unidentified, typical of the contribution of all who labored on this volume.

Hurry Those Orders for Extra Copies!

Station managers last week received copies of the "pre-view" with order blanks entitling them to reserve unlimited copies at the first edition price of only \$1.25. Further opportunity to order will be provided at District Meetings but the printer can't wait until District Meetings are over to lay in paper supplies and go to press with the book. We are ready now—the forms are about to be locked up and put on the press. Let us have your order for extra copies now!

An Unusual Opportunity!

One station manager, in placing his order for 700 copies of the book, said, "I look at it this way. For the price of

a single promotion, maybe a banquet or two or a free talent show, which would cost me at least \$1,000.00, I can place a permanent record of radio's good job in the public interest in the hands of every leading citizen and organization in my territory. We aren't doing much banqueting or celebrating during war time, so I can very well use that money for these books."

Estimate your needs and place your order today! Address Willard D. Egolf, Director of Public Relations, National Association of Broadcasters, 1760 N Street, N. W., Washington, D. C.

8 DISTRICTS PRODUCE 9 GLOBAL SHOWS

Receipt of nine more "Let's Go to Town" transcribed programs, produced by the industry for broadcast to armed forces overseas, is acknowledged by Armed Forces Radio Service; two other shows were en route to the coast, January 29. Here they are for the record:

DISTRICT I

New Bedford.....Hugh Norman, WNBH TFC*
Worcester.....E. E. Hill, WTAG TFC*

DISTRICT II

Binghamton.....Cecil D. Masten, WNBH TFC*

DISTRICT IV

Wheeling.....George W. Smith, WRVA TFC*
(Shipped Jan. 29)

DISTRICT VIII

Saginaw.....Milt Greenebaum, WSAM TFC*
(Shipped Jan. 29)

DISTRICT X

Kansas City, Mo.....Roderick B. Cupp, KMBC TFC*

DISTRICT XIII

San Antonio.....Hugh A. L. Halff, WOAI TFC*

DISTRICT XIV

Butte.....Ed. B. Craney, KGIR TFC*

DISTRICT XVI

San Diego.....Miss Leah McMahan, KFSD TFC*

ABELOFF GIVEN AWARD FOR DISTINGUISHED SERVICE TO RICHMOND

Richmond, Va.—Irvin G. Abeloff, Program Service Manager for WRVA, was the recipient of the Distinguished Service Award Key for outstanding contribution to the welfare of Richmond at an award dinner of the Richmond Junior Board of Trade, January 25. The key is presented annually to the Richmonder under 36 years of age who is judged to have contributed most to the city's welfare during the preceding year.

Mr. Abeloff was cited mainly for his work with War Bond Drives, Red Cross and similar campaigns. He wrote, directed and staged shows at the Mosque auditorium during the six War Loan Drives and was chosen by the United States Treasury Department as one of three radio men from the Eastern United States to confer with the department on future War Loan Drives.

The National Association of Broadcasters appointed Mr. Abeloff as Task Force Commander to supervise preparations of the Richmond "Let's Go to Town" program for broadcast to service men overseas.

In October of last year Mr. Abeloff was cited by Brigadier General George A. Horkan of Camp Lee, Virginia, for his work with the largest quartermaster installation in

the United States. He holds an Award of Merit from the Navy Department for his work in recruiting Seabees.

Mr. Abeloff was also made a lifetime member of the Richmond Junior Board of Trade.

MRS. REES DAUGHERTY, WSRR, AWD NEW ENGLAND CHAIRMAN

(As released by NAB News Bureau)

Mrs. Rees Daugherty, Director of Women's Activities at WSRR, has been named Chairman of New England for the Association of Women Directors of the National Association of Broadcasters.

Mrs. Daugherty's appointment has come from Ruth Chilton of WCAU, Philadelphia, National President of the organization.

Mrs. Daugherty, a native of Savannah, Ga., attended Chatham Hall in Virginia and afterward traveled extensively in the United States and Europe. She lived for seven years in China, Japan, and the Philippines. In the latter country, she did outstanding work for the American Guardian Association and the Philippine Anti-Leprosy Society.

Her experiences abroad convinced her of the importance of having Americans understand the problems of other nationals, and when she returned to New York she organized and conducted panel discussions on international relations.

Mrs. Daugherty's home is in Darien, Connecticut, and she has been active in affairs of several women's organizations of the area. She was first introduced to WSRR listeners three years ago through the original program "Homespun Heroes," a broadcast that paid tribute to the achievements of residents of Southern Connecticut. She is popularly known as Ann Davenport, commentator for the C. O. Miller Company program.

DE WOLF ADDRESSES IRE

The Thirty-third Annual Banquet of the Institute of Radio Engineers was held at the Commodore Hotel, New York City, on Thursday evening, January 25, in connection with the IRE Winter Meeting. The banquet was attended by 1180 persons, believed to be a record high for this event.

H. B. Richmond, Chairman of the Board of the General Radio Company, was Toastmaster. Dr. William L. Everitt, IRE President for 1945, presented the annual awards of the Institute. Dr. O. H. Caldwell, Editor of *Electronic Industries*, accepted the Fellowship Awards on behalf of a group of sixteen who received this honor from the Institute. Professor H. M. Turner, retiring President, delivered the President's annual message to the Institute membership.

The guest speaker was Francis Colt de Wolf, Chief, Telecommunications Division, Department of State. Mr. de Wolf outlined briefly the history of the development of international control of radio communications. Mr. de Wolf then presented the future program of the State Department in regard to the international aspects of telecommunications. This portion of Mr. de Wolf's address was as follows:

"The State Department has invited other interested federal agencies, as well as private industry, to join with it in studying what should be the position of the United States at forthcoming international conferences. The first one of these, the Third Inter-American Radio Conference, will take place in Rio de Janeiro in June 1945.

"Thereafter, we anticipate a world conference to continue the work of the Berlin, London, Washington, Madrid and Cairo conferences. As I view it, the main purpose of these international conferences is to make the very

* Task Force Commander.

best use possible of available radio frequencies. There is a constant race between science which endeavors to extend the usable portion of the radio spectrum and to make more economic use of existing frequencies, and the ever-increasing demands for frequencies by the users. Until the close of World War I the use of radio was confined almost exclusively to communications with ships. Nowadays the number of radio services and the different kinds of radio stations have tremendously increased: In 1939 there were in the United States 3,061 broadcasting stations including standard broadcast stations, television broadcast, international broadcast and facsimile. There were at the same time 62,433 non-broadcast stations in the United States alone, divided between such services as amateurs (53,558 stations), aviation (subdivided into four categories), agriculture, police (municipal, state, et cetera), experimental, fixed public (point to point telegraph), public coastal, relay press, geophysical and ship stations (3,736).

"The recommendations of the Federal Communications Commission for post-war frequency allocation for radio services operating between 25 and 30,000 megacycles have opened up new vistas for radio, including frequency modulation, television, facsimile, 'Walkie-Talkie,' et cetera. The next international conferences will thus be confronted with the tremendous problem of devising an adequate control of radio so that it will be of maximum benefit to all the users.

"I think it is particularly true that in the field of radio communications, control is essential; without it we would have chaos. On the other hand, we must not lose sight of the fact that science and private initiative have been responsible for the tremendous development of the industry and that the controls have been created merely to bring the maximum utility out of the results of private research and endeavor.

"I participated in the 1938 Cairo conference and I can testify to the splendid spirit of cooperation between American industry and the United States Government. This close collaboration between the Government and industry in the telecommunication field has proved most beneficial to both and has established a pattern which might well be copied in other fields of endeavor.

"I feel confident, therefore, that with a continuation of this active cooperation, we will reach solutions which will prove acceptable to all the users of the radio spectrum, although they may not obtain 100 per cent of all their demands.

"For the past two years we have been working on plans of the post-war telecommunication world. Many of these, of course, are still in the blueprint stage. It is not possible for me at this time to go into detail as to what these plans consist of. I may say, however, that we have in mind a modernization of our existing international telecommunication bodies, bringing them more in line with the necessities of present day radio, particularly in the field of radio interference and radio regulation. In this field, as in other fields, we must determine whether we are prepared to surrender a certain modicum of sovereignty to insure a more efficient control of radio, for radio knows no national boundaries. This is particularly evident at international radio conferences where the different categories of users of the radio spectrum have a tendency to gravitate towards each other. English and American broadcasters, for example, band together against the British and American aeronautical radio services and the latter seek allies among the maritime services against the amateurs. Eventually, solutions are reached and meanwhile national frontiers have been well nigh forgotten.

"We also envisage the possibility of the formation of an inter-American telecommunication union which would accomplish for this hemisphere what has been done on a world basis by the International Telecommunication Union at Bern.

"The Federal Communications Commission, the Interdepartmental Radio Advisory Committee—IRAC to initiate—together with the State Department's inter-departmental post-war committees, will consider the new allocation plans to be submitted at the next international conference on behalf of the United States. Some time in the not too distant future we anticipate holding a conference

with representatives of the British Commonwealth of Nations looking towards a more efficient and more economical means of communications between the English speaking people of the world.

"I do not believe that the American public has ever been so conscious in its history of the importance of communications and of the advisability of breaking down all barriers which prevent the easy, economical, and speedy flow of intelligence. Never before has there been a closer integration between Government and industry to bring this about.

"Thus radio points the way to a new world, in which Government and private enterprise, hand in hand, will work out solutions for the greater benefit of all mankind, where national boundaries will have as much or as little meaning as the boundaries between the several states of our Union and in which, by international cooperation, we will assure to the peoples of the world the free and untrammelled use of radio in all its varied applications.

"We have a fine record of endeavor behind us. I know we have a still finer record ahead of us."

FCC ANNOUNCES ALLOCATION PROCEDURE

1. On January 16, 1945, the Commission issued a supplemental statement interpreting its policy of January 26, 1944.

2. In order to carry out the policy, applications for new standard broadcast stations or for changes in facilities will be handled in the following manner:

(a) *Applications filed prior to January 26, 1945, upon which the Commission has taken no action.*—All applications in this category will be held in status quo unless:

(1) The applicant files a petition requesting the Commission to proceed with the processing of his application for a decision under the Supplemental Statement of Policy of January 16, 1945. Upon receipt of such petition the application will be processed and if the requirements of the supplemental statement of policy are met and the Commission finds that the granting of the application is in the public interest, a conditional grant will be issued. If the Commission's examination indicates that the requirements of the supplemental statement of policy have not been met the application will be designated for hearing and promptly heard on that single issue. If the hearing establishes inability to comply with the supplemental statement of policy, the application will be denied. Under Section 1.369, F.C.C. Rules, the effect of this would be to prohibit consideration of a similar application of the same applicant for facilities to serve the same area in whole or in part for a period of one year.

(2) The Commission on its own motion removes an application from the pending file and designates it for hearing for the purpose of determining issues which in the Commission's opinion would require a hearing even if no question as to availability of materials and manpower were presented. If after a hearing it appears that such applications could, except for the supplemental statement of policy, possibly be granted, they will be returned to the pending file. On the other hand, if it appears that the record made on the other issues requires a denial, such action will be taken.

(b) *Applications filed prior to January 26, 1945, which have been designated for hearing but no hearing has been held.*—All applications in this category will be retained in status quo and the hearing continued until further notice unless:

(1) The applicant petitions the Commission to proceed with the hearing in the light of the Supplemental Statement of Policy adopted January 16, 1945.

(2) The Commission on its own motion determines that the hearing should go forward for the purpose of determining issues other than those pertaining to the availability of manpower and materials.

After hearing, all such cases will be disposed of in the manner set forth in paragraph (a).

(c) *Applications filed prior to January 26, 1945, in which a hearing has begun but the record has not yet been completed.*—In cases in this category, the Commission will proceed with hearings for the purpose of completing the record. Upon completion of the record the case will be held in the pending file unless it appears that it can be granted under the terms of the supplemental statement of policy, or unless the applicant petitions for a determination on the merits in the light of this policy. Consolidated proceedings involving applications as to which hearings have begun and in addition applications as to which hearings have not yet begun will be treated under this category.

(d) *Applications filed prior to January 26, 1945, as to which hearings have been concluded.*—The Commission will announce decisions in cases which have been heard where:

(1) A grant is possible under the terms of the Supplemental Statement of Policy of January 16, 1945.

(2) A denial is necessary regardless of the availability of materials or manpower.

No action will be taken in cases where a grant would be possible except for the supplemental statement of policy.

(e) *Applications filed subsequent to January 26, 1945.* All such applications will be processed and determined in accordance with the supplemental statement of policy. If the application meets the conditions of this policy and is otherwise in the public interest, a conditional grant will be made. If the application does not meet the requirements of the supplemental policy, it will be designated for hearing and promptly heard on that single issue. If, as a result of such hearing, it is established that the requirements of this policy are not met the application will be denied. (See Section 1.369 FCC Rules)

3. When manpower and materials again become available and conditions permit the resumption of normal licensing practices, the Commission will make an appropriate announcement and will provide a period of not less than 60 days for the filing and processing of new applications prior to taking any action on the cases retained in the pending files during the period that the statement of policy of January 26, 1944, as supplemented January 16, 1945, was in effect. Provision also will be made for the bringing up to date of all applications retained in the pending files. These procedures, it is believed, will prevent any inequity from resulting to persons who do not file applications during the period that the present policy remains in force.

COLONEL COE RETURNS TO KSD

Lt. Col. Robert L. Coe, who served as deputy chief of staff of the Army's Troop Carrier Command, has retired from active duty to direct postwar engineering activities of KSD, the St. Louis Post-Dispatch station, where he was chief engineer before the war.

Colonel Coe began active duty with the Army Air Forces as a captain, several months before the United States entered the war. In 1942 he was ordered to Washington to help organize the Troop Carrier Command, and became its deputy chief of staff. This command, an essential part of the modern army, moves and supplies troops in the combat zone by air.

Following the organization of the Carrier Command, Colonel Coe was ordered on overseas duty. From January to October, 1944, he was in charge of point-to-point radio service for the Army Air Forces in the India-Burma Theatre, and then he was permitted to retire from active duty.

Colonel Coe joined the staff of KSD in 1924, two years after the station began broadcasting. He became chief engineer in 1933, and directed the technical aspects of the

first facsimile experiments with a regular daily paper—a radio tabloid of the Post-Dispatch.

In his new position with KSD, Coe will have charge of the Pulitzer Publishing Co.'s engineering of services in television, frequency modulation and facsimile.

BRITISH TO DEVELOP COLOR TELEVISION

A large-scale television-in-color technical development planned for the film industry of the British Empire to be carried out over a period of ten years anticipates full development of the color film within the first four years, according to trade reports reaching the Department of Commerce.

The practical realization of commercial high-definition, large-screen television together with the means of providing and distributing television programs of special events will be reached in about six years, according to the plan.

Provision of large-screen television in color will be developed in the eighth year and a practical solution of stereoscopic projection is expected to be realized before the end of the ten-year program.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 5. They are subject to change.

Monday, February 5

Further Hearing

NEW—Calumet Broadcasting Corp., Hammond, Ind.—C. P., 1520 kc., 5 KW, daytime.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Renewal of license, 960 kc., 1 KW, unlimited.

Wednesday, February 7

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Renewal of license, 1230 kc., 100 watt, night; 250 watts, day; unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KTRI—The Tribune Co. (Transferor), Eugene H. Kelly, Eugene F. Kelly, John C. Kelly (Transferees); Sioux City Broadcasting Co., Sioux City, Iowa.—Granted consent to voluntary transfer of control of Sioux City Broadcasting Co., licensee of station KTRI, from The Tribune Company to Eugene H. Kelly, Eugene F. Kelly and John C. Kelly, for a consideration of \$17,375 for 50 per cent of the outstanding capital stock of licensee. (B4-TC-421)

WMPS—Memphis Broadcasting Co., Memphis, Tenn.—Granted 30 days' time from January 26, within which to complete transfer of control of station WMPS, heretofore approved by the Commission.

Columbia Broadcasting System, Inc., and Mutual Broadcasting System—Granted permission to omit station identification

during the one-hour broadcast of the President's Birthday Ball program on the night of January 30.

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted petition requesting cancellation of hearing on application for renewal of license, now scheduled for February 5, and granted license on a regular basis.

Georgia School of Technology, Atlanta, Ga.—Granted construction permit for new developmental broadcast station on an experimental basis only; to operate on frequencies that may be assigned by the Commission's chief engineer from time to time; power 1 KW.

TELEVISION RENEWALS

The following applications for renewal of television broadcast station licenses were granted for the period ending February 1, 1946, subject to the condition that license is granted subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

WBKB, Balaban & Katz Corp., Chicago; **WCBW**, Columbia Broadcasting System, Inc., New York; **WRGB**, General Electric Co., Schenectady; **WNBT**, National Broadcasting Co., Inc., New York; **W9XBK**, Balaban & Katz Corp., Chicago; **W9XBT**, **W9XPR**, **W9XBB**, Balaban & Katz Corp., Chicago; **W2XCB**, Columbia Broadcasting System, Inc., New York; **W2XGE**, General Electric Co., Schenectady; **W2XBT**, **W2XBU**, National Broadcasting Co., Inc., New York; **W9XZV**, Zenith Radio Corp., Chicago; **WABD**, **W10XKT**, Allen B. DuMont Labs., Inc., New York; **W2XVT**, Allen B. Dumont Labs., Inc., Passaic, N. J.; **W2XI**, General Electric Co., Schenectady; **W6XAO**, **W6XDU**, Don Lee Broadcasting System, Los Angeles; **WPTZ**, **W3XE**, **W3XP**, **W3XPA**, Philco Radio & Television Corp., Philadelphia; **W3XPC**, **W3XPR**, Philco Radio & Television Corp., Philadelphia; **W6XYZ**, **W6XLA**, Television Productions, Inc., Los Angeles; **W2XWV**, Allen B. DuMont Labs., Inc., New York.

Licenses for the following television broadcast stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending April 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

W3XAD, Radio Corp. of America, Camden, N. J.; **W3XEP**, Radio Corp. of America, Camden; **W9XUI**, State Univ. of Iowa, Iowa City, Iowa.

LICENSE RENEWALS

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

KBTM, Jonesboro, Ark.; **KFDA**, Amarillo, Texas; **KFIO**, Spokane, Wash.; **KMLB**, Monroe, La.; **WCAT**, Rapid City, So. Dak.; **WCOL**, Columbus, Ohio; **WCPO**, Cincinnati, Ohio; **WDLP**, Panama City, Fla.; **WENY**, Elmira, N. Y.; **WITH**, Baltimore, Md.; **WJRD**, Tuscaloosa, Ala.; **CAST**, Astoria, Ore.; **KFXD**, Nampa, Idaho; **KHAS**, Hastings, Neb.; **KSUN**, Lowell, Ariz.; **WBBZ**, Ponca City, Okla.; **WTHT**, Hartford, Conn.; **WMOB**, Mobile, Ala.; **KGEK**, Sterling, Colo.; **KOOS**, Coos Bay, Ore.; **KWG**, Stockton, Calif.; **KPHO**, Phoenix, Ariz.; **WBOC**, Salisbury, Md.; **WESX**, Salem, Mass.; **WHOP**, Hopkinsville, Ky.; **WLOG**, Logan, W. Va.

The following stations were granted renewal of licenses for the period ending November 1, 1947:

KWK, St. Louis, Mo.; **WFBL**, Syracuse, N. Y.; **WFCI**, Pawtucket, R. I.; **WHBC**, Canton, Ohio; **WHP** and auxiliary, Harrisburg, Pa.; **WSAR**, Fall River, Mass.; **WFEA** and auxiliary, Manchester, N. H.; **WHOM** and auxiliary, Jersey City, N. J.; **KPRO**, Riverside, Calif.; **KTYW**, Yakima, Wash.

The following were granted renewal of licenses for the period ending February 1, 1948:

WKLA, Ludington, Mich.; **WTBO**, Cumberland, Md.; **WMOH**, Hamilton, Ohio.

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

KADA, Ada, Okla.; **KELO**, Sioux Falls, So. Dak.; **KFJB**, Marshalltown, Iowa; **KFMB**, San Diego; **KFUN**, Las Vegas, N. Mex.; **KGDE**, Fergus Falls, Minn.; **KHBC**, Hilo, T. H.; **KNOE**, Monroe, La.; **KPOW**, Powell, Wyo.; **KRLH**, Midland, Texas; **KVEC**, San Luis Obispo, Calif.; **KVNU**, Logan, Utah; **KWNO**, Winona, Minn.; **KYSM**, Mankato, Minn.; **WABI**, Bangor, Maine; **WAIM**, Anderson, S. C.; **WAJR**, Morgantown, W. Va.; **WAYX**, Waycross, Ga.; **WBLJ**, Dalton, Ga.; **WCLO**, Janesville, Wisc.; **WCBT**, Roanoke Rapids, N. C.; **WDSM**, Superior, Wis.; **WFTC**,

Kinston, N. C.; **WHBY**, Appleton, Wis.; **WIBX**, Utica, N. Y.; **WISE**, Asheville, N. C.; **WJBC**, Bloomington, Ill.; **WKBO**, Harrisburg, Pa.; **WLOF**, Orlando, Fla.; **WOLS**, Florence, S. C.; **WRBL**, Columbus, Ga.; **WROX**, Clarksdale, Miss.; **WSKB**, McComb, Miss.; **WTOL**, Toledo, Ohio.

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

KABR, Aberdeen, S. Dak.; **KDAL**, Duluth, Minn.; **KELA**, Centralia, Wash.; **KGCU**, Mandan, N. Dak.; **KGNC**, Amarillo, Texas; **KLO**, Ogden, Utah; **KLPM**, Minot, N. Dak.; **KQV**, Pittsburgh, Pa.; **KSWO**, Lawton, Okla.; **KTUL**, Tulsa, Okla.; **WCAX**, Burlington, Vt.; **WCLE**, Cleveland; **WDEL**, Wilmington, Del.; **WFIN**, Findlay, Ohio; **WIBG**, Philadelphia; **WJAS**, Pittsburgh; **WJDX**, Jackson, Miss.; **WILM**, Wilmington, Del.; **WIRE** and auxiliary, Indianapolis; **WMBD**, Peoria, Ill.; **WMPS**, Memphis, Tenn.; **WMRO**, Aurora, Ill.; **WNEW** and auxiliary, New York; **WOW** and auxiliary, New York; **WOWO**, Fort Wayne; **WPAT**, Paterson, N. J.; **WPEN** and auxiliary, Philadelphia; **WPRA**, Mayaguez, P. R.; **WTAQ**, Green Bay, Wis.

The following stations were granted renewal of licenses for the regular period:

WGES, Chicago; **WBHP**, Huntsville, Ala.; **WBOW**, Terre Haute, Ind.; **WJNO**, West Palm Beach, Fla.; **WLVA**, Lynchburg, Va.; **KRGV**, Weslaco, Texas.

WAAF—Drovers Journal Pub. Co., Chicago, Ill.—Granted renewal of license for the period ending May 1, 1947.

KTSA—Sunshine Broadcasting Co., San Antonio, Tex.—Granted renewal of license for the period ending May 1, 1946.

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa.—Granted renewal of license for the period ending May 1, 1946.

WORK—York Broadcasting Co., York, Pa.—Granted renewal of license for the period ending November 1, 1945.

MISCELLANEOUS

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted petition to intervene in the hearing not yet scheduled on application of New Haven Broadcasters, New Haven, Conn., for a new station.

Midstate Radio Corp., Utica, N. Y.—Granted petition to intervene in the consolidated hearing now scheduled for Jan. 29 on application of Utica Broadcasting Co., Inc., and Ronald B. Woodyard for a new station in Utica.

KRBC—Reporter Broadcasting Co., Abilene, Texas—Granted in part motion for continuance of consolidated hearing now scheduled for February 1, and continued same to March 21, in re application of KRBC and San Jacinto Broadcasting Co., Houston, Texas, and Calcasieu Broadcasting Co., Lake Charles, La.

WTAW—Agr. & Mech. College of Texas, College Station, Texas—Denied petition for consolidation with petitioner's application, or in the alternative to intervene and enlarge issues in re applications of KRBC, KPLC and San Jacinto Broadcasting Co.

WGBF—Evansville On the Air, Inc., Evansville, Ind.—Granted petition for continuance to March 19 of hearing now scheduled for Feb. 5, in re application for renewal of license.

Mississippi Broadcasting Co., Macon, Miss.—Granted amended motion for leave to amend application for new station and removed said application from hearing docket.

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted motion to dismiss without prejudice application for construction permit (Docket 6627).

Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.—Passed over petition to dismiss application (Docket 6135) without prejudice.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Passed over petition to amend hearing issues in re application of WBAX for license and applications of others for new station at Wilkes-Barre.

W2XWE—WOKO, Inc., Albany, N. Y.—Pending determination upon application for renewal, the Commission further extended upon a temporary basis only the license for facsimile broadcast station, for the period ending April 1, 1945.

Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.—Granted petition to dismiss without prejudice application for construction permit for a new station. (Docket 6135)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition to amend the hearing issues in re applications of Central Broadcasting Co., Northeastern Penna. Broadcasters, Inc.,

and Key Broadcasters, Inc., all applicants for a new station in Wilkes-Barre, in the light of the Commission's Supplemental Statement of Policy of January 16, and the following was added to the hearing issues heretofore published in each of the above-entitled matters: "To determine whether the above-entitled applications for construction permits comply with the Commission's Supplemental Statement of Policy dated January 16, 1945, concerning applications for permits to construct new radio stations."

KMO—Carl E. Haymond, Yakima, Wash.—Granted construction permit to make changes in transmitting equipment.

KMO—Carl E. Haymond, Yakima, Wash.—Granted construction permit to make changes in auxiliary transmitting equipment.

WABI—Community Broadcasting Service, Bangor, Maine—Granted license to cover construction permit, which authorized change in frequency to **910 kc.**, increase in power to 1 kilowatt, installation of new transmitter and directional antenna for night use, subject to condition that licensee make application for a construction permit for an increase in power to 5 kilowatts when materials and personnel become available or when required by the Commission to do so. Also granted authority to determine operating power by direct measurement of antenna power.

KRNR—News-Review Company, Roseburg, Ore.—Granted license to cover construction permit which authorized move of transmitter and main studio. Also granted authority to determine operating power by direct measurement of antenna power.

WNYD—City of New York, Municipal Broadcasting System, Area of New York City.—Granted license to cover construction permit to reinstate construction permit (B1-PRY-270) for new relay broadcast station; frequencies **1622, 2058, 2150, 2790 kc.**; 40 watts. Portable and mobile, area of New York City.

The following applications for new commercial television broadcast stations were placed in the pending files in accordance with Commission's Policy of February 23, 1943:

World Publishing Co., Omaha, Neb.; Capitol Broadcasting Corp., Indianapolis, Ind.; WLIB, Inc., New York City; WDEL, Inc., Wilmington, Del.

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

Asbury Park Press, Inc., Asbury Park, N. J.; Allen T. Simmons, Akron, Ohio; Buffalo Broadcasting Corp., Buffalo, N. Y.; Pacific Agricultural Foundation, Ltd., San Francisco; WHP, Inc., Harrisburg, Penna.; News-Journal Corp., Daytona Beach, Fla.; Truth Publishing Co., Inc., Elkhart, Ind.; Herbert Herff, Memphis, Tenn.; Wisc. Radio, Inc., Milwaukee, Wisc.; News-Examiner Co., Connersville, Ind.; Central States Broadcasting Co., Omaha, Neb.

The following amended applications for new high frequency (FM) broadcast stations were retained in the pending files in accordance with Commission policy of February 23, 1943:

The Greenville News-Piedmont Co., Greenville, S. C.; Contra Costa Broadcasting Co., Richmond, Calif.; Nashville Radio Corp., Nashville, Tenn.; Summit Radio Corp., Akron, Ohio.

APPLICATIONS FILED AT FCC

590 Kilocycles

WGTM—Penn Thomas Watson, Wilson, N. C.—Construction permit to change frequency from **1340 kc.** to **590 kc.**, increase power from 250 watts to 5 KW, install new transmitter, directional antenna for day and night use and change transmitter location.

730 Kilocycles

WPIK—Potomac Broadcasting Corp., Alexandria, Va.—Modification of construction permit (B2-P-3615 for a new standard broadcast station) for approval of antenna and transmitter site.

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—Modification of construction permit (B3-P-3641 which authorized a new standard broadcast station) for change in transmitter and studio locations.

960 Kilocycles

WELI—City Broadcasting Corp., New Haven, Conn.—Voluntary assignment of license to Connecticut Radio Foundation, Incorporated.

1230 Kilocycles

NEW—Birney Imes, Jr., Corinth, Miss.—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

1240 Kilocycles

NEW—George E. Miller, J. Myron Honigman and Lou Poller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, 250 watts power and unlimited hours of operation.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Construction permit to increase power from 100 watts to 250 watts and change type of transmitter.

1280 Kilocycles

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Voluntary assignment of license to Curtis Radiocasting Corporation.

1340 Kilocycles

WMLT—George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—License to cover construction permit (B3-P-3586) for a new standard broadcast station.

WMLT—George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Authority to determine operating power by direct measurement of antenna power.

WEMP—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey and Rachel Young LaFollette, copartners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Voluntary assignment of license to Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Rachel Young LaFollette, Genevieve S. Nesbit, John Ernest Roe and W. Wade Boardman, co-partners, d/b as Milwaukee Broadcasting Co.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of Construction permit (B1-P-2924 as modified which authorized change in frequency, increase in power, installation of directional antenna for day and night use, new transmitter and move) for extension of completion date from 1-30-45 to 2-28-45.

1400 Kilocycles

NEW—Mississippi Broadcasting Co., Inc., Macon, Miss.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to **1400 kc.**

KENO—Nevada Broadcasting Co., Las Vegas, Nevada—Voluntary assignment of licenses to Maxwell Kelch and Laura Belle Kelch, d/b as Nevada Broadcasting Company.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Authority to determine operating power by direct measurement of antenna power.

1600 Kilocycles

NEW—Charlotte Broadcasting Co., Charlotte, N. C.—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 1 KW, unlimited hours of operation, using directional antenna day and night.

FM APPLICATIONS

NEW—Miami Valley Broadcasting Corp., Dayton, Ohio—Construction permit for a new developmental broadcast station to be operated on **46900 kc.**, power of 1 KW and special emission for FM.

NEW—The Wm. H. Block Company, Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43700 kc.** with coverage of 9,316 square miles.

NEW—Commodore Broadcasting, Inc., Peoria, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48100 kc. with coverage of 14,130 square miles.

NEW—Board of Education, Sewanhaka High School, Floral Park, N. Y.—Construction permit for a new non-commercial educational broadcast station to be operated with power of 250 watts and special emission for FM.

MISCELLANEOUS APPLICATIONS

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Voluntary assignment of construction permit to Curtis Radiocasting Corporation.

WEQG-WAUY—Evansville on the Air, Inc., area of Evansville, Ind.—Voluntary assignment of licenses to Curtis Radiocasting Corporation.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Washington, D. C.—Construction permit to move transmitter.

Federal Trade Commission Docket

COMPLAINTS

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

Charles P. Halfhill, et al.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned food products has been issued against Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill and Harry J. Halfhill, Jr., trading as The Halfhill Co. and as Ocean Food Products Co., 714 West Olympic Blvd., Los Angeles. (5267)

Panther Oil & Grease Manufacturing Company and **Southwestern Petroleum Company, Inc.**, both of Fort Worth, Texas, engaged in the sale of lubricants for tractors, trucks, automobiles and other machinery, are charged in a complaint with misrepresenting the character of their business operations and the grade and quality of their products. (5266)

Walsh Refractories Corp.—Misrepresentation of the quality and composition of fire brick products is alleged in a complaint issued against Walsh Refractories Corp., 4070 North First St., St. Louis. (5269)

Warwick Manufacturing Corp., 1700 West Washington St., Chicago, engaged in manufacturing and assembling radio receiving sets, is charged in a complaint issued with having made misrepresentations concerning the tube capacity, the television equipment and the prices of certain sets which it sold in interstate commerce. (5268)

STIPULATIONS

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

Gibson-Thomsen Co., Inc., 10 East 39th Street, New York, engaged in the sale of tooth brushes and hair brushes, has entered into a stipulation to cease and desist from representing that brushes containing used and secondhand bristles are composed

of new materials, by failure to stamp on the exposed surface of the handles, in conspicuous and legible terms which cannot be removed without mutilating the handles, a statement that the bristles are "secondhand" or "used." (3965)

Peabody Co. and Mendenhall Manufacturing Co., West Beach, Biloxi, Miss., entered into a stipulation to discontinue certain representations in connection with the mail-order sale of women's rejected hosiery, some of which he advertised as "America's finest." According to the stipulation, the hosiery consisted largely of odds and ends of miscellaneous stock, often was not matched as to pairs, and in many cases was so defective as not to be capable of mending. (3966)

Stone-Tarlow Co., Inc., Brockton, Mass., entered into a stipulation to cease and desist from representing that shoes it sells under the trade name "Elevators," or any other shoes of substantially the same construction, will improve posture, cause the wearer to feel better physically, or otherwise promote or benefit the physical well-being or health of the wearers. (3966)

St. Paul Medicine Co.—A stipulation to discontinue misrepresenting the therapeutic properties of a medicinal preparation designated "St. Paul's V.V.V." has been entered into by Paul C. Deutch, Joseph H. Deutch and S. L. Deutch, co-partners, trading as St. Paul Medicine Co., Detroit. (03426)

M. E. Tracy Co., 304 Mulberry St., Memphis, Tenn., trading as The Everett Co., stipulated that it will cease representing that the medicinal preparation which it sells under the name "Tra-Ton Tablets" is effective in the treatment of extreme tiredness, lack of normal energy, nervousness, headache, dizziness, digestive disturbances, or any nutritional deficiency. (03247)

CEASE AND DESIST ORDERS

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

B-1 Beverage Co., 4000 Lindell Blvd., St. Louis, engaged in the manufacture and sale to bottling plants of materials used in making B-1 beverages, stipulated that it will discontinue certain representations concerning the beverages and the therapeutic properties of their Vitamin B-1 content. The beverages are sold to the public in the form of a lemon-lime soft drink and lemon-lime soda water. (5230)

En-Ex Co. and The En-Ex Distributing Co., Society for Savings Bldg., Cleveland, Ohio, have been ordered to cease and desist from disseminating false advertisements concerning En-Ex, a preparation advertised by the respondent as a cure or remedy for psoriasis and certain other conditions of the skin and scalp. (4766)

Ox'O-Gas Co., Palisades Park, N. J., has been ordered to cease and desist from misrepresenting the properties and efficiency of a gasoline additive he sells under the name "Ox'O." He also sells gasoline treated with the additive. (5040)

FTC CASE DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Oskamp Nolting Company, Cincinnati, with certain misrepresentations in connection with the sale of jewelry, silverware, luggage and giftware.

The complaint was dismissed because the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated by the Commission for the catalog jewelry and giftware industry and has furnished satisfactory evidence of such intention in the form of its latest catalog.

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1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 6, February 9, 1945

PETRILLO BANS INTERLOCHEN

James C. Petrillo, President of the American Federation of Musicians, has put the National Music Camp at Interlochen, Michigan, on the union's "unfair" list, according to a charge made by Dr. Joseph E. Maddy, Camp Director. Dr. Maddy, Professor of Music at the University of Michigan, said that the camp expected to fight the union's action in the courts and that the school expects to continue next summer even if it is necessary to employ non-union instructors.

Disclosure of the union's action in listing the camp as unfair was made in New York on Tuesday, February 6. The effect of the union's action would be to prevent many teachers, should they continue in the school's employ, from accepting commercial engagements which ordinarily constitute their major source of income.

Radio stations would be prevented from carrying any Interlochen concert on penalty of the loss of musicians on all of their programs. It will be recalled that Dr. Maddy appeared before the subcommittee of the Interstate Commerce Committee of the Senate in connection with a hearing on the measure introduced by Senator Arthur Vandenberg to bar interference with sustaining and educational programs. (See NAB REPORTS, Vol. 12, page 89.) Dr. Maddy stated that he felt that the union's action was a measure of reprisal against him for exercising his rights of free speech.

When informed of Petrillo's action in declaring the Camp unfair, Senator Arthur Vandenberg of Michigan said, "I know nothing about the details of this latest episode in Mr. Petrillo's battle with the school children of America. I do know, however, that the United States Senate with the approval of the Federal Communications Commission has twice unanimously said that freedom of the air shall not be foreclosed to non-commercial cultural programs from accredited educational institutions. If the House of Representatives agrees, I shall expect to see that law enforced."

Senator Vandenberg referred to the recent action of the Senate in again passing by unanimous vote, the bill which he introduced to make it unlawful for any person or persons to interfere with sustaining or educational programs such as the Interlochen concerts. That bill is now before the House.

Commenting editorially on Petrillo's action, the *New York Times* of February 8 carried the following:

Mr. Petrillo vs. Congress

It is just as well that Mr. Petrillo placed the National Music Camp on the "unfair list" before the House had a chance to act on the Vandenberg bill passed unanimously last Friday by the Senate. For his action should make clear to the House in advance how pointless it is to try to curb Mr. Petrillo on so narrow a front.

It cannot be repeated too often that the head of the American Federation of Musicians is merely a symptom. Personal indignation against him is as misplaced as it is

futile. Mr. Petrillo simply recognizes to the full the opportunities that the present state of the law gives him. Congress will never do anything effective to curb Mr. Petrillo until it sees him as a symptom of a larger situation rather than as merely an obstreperous individual. It will never do anything effective against Mr. Petrillo's policies until it has the courage and clarity of view to deal with the whole situation of which his personal dictatorship is merely a part.

The Vandenberg bill challenges Mr. Petrillo on a very narrow issue. It makes it "unlawful" for any person or group to interfere with any "noncommercial education or cultural program presented by any academically accredited and tax-exempt educational institution." Thus it is specifically designed to prevent Mr. Petrillo from ordering radio stations not to carry the programs of the National Music Camp at Interlochen, Mich.

The Vandenberg bill, however, does not specify any penalties for violation; and Mr. Petrillo apparently thinks he can nullify it, if it becomes law, by placing the camp itself on the "unfair list." Thus if Dr. Joseph E. Maddy, Professor of Music at the University of Michigan, who is head of the camp, or other members of the faculty should attempt to work at the camp's school, they face immediate union suspension, which would prevent them from accepting commercial employment of any sort.

This action points to the two-edged power of Mr. Petrillo. He cannot only ruin any radio station that disobeys any of his commands, by ordering his musicians not to work for it; he can also ruin any individual musician by suspending him from membership and making it impossible for him to earn a living at his profession. Thus Mr. Petrillo's power rests not merely on his ability to coerce the employer but on his ability to force virtually every musician into his union and to coerce every musician. As long as existing law permits and encourages Mr. Petrillo and other labor leaders to coerce the individual worker, the essence of their irresponsible private power will remain. Even if it is curbed in one minor manifestation it will continue to operate in a hundred other directions. What is required to curb the Petrillos is not a bill dealing with one minor abuse but a re-examination of the whole existing body of Federal labor law.

The *Louisville Courier Journal* carries the following editorial:

The Weighty Foot of Mr. Petrillo

For a second time within less than two months the Senate has passed without a single dissent Senator Vandenberg's bill, designed, as the Senator has put it, to take the foot of James C. Petrillo off the necks of the school children of the country. The previous passage was in mid-December, too late in the old Congress to permit action by the House. It is to be expected that the House now, with time to act, will concur with the Senate in a very healthy piece of legislation.

The measure forbids any sort of interference with radio broadcasts of non-commercial educational or cultural programs by educational institutions. It is in response to the theory of Mr. Petrillo, as head of the musicians' union, that unpaid musicians, including school children, take bread out of the mouths of professional musicians and should, therefore, be barred from the radio. The latter

(Continued on page 50)



NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

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

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

PETRILLO BANS INTERLOCHEN

(Continued from page 49)

half of this fantastic theory he has until now succeeded in enforcing through the power of his union over the radio industry. That his power existed to this fabulous extent was first called widely to public attention in the summer of 1942 when Mr. Petrillo forbade the National Broadcasting Company to broadcast a program by boy and girl musicians from the National Music Camp at Interlochen in Mr. Vandenberg's state of Michigan.

So the Vandenberg bill is a good bill, but, of course, when the case of Mr. Petrillo is considered whole, it would be the grossest exaggeration to call it a half-measure. When the bill was being discussed last fall, *The New York Times* made an accurate observation on Mr. Vandenberg's description of it. Yes, *The Times* granted, it is a bill to take Mr. Petrillo's foot off the necks of the school children of the country, "while it permits him to keep his foot on the necks of the broadcasting and recording companies and of the professional musicians of the country." This is in justified reference to the whole system of arbitrarily enforced fictions and financial levies, upon musicians and employers alike, with which Mr. Petrillo operates his monopoly.

And, it could be added to what *The Times* said, neither does the bill interfere with Mr. Petrillo keeping his foot on the neck of the government of the country. Mr. Petrillo has twice successfully defied the War Labor Board, in a dispute involving the recording companies and in another involving a Minneapolis radio station, KSTP. He has, so far successfully, defied the National Labor Relations Board on the issue of whether the workers who put on and turn off records—the "platter turners"—in radio studios should be members of the independent technicians' union which the N.L.R.B. has certified as bargaining agent for such jobs, or of the musicians' union.

It is plain that the Vandenberg bill, wholesome as it is, is minutia, hardly scratching the surface of the real evil. But it is the more welcome if it is a start toward dealing sensibly, and with due concern for the principle of collective bargaining, not with the musicians' autocracy alone but with the entire subject of labor union monopoly, of which Mr. Petrillo happens to be a conspicuous but not a unique symbol.

SENATE ACTS FOR INTERLOCHEN

The Senate, without any discussion, has passed S. 63, the Vandenberg bill dealing with the Petrillo situation, which passed the Senate at the last session. The proposal now goes to the House for action. The bill prohibits interference with any non-commercial education or cultural program presented by any academically accredited and tax-exempt educational institution.

A companion bill, H. R. 1648, has been introduced by Representative Dondero (Michigan) which has been re-

ferred to the Committee on Interstate and Foreign Commerce.

BUSY TIMES AHEAD

Committee, Board and District meetings will keep NAB President Ryan and the staff quite busy during the next few weeks. The following meetings have been scheduled:

Tuesday-Wednesday, February 20-21, Public Relations Executive Committee.

Thursday-Friday, February 22-23, Code Committee.

Tuesday-Wednesday, February 27-28, NAB Board of Directors.

Thursday-Friday, March 1-2, Research Committee.

All of these meetings will be held in Washington.

A revised schedule for the second series of district meetings also has been prepared and steps have been taken to make sure all of these meetings conform strictly with the Government's ban on meetings of more than 50. Following is the tentative district meeting schedule as revised. Not all of these meetings have as yet been confirmed but should any change take place proper announcement will be made.

District	Place	Days	Date	Hotel
1	Boston, Mass.	Mon.-Tue.	March 5-6	Statler
2	New York, N.Y.	Thu.-Fri.	March 8-9	Roosevelt
4	Washington, D.C.	Mon.-Tue.	March 12-13	Statler
(D.C.-Va.-W.Va.)				
4	Charlotte, N.C.	Thu.-Fri.	March 15-16	
(N.C.-S.C.)				
5	Atlanta, Ga.	Mon.-Tue.	March 19-20	
(Ga.-Ala.)				
5	Jacksonville, Fla.	Thu.-Fri.	March 22-23	Mayflower
(Fla.-P.R.)				
7	Cincinnati, O.	Mon.-Tue.	March 26-27	Gibson
9	Chicago, Ill.	Thu.-Fri.	March 29-30	Palmer House
8	Detroit, Mich.	Mon.-Tue.	April 2-3	

17TH DISTRICT MEETING

A representative group of Oregon and Washington broadcasters met in Portland on Monday and Tuesday, January 29 and 30. NAB President J. Harold Ryan, NAB Broadcast Advertising Director Lewis Avery and assistant Helen Cornelius and John Morgan Davis, NAB General Counsel, represented national headquarters. BMB President Hugh Feltis was also present.

A resolutions committee, headed by C. O. Chatterton, KWLK, Longview, unanimously recommended the support by all stations in the district of BMB. Wallace Brazeal, KFPY, Spokane, spoke on public relations and Homer Welch, KEX, Portland, stressed the importance of proper programming. Steve Conley made his first appearance at a western meeting, having assumed the management of KEX on the first of the year. He was warmly greeted.

C. W. Chuck Myers and his KOIN associates were hosts at a fine dinner and evening entertainment. Guests included Oregon's Governor Earl Snell and Mayor Earl Riley of Portland, as well as other civic notables.

Leonard Callahan, West Coast Chief of the War Department Bureau of Public Relations, spoke upon the assistance which radio broadcasters may give in relocating returning veterans. His talk was well received.

Clare Hays, KOIN Women's Director, conducted a panel on the dissemination of war information. She was ably assisted by Marian Sabatini of the national OWI office.

Tuesday's luncheon found KGW of Portland in the role of hosts. General Manager Arden X. Pangborn and the Oregonian publisher, E. P. Hoyt, presided over the affair.

The sales managers session was chaired by Chet Wheeler, KWIL, Albany, District Sales Managers Chairman and was highlighted with talks by Lew Avery and Helen Cornelius. Frank Loggan, KBND, Bend, made a

report for the Small Market Stations Committee and was ably seconded by Marshall Pengra, who is a member of the national committee. J. D. Kolesar, KMO, Tacoma, conducted the engineering session.

The Portland Chamber of Commerce was host at a party in honor of the broadcasters following the adjournment of the meeting.

Harry Spence, KXRO, Aberdeen, was unanimously re-elected as District Director for the ensuing two-year term.

14TH DISTRICT MEETING

On Thursday and Friday, February 1 and 2, 14th District broadcasters gathered at the Hotel Utah, Salt Lake City. The meeting was opened by District Director Hugh Terry, KLZ, Denver. National headquarters was represented at the meeting by President Ryan, Lewis Avery, Helen Cornelius and John Morgan Davis. Hugh M. Feltis, BMB President, also participated.

At the Thursday luncheon Dr. Adam S. Bennion, Assistant to the President of the Utah Power and Light Company, spoke upon the relation of broadcasters to future world peace. He made a stirring plea that broadcasters safeguard the freedom of the air and overcome the difficulties incident to world broadcasting and take steps to build better understanding between the peoples of this country and other nations, particularly Russia.

"The glory that was Rome's, Persia's, and Greece's was lost because their peoples failed to fight for the freedoms they enjoyed," said Dr. Bennion.

"Radio, with the press, the schools and the churches, are the four agencies upon which rest the responsibility of shaping the course of tomorrow's world. Radio's challenge is to develop greater public discussion of current political and economical issues. Radio has proved itself in a field of advertising and entertainment. It must now prove itself worthy of its trusteeship of freedom of speech. It must not permit the muzzling of anyone but must encourage and make possible discussion on both sides of every question."

S. S. Fox of KDYL staged a television demonstration following the meeting. KDYL has the only television station between the Mississippi River and the Pacific Coast.

NEWS COMMITTEE MAKES 6 RECOMMENDATIONS TO COUNCIL

At its Chicago meeting on January 24, the NAB News Committee prepared a memorandum of 6 recommendations which were transmitted next day to the Council on Radio Journalism.

The recommendations are now being considered by the council's Mitchell V. Charnley committee on standards. Mr. Charnley is Professor of Journalism, University of Minnesota.

The NAB News Committee recommendations, according to Karl Koerper, chairman, are:

1. To avoid sacrificing academic requirements for a Bachelor's degree to accommodate specialized training in radio journalism.
2. To provide and require practical experience as a part of the curriculum for radio journalism.
3. To insist upon proper instruction in "microphone technique" and not to accept public speaking courses as now offered, in lieu thereof.
4. To project entire training program on the premise of adequately preparing students immediately to assume responsibilities particularly in smaller stations.
5. To incorporate in the curriculum sufficient training so that students are capable not only of writing and editing radio news, but of broadcasting it as well.
6. To provide sufficient background training covering the entire radio station operation so that graduates will have a comprehension of all those elements which enter into a broadcast, particularly those broadcasts falling within the "Special Events" classification.

The FCC on Thursday (8) amended Section 1.5 (b) of its rules of Practice and Procedure regarding inspection of records so as to include in the files of the Commission open to inspection all communications protesting or endorsing applications and amendments thereto, filed under Title 2 and Title 3 of the Act, including all documents and exhibits filed with and made a part thereof.

Section 1.5 as amended reads:

"Inspection of records—subject to the provisions of 4(j), 412 and 606 of the Act, the files of the Commission shall be open to inspection as follows:

"(a) Tariff schedules required to be filed under Section 203 of the Act and annual and monthly reports required to be filed under Section 219 of the Act.

"(b) All applications and amendments thereto filed under Title 2 and Title 3 of the Act, including all documents and exhibits filed with and made a part thereof *and all communications protesting or endorsing any such application*; authorizations and certifications issued upon such applications; all pleadings, depositions, exhibits, transcripts of testimony, examiners' reports, exceptions, briefs, proposed reports or findings of fact and conclusions, minutes, and orders of the Commission.

"(c) Other files in the discretion of the Commission upon written request describing in detail the documents to be inspected and the reasons therefor.

(New part in *italics*.)

HOUSE COMMITTEE BOOSTS FCC "REGULAR" AND CUTS DEFENSE FUNDS

The House Committee on Appropriations in the Independent Offices Appropriation bill for 1946, recommends an appropriation of \$5,005,400 for the Federal Communications Commission. In its report on the Commission's appropriation, the Appropriations Commission says:

For this activity the committee recommends a total of \$5,005,400, which is a reduction of \$201,600 under the Budget estimate and \$495,072 less than the current appropriation, with overtime compensation excluded from the comparison. A net reduction of \$1,225,914 in the current appropriation for national defense is largely offset by a proposed increase in the estimates of \$928,142 for regular activities. The committee has allowed an increase of \$726,542 in the regular appropriation to meet the upsurge of work which is anticipated during the next fiscal year, the increase to be used primarily in the regulatory and licensing field. Testimony presented to the committee was to the effect that a tremendous increase in standard and FM broadcast applications is anticipated; that applications for new television stations are increasing; and that facsimile broadcasting, international broadcasting, and experimental and relay broadcasting are subjects which will require immediate consideration at the conclusion of the war. The proposed increase in funds for "regular activities" will enable the Commission to utilize a considerable portion of the trained personnel no longer required under the national defense appropriation.

18 MORE SHOWS WITH OVERSEAS CHEER

NOTICE TO TASK FORCE COMMANDERS WITH UNFINISHED ASSIGNMENTS

Armed Forces Radio Service requests that label copy on "Let's Go to Town" records include call letters of all cooperating stations with city and state address of each. Labels should appear on originals and dubs.

Please notify NAB when you ship to Los Angeles. We follow through to check on actual delivery.

Seven (7) completed "Let's Go to Town" programs from District No. 9, two each from Districts 6 and 17, one each from Districts 2, 3, 4, 5, 7, 10 and 11, eighteen in all, were made available for world-wide broadcast to overseas soldiers and sailors this week.

District Sets Record

By turning in one show for seven consecutive days, No. 9 bailiwick, headed by Director Les Johnson, WHBF, Rock Island, set a production record in the "Let's Go to Town" sweepstakes. It took four Illinois cities—Quincy, Danville, Chicago and Champaign, and Sheboygan, Wis., to turn the trick.

The Chicago committee consists of William E. Hutchinson, WAAF, Chairman, and four Task Force Commanders: Fred Killian, WBBM; Gene Rouse, WENR; Fran Coughlin, WGN; and Jules Herbuveaux, WMAQ. It accounted for three of the shows as indicated below. WGN's "Let's Go to Town" program is scheduled for completion around February 15. Here's the score for this week:

DISTRICT II

Jamestown..... A. E. Spokes, WJTN, TFC*

DISTRICT III

Pittsburgh..... Frank R. Smith, Jr., WWSW, TFC*

DISTRICT IV

Greenville..... B. T. Whitmire, WFBC, TFC*

DISTRICT V

Savannah..... W. T. Knight, Jr., WTOC, TFC*

DISTRICT VI

Memphis..... Roy Wooten, WREC, TFC*
New Orleans..... W. H. Summerville, WWL, TFC*

DISTRICT VII

Louisville..... Lee Coulson, WHAS, TFC*

DISTRICT IX

Champaign..... Frank Mills, WDWS, TFC*
Chicago..... Fred Killian, WBBM, TFC*
Chicago..... Gene Rouse, WENR, TFC*
Chicago..... Jules Herbuveaux, WMAQ, TFC*
Danville..... E. C. Hewes, WDAN, TFC*
Quincy..... C. Arthur Fifer, WTAD, TFC*
Sheboygan..... H. H. Born, WHBL, TFC*

DISTRICT X

North Platte..... John Alexander, KODY, TFC*

DISTRICT XI

Duluth-Superior..... Walter C. Bridges, WEBC, TFC*

DISTRICT XVII

Portland..... Homer Welch, KGW, TFC*
Spokane..... Harvey Wixson, KHQ, TFC*

BRUCE STARKEY CHIEF OF NAB NEWS BUREAU

To meet the growing need for coverage of events during radio's Twenty-fifth Anniversary year, the NAB News Bureau has been re-staffed with Harlan "Bruce" Starkey as Chief. The Bureau will also provide general information, historical data, educational and promotion material.

Starting his career as a reporter for the Miami papers, *Herald* and *Tribune*, in 1925, Starkey became active in real estate advertising and promotion during the Florida boom.

* Task Force Commander.

A native of West Virginia, he later returned to Moundsville as Advertising and Business Manager of the Echo Publishing Company, publishers of a daily, a weekly and a farm paper, where he maintained a part time affiliation with the R. M. Ludwig Advertising Agency, of Wheeling.

This was followed by two years in the advertising and editorial departments of the Wheeling morning and Sunday *Register*.

Starkey's debut in radio was with WCHS, Charleston, W. Va., in 1932, where, as Commercial Manager, his duties embraced most of the operational aspects of radio.

For the past ten years he has been active as a freelance writer and Publicity Counsel in Chicago.

Starkey fills the job left vacant when Walt Dennis resigned in October, 1943.

AVERY AT DES MOINES

Lewis H. Avery, NAB Director of Broadcast Advertising, was the guest speaker at the regular meeting of the Advertising Club of Des Moines on Tuesday, February 6. His topic was "The Force of Radio."

NEW INTERSTATE AND FOREIGN COMMERCE COMMITTEE

The House Committee on Interstate and Foreign Commerce, to which all communications legislation is referred, has been approved by the House as follows:

<i>Democrats</i>	<i>Republicans</i>
Clarence F. Lea, Calif., <i>Chairman</i>	Charles A. Wolvertin, N. J.
Robert Crosser, Ohio	Pehr G. Holmes, Mass.
Alfred L. Bulwinkle, N. C.	B. Carroll Reece, Tenn.
Virgil Chapman, Ky.	Charles A. Halleck, Ind.
Lyle H. Boren, Okla.	Carl Hinshaw, Calif.
Lindley Beckworth, Texas	Clarence J. Brown, Ohio
J. Percy Priest, Tenn.	Evan Howell, Ill.
Oren Harris, Ark.	Leonard W. Hall, N. Y.
George G. Sadowski, Mich.	Thomas D. Winter, Kans.
Richard F. Harless, Ariz.	Joseph P. O'Hara, Minn.
John W. Murphy, Pa.	Wilson D. Gillette, Pa.
Edward A. Kelly, Ill.	
Luther Patrick, Ala.	
John B. Sullivan, Mo.	
Dwight L. Rogers, Fla.	
Benjamin J. Rabin, N. Y.	
Vita Marcantonio, N. Y.	

NEW SENATE INTERSTATE COMMERCE COMMITTEE

Due to the resignation of Senator Harry S. Truman and the replacement of Senator Wallgren of Washington by Senator Mitchell from that State, the Committee is now fully organized as follows:

<i>Democrats</i>	<i>Republicans</i>
Burton K. Wheeler, Mont., <i>Chairman</i>	Wallace H. White, Jr., Me.
Alben W. Barkley, Ky.	Warren R. Austin, Vt.
Edwin C. Johnson, Colo.	Henrik Shipstead, Minn.
Tom Stewart, Tenn.	Charles W. Tobey, N. H.
James M. Tunnell, Dela.	Clyde M. Reed, Kans.
Ernest W. McFarland, Ariz.	Chan Gurney, S. D.
Clyde R. Hoey, N. C.	Albert W. Hawkes, N. J.
Olin D. Johnston, S. C.	E. H. Moore, Okla.
Brien McMahon, Conn.	Homer E. Capehart, Ind.
Francis J. Myers, Pa.	
Hugh B. Mitchell, Wash.	
Frank T. Briggs, Mo.	

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 12. They are subject to change.

Friday, February 16

Further Consolidated Hearing

- NEW—Central Broadcasting Co., Wilkes-Barre, Pa.—C. P., 1240 kc., 250 watts, unlimited.
 NEW—Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pa.—C. P., 1240 kc., 250 watts, unlimited.
 NEW—Key Broadcasters, Inc., Wilkes-Barre, Pa.—C. P., 1240 kc., 250 watts, unlimited.
 WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—For license, 1240 kc., 100 watts, unlimited.

Thursday, February 15

- KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, 590 kc., 5 KW, unlimited.
 KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, 1510 kc., 10 KW, unlimited, DA-night.

Federal Communications Commission Action

The meeting of the Commission was held after the BULLETIN went to press. Action will be contained in next week's BULLETIN.

MISCELLANEOUS

- Utica Broadcasting Co., Inc., Utica, N. Y.—Granted petition for leave to amend application for construction permit to substitute names in applicant corporation.
 WLEU—WLEU Broadcasting Corp., Erie, Pa.—Denied petition to intervene and enlarge the issues in the hearing now scheduled for February 9 on applications of Presque Isle Broadcasting Co. (WERC) for construction permit and license to cover same, etc. Exceptions noted by Counsel for WLEU.
 WOKO—WOKO, Inc., Albany, N. Y.—Granted petition for extension of time to file exceptions and request for oral argument in re application for renewal of license, and the time was extended from February 5 to February 15, 1945.
 KROW—Educational Broadcasting Corp., Oakland, Calif.—The Commission on its own motion, continued the hearing now scheduled for February 5 to March 7, in re application for renewal of license.
 KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Granted license to cover construction permit which authorized installation of a new antenna. Also granted authority to determine operating power by direct measurement of antenna power. The action is taken without prejudice to determination of the issues in the hearing on the petition and application for renewal of license of station KSOO, pursuant to Multiple Ownership Rule.
 WJNO—WJNO, Inc., West Palm Beach, Fla.—Granted license to cover construction permit which authorized move of transmitter and studio. Also granted authority to determine operating power by direct measurement of antenna power.
 WFBM—WFBM, Inc., Indianapolis, Ind.—Granted construction permit for a 1 KW auxiliary transmitter, using directional antenna night. (B4-P-3837)

WKAQ—Radio Corp. of Puerto Rico, San Juan, P. R.—Granted modification of construction permit which authorized move of transmitter and studio, for extension of completion date to July 26, 1945. (B-MP-1789)

WKAQ—Radio Corp. of Puerto Rico, San Juan, P. R.—Granted modification of construction permit which authorized move of auxiliary transmitter to new site of main transmitter, for extension of completion date to July 26, 1945. (B-MP-1790)

WEJC—National Broadcasting Co., Inc., Washington, D. C.—Granted construction permit to reinstate construction permit B1-PRE-440) to move transmitter from Trans Lux Building to 11th and Penna. Ave. N. W., Washington, D. C., and make changes in antenna. (B1-PRE-442)

Bob Jones College, Inc., Cleveland, Tenn.—Granted petition for dismissal without prejudice of application for new station.

WJZ—American Broadcasting Co., Inc., New York City.—Granted petition for substitution of the name American Broadcasting Co., Inc., for that of Blue Network Company in all pleadings and other documents filed with the Commission in connection with the proceedings in re application of KOB, Albuquerque, N. Mex., for modification of construction permit, license to cover modified construction permit, and authority to determine operating power; and granted petition for additional time to and including February 19 within which to file its Proposed Findings of Fact and Conclusions in re this matter.

WKBZ—Ashbacher Radio Corp., Muskegon, Mich.—Denied motion to amend the issue in Notice of Hearing in re application for construction permit; exceptions noted by Counsel for petitioner.

Midwest Broadcasting Co., Milwaukee, Wis.—Passed over petition for leave to intervene and for enlargement of issues in re application of WREN in Docket 6703.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—KGA—Louis Wasmer, Spokane, Wash.—Granted in part petition for continuance of hearings on applications for renewal of licenses of KHQ and KGA, and the hearing now scheduled for February 15 was continued to Monday, March 19.

Frederic Andraee, New York City.—Ordered that J. Alfred Guest, Commission Field Attorney, be assigned to preside at the hearing in re application of Andraee for Second Class Radiotelegraph Operator's License, to be held Feb. 28, at the Commission's offices in New York City.

WNYG—City of N. Y. Municipal Broadcasting System, area of New York City.—Granted license to cover construction permit (B1-PRY-297) to reinstate construction permit (B1-PRY-380) for new relay broadcast station; frequencies 1622, 2058, 2150, 2790 kc., 40 watts. (B1-LRY-314)

The following application for FM broadcast stations was placed in the pending files in accordance with Commission policy adopted February 23, 1943:

The Radio Station KFH Co., Wichita, Kans.

The following amended application for FM broadcast stations were retained in the pending files pursuant to policy adopted February 23, 1943:

Green Bay Newspaper Co., Green Bay, Wis.; Times-Star Publishing Co., Alameda, Calif.

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

The Crosley Corp., Columbus, Ohio; WTER, Zenith Radio Corp., Chicago, Ill.

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Granted in part motion for continuance of hearing on renewal of license now scheduled for February 7, and continued same to Monday, March 12, 1945.

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Granted modification of construction permit as modified, which authorized change of frequency, increase in power, etc., for extension of completion date to Feb. 28, 1945.

APPLICATIONS FILED AT FCC

680 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—License to cover construction permit (B4-P-3646) which authorized installation of an auxiliary transmitter.

KFEQ—KFEQ. Inc., St. Joseph, Mo.—Authority to determine operating power by direct measurement of antenna power.

770 Kilocycles

WEW—The St. Louis University, St. Louis, Mo.—Special service authorization to operate on 770 kc., with power of 1 KW day and 250 watts night, unlimited time for the period ending 3 a. m., EST, 11-1-46.

920 Kilocycles

KFNF, Inc., Shenandoah, Iowa.—Transfer of control of licensee corporation from Henry Field to Midwest Broadcasting Company—50.33%.

1430 Kilocycles

NEW—Coeur d'Alene Broadcasting Co., Coeur d'Alene, Idaho.—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 1 KW and unlimited hour of operation. Amended: to change frequency to 1430 kc. and install directional antenna for day and night use.

1450 Kilocycles

KONP—Evening News Press, Inc., Port Angeles, Wash.—License to cover construction permit (B5-P-1933 as modified) for a new standard broadcast station.

KONP—Evening News Press, Inc., Port Angeles, Wash.—Authority to determine operating power by direct measurement of antenna power.

NEW—Copper City Broadcasting Corp., Rome, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., 250 watts power, unlimited time.

NEW—Utica Broadcasting Co., Inc., Utica, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in corporate structure.

1490 Kilocycles

NEW—Adelaide Lillian Carrell, Wichita, Kans.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—E. Anthony & Sons, Inc., New Bedford, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45700 kc. with coverage of 1,787 square miles. Amended: to change coverage to 4,303 square miles, change type of transmitter and antenna changes.

NEW—McClatchy Broadcasting Co., Fresno, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46700 kc. with coverage of 14,500 square miles.

NEW—Indiana Broadcasting Corp., Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc. with coverage of 9,245 square miles.

NEW—S. E. Adcock, Knoxville, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc. with coverage of 12,440 square miles.

NEW—McClatchy Broadcasting Co., Sacramento, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc. with coverage of 24,580 square miles.

NEW—Burlington Broadcasting Co., Burlington, Iowa.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45300 kc. with coverage of 10,080 square miles.

NEW—Frank R. Pidcock, Sr., near Moultrie, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47300 kc. with coverage of 10,100 square miles.

MISCELLANEOUS APPLICATIONS

NEW—Evangelical Lutheran Synod of Missouri, Ohio and other States, Clayton, Mo.—Construction permit for a new non-commercial educational broadcast station to be operated on

42900 kc., 250 watts power, unlimited time, special emission for FM.

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—Construction permit to reinstate construction permit (B3-PRE-435, as modified) which authorized a new relay broadcast station to be operated on 30820, 33740, 35820 and 37980 kc., 2 watts power, A3 emission.

KICD—Iowa Great Lakes Broadcasting Co., North of Spencer, Iowa—Voluntary transfer of control of licensee corporation from L. W. Andrews to Ben B. Sanders (309 shares common stock—64.375% outstanding; and 120 shares preferred stock—47.25% outstanding).

Federal Trade Commission Docket

COMPLAINTS

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

Food, Inc.—A complaint alleging the dissemination of false advertisements concerning the therapeutic properties of certain so-called health food preparations has been issued against Food, Incorporated, and Nature Food Centres, Inc., both of 716 Columbus Ave., Boston; Nature Food Centres of Connecticut, Inc., Hartford; Nature Food Centres of Rhode Island, Inc., Providence; and the corporations' officers and directors, Andrew F. Rosenberger, Emily M. Rosenberger and Henry K. Rosenberger. (5271)

McKinley-Roosevelt, Inc., et al.—Five Chicago corporations and three officers who control and direct the corporations' policies and activities are named respondents in a complaint charging them with misrepresentation in connection with the interstate sale of correspondence courses of instruction in engineering, law, agriculture, psychology, education, chemistry, business, theology and sociology. The corporations are McKinley-Roosevelt, Incorporated, McKinley-Roosevelt Foundation, McKinley-Roosevelt Schools, Inc., McKinley-Roosevelt Graduate College and McKinley-Roosevelt University, all of 4610 Sheridan Road, Chicago. The officers of the corporations are Jessie M. Taylor, president and treasurer, William R. Peacock, secretary, and Lozier D. Warner, director. (5272)

Phillips Sales Co., Inc.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act, in connection with the interstate sale and purchase of food products, including canned vegetables and canned meat, has been issued against Phillips Sales Company, Inc., Cambridge, Maryland, and Max E. Guthman and Aaron Guthman, trading as Haas-Guthman Company, 601 West Hull Street, Savannah, Georgia. (5273)

C. C. Waddill Co., Inc.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against C. C. Waddill Company, Inc., 221 East Water St., Norfolk, Va., engaged in business as both a broker and a direct buyer of food products, including canned fish, canned fruits and vegetables, and other commodities. (5270)

STIPULATIONS

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

Englander Co., Inc., 2447 Roosevelt Road, Chicago, entered into a stipulation to discontinue misrepresentations concerning the quality and construction of mattresses it sells in interstate commerce. (3973)

Fostoria Pressed Steel Corp.—A stipulation to discontinue certain representations concerning a lamp device advertised as being effective as an insecticidal and bactericidal agent has been entered into by Fostoria Pressed Steel Corp., Fostoria, Ohio. The lamp was manufactured by the corporation and was known as the Fostoria Leray Para-Sphere, and was designed and constructed to emit visible light and infra red radiation having wave lengths up to approximately 25,000 angstrom units. (3970)

Fulton Tool Co., 709 Kent Ave., Brooklyn, entered into a stipulation to cease and desist from representing that used or worn files sold by him are new, by failure to stamp thereon in conspicuous and legible terms which cannot be removed or obliterated without a grinding or buffing process, a statement that the files are "reconditioned" or "rebuilt," and from representing in any other manner that such files are new. (3971)

Greenstein Dress Corporation, 325 West Jackson Blvd., Chicago, engaged in the sale of women's dresses, has entered into a stipulation to cease and desist from using the word "Corporation" as a part of their trade name, and from use of such name or its abbreviation, the effect of which tends to convey the belief that the business they conduct is a corporate entity. (3967)

Industrial Engineering Institute, P. O. Box 1517, Indianapolis, engaged in the sale of a correspondence course of instruction in industrial plant or machine shop operation, stipulated that they will discontinue using the word "Institute" or any abbreviation or simulation thereof in their trade or school name, or otherwise representing that their school is an institute or that it was organized or is equipped to carry on the work of an institute. (3968)

L. N. LeBold & Co., 130 Main St. East, Rochester, N. Y., engaged in the sale of Vee-mor, a preparation advertised as a reducing agent and food supplement, stipulated that he will discontinue representing that the product has any reducing action or that any loss in weight resulting from following the directions for its use is other than that which naturally results from a restricted or reduced food intake. (3972)

Lucky Heart Laboratories, Inc.—An amended stipulation relating to use of the word "free" in describing or referring to merchandise has been entered into by Lucky Heart Laboratories, Inc., 388 Mulberry St., Memphis, Tenn., trading as Lucky Heart

Co. and Erbru Medicine Co. The corporation is engaged in the sale of cosmetics, medicinal preparations and a so-called "dream book." (02101)

Vogue Manufacturing Co., Inc., 330 Ocean Parkway, New York, entered into a stipulation to discontinue certain misrepresentations in connection with the wholesale distribution and sale of fur coats. (3969)

CEASE AND DESIST ORDERS

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

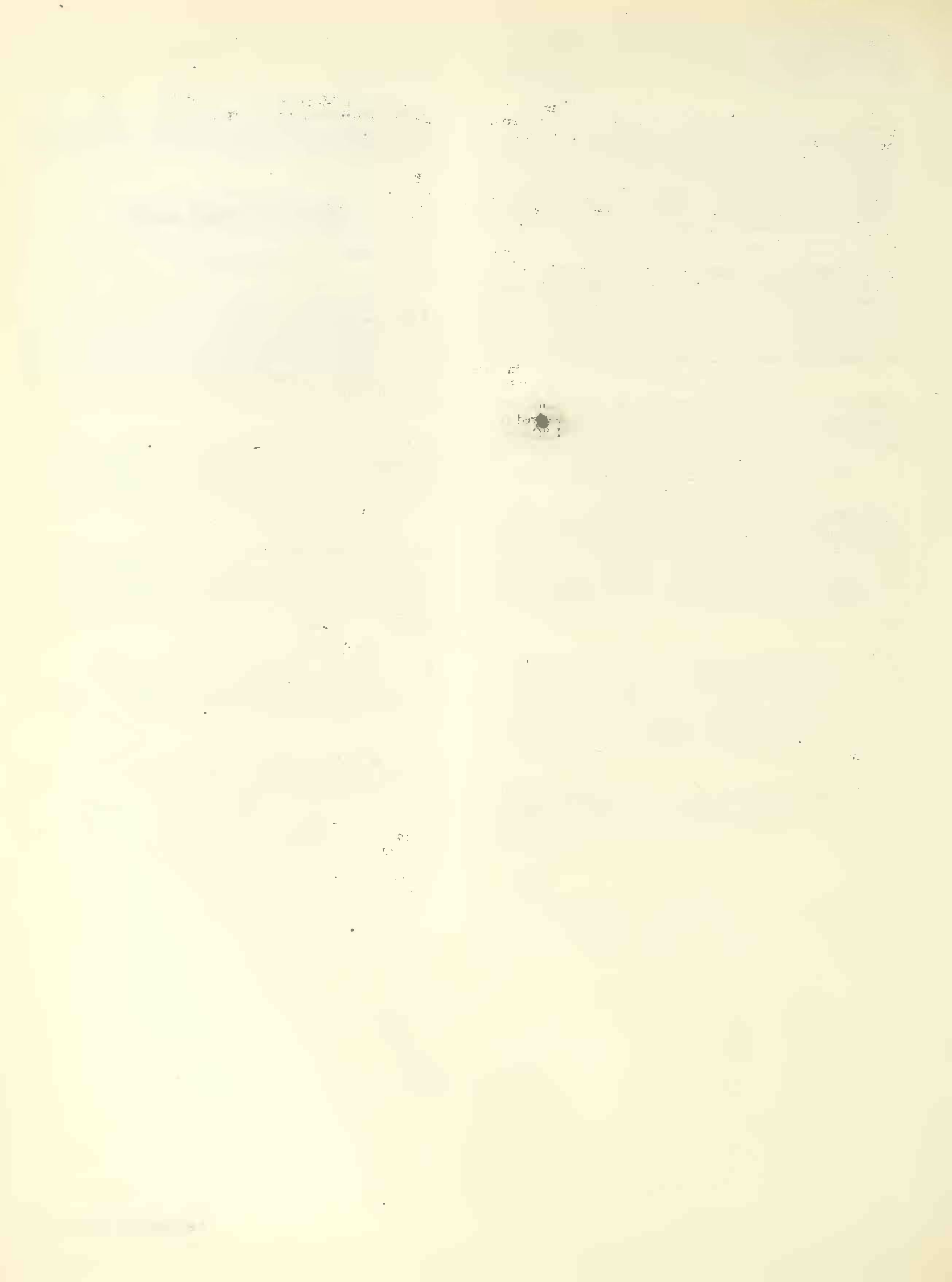
American School of Commerce.—An order to cease and desist from unfair and deceptive acts and practices in connection with the sale of courses of instruction in business subjects has been issued against American School of Commerce, Baum Bldg., Omaha, Nebr., and John A. Youngstrom, president of the corporation; Edward C. Dusatko, vice-president, and D. N. Doyle, its former secretary. (4624)

Chas. A. Brewer & Sons, 6320 Harvard Ave., Chicago, have been ordered to cease and desist from the interstate sale of punchboards, push cards or other lottery devices which are to be used or may be used in the sale of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme. (3952)

Dr. H. A. Pietri Company, 620 West 141 Street, New York, has been ordered to cease and desist from disseminating any advertisements which represent that the hair dye she sells under the name "Zenaida" will restore hair to its original color or the appearance of its natural color, and will not stain the clothing, hands or scalp. (5146)

F. H. Noble & Co., 535-559 West 59th St. Chicago, manufacturer and distributor of gold solder and jewelers' findings, has been ordered to cease and desist from representing that its solder is of a fineness in excess of its actual gold content. (5092)

Union Trading Stamp Co., 549 West Randolph St., Chicago, and its president and treasurer, Frank A. Hayes, has been ordered to cease and desist from selling or distributing in interstate commerce sales promotion cards, booklets or other articles so designed that their use in connection with the distribution of merchandise in accordance with such plan or design constitutes the operation of a game of chance, gift enterprise or lottery scheme. (5011)





11TH DISTRICT MEETING

Despite his vigorous protest that he was not a candidate for re-election, Ed L. Hayek, KATE, Albert Lea, was drafted unanimously to serve another two-year term as director of the eleventh district at the closing session of the two-day meeting in Minneapolis, February 12 and 13.

In the absence of J. Harold Ryan, NAB president, who was attending the convention of the Canadian Association of Broadcasters in Quebec, C. E. Arney, Jr., NAB secretary-treasurer, reported on the activities of the Association, including labor, legislative and music problems. At the opening session, C. T. Hagman of WTCN, Minneapolis, district chairman of the public relations committee, reported for that group; while Dick Day, WDGY, Minneapolis, district chairman of the program managers committee, presented a new angle on programming during wartime.

At the invitation of Hugh M. Feltis, president of Broadcast Measurement Bureau, Roger W. Clipp, WFIL, Philadelphia, chairman of the NAB research committee, attended the meeting and participated in the presentation of the Bureau plan.

The second day opened with the small market stations panel at which Jerry Wing, KROC, Rochester, member of the small market stations committee, presided. During the session, John F. Meagher, KYSM, Mankato, was introduced as the newly appointed district chairman of this group.

Ray Jenkins, KSTP, St. Paul, presided at the sales managers clinic, during which Lewis H. Avery and Helen A. Cornelius of the NAB department of broadcast advertising spoke.

Having recently returned from conferences in Washington, Mrs. Hayle S. Cavanor of OWI emphasized the seriousness of the war with Japan and urged the broadcasters to inform the public of the probable long length and brutal nature of the war that remains to be fought in the Pacific.

At the conclusion of the conference, a resolution was passed unanimously, urging that "immediate consideration be given the appointment of another outstanding leader comparable to J. Harold Ryan, so recognized by American industry and commerce, as president of NAB."

The Minnesota Radio Council was host to the delegates at a luncheon on the second day attended by more than 300 leaders in the civic, educational and social life of Minneapolis and St. Paul. Dr. Charles J. Turck, who has recently returned to the presidency of MacAlester College, after a tour of voluntary duty with the Army, voiced a fervent plea for the United States to be a good neighbor among nations.

At a banquet for the broadcasters on Monday evening, Stafford King, auditor of the State of Minnesota, who has recently returned from nearly three years' service with the Army Air Force, in the Southwest Pacific, painted an accurate and unflattering picture of life in that area for GI Joe. He pleaded with the broadcasters to bring home to the American public a full realization of the seriousness of the war yet to be fought in the Pacific.

10TH DISTRICT MEETING

An overwhelming majority of the delegates to NAB tenth district meeting, Wednesday and Thursday, February 7-8, in Kansas City, subscribed to the Broadcast Measurement Bureau. ODT convention restrictions drastically reduced outside attendance, necessitating a last minute split of what was to have been a combined tenth and twelfth district meeting. Key broadcasting officials from throughout Missouri, Iowa and Nebraska were present. Hugh Feltis, BMB president, presented the plan to the conference.

Among highlight discussions of the meetings was the impromptu talk of Phil Hoffman, KRNT, Des Moines, on public relations in which the industry was challenged with the belief, "I do not think that we are taking advantage of our opportunities with public service programs, and not selling them back to the listeners and the clients."

Attending the first day's discussions was the radio council of Kansas City. Father Roswell Williams, treasurer of the council, and professor at Rockhurst College, Kansas City, expressed the opinion:

"I believe advertising makes America free from such control that might make it primarily a mere propaganda agency for the party in power. Whatever party that might be. One thing I would like to see is more competent reviews of radio programs by newspapers and magazines."

Harold Fair, program director, WHO, Des Moines, and chairman of the NAB program managers executive committee, also appeared on the first day's session in a discussion on the importance of good programming in the days ahead. Mr. Fair summarized his comments with: "The industry is facing a period of development and therefore highly concentrated competition. The best assurance that a station has to survive that competition is its audience. One way to win and hold that audience is through sound programming."

In honor of NAB President J. Harold Ryan, the Kansas City Chamber of Commerce turned over its regularly scheduled public affairs luncheon to the broadcast industry. Mr. Ryan, introduced by Arthur B. Church, president of KMBC, Kansas City, and one of radio's early pioneers, discussed the first quarter century of broadcasting in America. The talk was broadcast over the Kansas State network. The story of broadcasting was also taken to the members of the Rotary Club on Thursday in an address by Lewis H. Avery, director of broadcast advertising.

In the second day's meetings Ralph Wentworth of BMI explained the plans of the organization expressing the hope that: "I would like to see the day come in broadcasting when management would take as aggressive an interest in music as the motion picture industry does."

John J. Gillin, Jr., president of WHO, Omaha, presided at the tenth district meetings. Station men were feted by R. J. Potts-Calkins & Holden, Kansas City advertising agency, in a cocktail party the closing night of the conference.



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, President

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

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

MORE ON 14TH DISTRICT MEETING

A very important part of the story of the 14th District Meeting in Salt Lake City on Thursday and Friday, February 1 and 2, was inadvertently omitted from the February 9 issue of NAB REPORTS.

At the close of the opening day sessions, the broadcasters were guests of KDYL and KUTA at a cocktail party. This was followed by a buffet supper at which KSL was host.

Following the supper, the delegates were guests at a special choir and organ recital in the famous Salt Lake City Tabernacle. The 345-voice choir and magnificent organ recital thrilled those who saw this oldest of network sustaining programs for the first time.

After the recital, the delegates went to the studios of KDYL, where Harold Ryan, NAB president, and Hugh Terry of KLZ, 14th district director, were televised for the entertainment of the broadcasters.

SELECT HOTELS FOR 3 MEETINGS

Directors have now completed arrangements for all meeting places for the series of district meetings beginning March 5, in Boston, and ending April 3, in Detroit. List was published in Feb. 9 NAB REPORTS, with the exception of those below:

Hotel Charlotte—Charlotte

North and South Carolina broadcasters will meet Thursday and Friday, March 15-16, at Hotel Charlotte, Charlotte.

Henry Grady Hotel—Atlanta

Georgia and Alabama broadcasters will meet Monday and Tuesday, March 19-20, at Henry Grady Hotel, Atlanta.

Hotel Book-Cadillac—Detroit

8th district broadcasters will meet Monday and Tuesday, April 2-3, at Hotel Book-Cadillac, Detroit.

8 MORE PROGRAMS READY FOR BROADCAST TO ARMED FORCES OVERSEAS

Receipt of 6 more "Let's Go to Town" programs by Armed Forces Radio Service has been acknowledged. These 6, plus two more en route to the coast, bring weekly production to 8.

Shipment of the Denver "Let's Go to Town" program completes that city's assignment of two shows. The first one was shipped early December. The 8 completions are listed below.

New Allocation

Robert J. Coleman, general manager, WKAR, East Lansing, Michigan, has accepted appointment as Task Force Commander for the Lansing metropolitan area.

DISTRICT I
Portland, Me. William Rines, WCSH, TFC*

DISTRICT II
Albany Harold Smith, WABY, TFC*
Ithaca Michael Hanna, WHCU, TFC*

DISTRICT IV
Charleston, W. Va. Howard L. Chernoff, WCHS, TFC*

DISTRICT VI
Baton Rouge Roy Dabadie, WJBO, TFC*

DISTRICT IX
Rockford Walter M. Koessler, WROK, TFC*

DISTRICT XI
Minneapolis A. E. Joselyn, WCCO, TFC*

DISTRICT XIV
Denver
Robert B. Hudson, Rocky Mountain Radio Council, TFC*



SPECIAL 25TH ANNIVERSARY BULLETIN NO. 5 IS SPEECH OF HAROLD RYAN

To provide material for speeches on the subject of Radio's Twenty-Fifth Anniversary, the Special Twenty-Fifth Anniversary Bulletin No. 5, enclosed with this issue of NAB REPORTS, consists of a speech by Harold Ryan entitled, "A Quarter Century of Broadcasting in America."

Ryan delivered this speech before the meeting of the Chamber of Commerce of Kansas City, Missouri, on February 7, from where it was also broadcast. His appearance in Kansas City was in connection with the meeting of NAB District 10.

The speech may be used as source material or delivered in its present form, if expedient, before civic organizations and other public gatherings. It was written for the layman, incorporating digested portions of "The Elements of a Successful Program," one of the pamphlets published by the Retail Promotion Committee.

XXV NETWORK COMMITTEE MEETS IN NEW YORK

The Committee on Network Participation in Radio's Twenty-Fifth Anniversary observance met in New York City Friday, February 16, with Harold Ryan, NAB president, and Willard Egolf, director of public relations.

This Committee was appointed following the December meeting of twenty representatives of the four major networks and consists of Dr. Frank Stanton, vice president, Columbia Broadcasting System; Robert D. Swezey, vice president, Mutual Broadcasting System; Mark Woods, president, Blue Network, and Frank E. Mullen, vice president, National Broadcasting Company. William S. Hedges, vice president, NBC, attended the meeting in place of Mullen.

Plans for network participation in the industry's Anniversary observance were discussed from every angle. The report of this Committee will be presented to the Public

OFFICE OF CENSORSHIP COMMENDS BROADCASTERS

The following letter, signed by Byron Price, director of the Office of Censorship, has been received by NAB:

"The responsible editors and news broadcasters of the United States are entitled to great credit for their conduct, under voluntary censorship, with respect to the international conference in the Black Sea area.

"The difficulties have been many but in spite of strong provocation from abroad domestic news columns and broadcasts in this country have been, on the whole, remarkably free of aid to the enemy. That he still is confused about major points of security connected with the conference is demonstrated by the outgivings of enemy propagandists.

"The Office of Censorship offers its thanks and appreciation."

SELECTIVE SERVICE

Upon the War Manpower Commission's list of 35 activities which were designated essential in the past, there has been superimposed a group of critical categories, and workers in these critical activities will retain their occupational deferments as long as possible.

Radio broadcasting has been continued as an essential activity under the Communications Services classification. Moreover, while all activities therein are termed essential, **ALL TECHNICAL, SCIENTIFIC AND RESEARCH PERSONNEL ENGAGED IN RADIO BROADCASTING, AS AN ESSENTIAL ACTIVITY, ARE REGARDED AS BEING ENGAGED IN CRITICAL ACTIVITIES.**

It is understood that Selective Service instructions to Draft Boards will follow the priority system of induction set up by War Mobilizer Byrnes, in a release issued January 15, which contemplates the induction of men in the 26 to 29 age group in the following order:

1. Registrants not employed in any of the activities on the list.
2. Registrants engaged in relatively unimportant jobs in the essential but not critical activities, and registrants who may be replaced without difficulty.
3. Registrants employed in relatively unimportant jobs in critical war programs, and registrants in such programs who may be replaced without difficulty.
4. Registrants engaged in relatively more important jobs in essential but not critical activities.
5. Registrants engaged in more important jobs in critical activities.

A note of caution. As you know Selective Service Headquarters issues regulations upon which the State Directors base their instructions to their Local and Appeal Boards. We have been advised that some State Directors are viewing the provision that "all technical, scientific and research personnel in any listed activity are regarded as being engaged in critical activities" as being applicable only to men who hold engineering degrees or have other similar high qualifications which raise them considerably above the ordinary technical, scientific or research personnel.

This interpretation seems to be restricted to those men who are in the 26 through 29 age group, and even in these states, Selective Service Headquarters have been deferring workers in essential activities who are 30 years of age or over. It will be well for you to check with your own State Headquarters for its interpretation of this War Manpower Commission provision in making your plans as to personnel affected by the draft, especially those workers under 30 years of age.

NAB REPRESENTED AT QUEBEC MEETING

Harold Ryan, NAB president; John E. Fetzer, WKZO; John J. Gillin, Jr., WOW; Kolin Hager, WGY; and Frank N. Stanton, CBS, represented the NAB Board at the 11th Annual Convention of the Canadian Association of Broadcasters, Chateau Frontenac, Quebec, February 12-14.

The Bureau of Broadcast Measurement, Canadian Association counterpart of Broadcast Measurement Bureau, met simultaneously. Mr. Ryan, Dr. Stanton, CBS vice president, and a member of the BMB board, and Paul Peter, NAB director of research, participated in these sessions.

CITY-WIDE INTEREST IN WQAM CONTEST

A promotion, particularly designed by Fred Borton, president, WQAM, for Miami high school students, has spilled over its initially intended sphere of influence to include adult home listeners, educators, good neighbor Republics and business interests of the city.

While accomplishing its purpose of encouraging "greater understanding and knowledge of the Latin-American countries among the youth of Dade county," the promotion points up Miami's postwar destiny as hemispheric air terminal.

Miami's plans for Latin-American trade after the war include building of an extensive Pan-American Center, to include permanent exposition sites and actual trading facilities. At the present time there is more cargo and more passengers entering this country from Latin American cities through Miami than through any other city. Pan American Airways handled over 500,000 pounds of air express annually before the war. This will more than double after the war. Hundreds of U. S. service cargo planes operate out of Miami now. In peace time they will continue on a commercial basis.

From October 16, 1944, and inclusive of April 16, 1945, WQAM will be on the air 9:30 to 9:45 a. m., Mondays, with its Latin American essay contest promotion.

Miss Paquita Rabell, head of the Miami Chamber of Commerce Latin American Department, discusses thoroughly one country on successive programs, every fifth one, however, being devoted to a resume. The Consul of the country featured on each program is interviewed on his native land.

Norman MacKay, WQAM, arranged with the Board of Education for a special Latin American book display to be available in each library in the city and country.

All Consuls answer students' questions. The contest is endorsed by the school board, the Pan American League and the City of Miami.

Competing essays, 300 to 500 words in length, must reach WQAM by April 30 for judging by: Mrs. Clark Stearns, president of the Pan-American League; Dr. I. T. Pearson, supervisor of instruction, Dade County; and J. Kennard Johnson, secretary, Miami Chamber of Commerce.

First prize is a \$100 wrist watch, suitably engraved. Second and third prizes are Sheaffer lifetime desk pen sets.

GEORGE SUTHERLAND COMPLETES PROGRAM MANAGERS EXECUTIVE COMMITTEE

The appointment of George Sutherland, program manager of WOL, to the program managers executive committee, completes the personnel of this committee for the current year. Sutherland was formerly a member of the committee but was out of radio temporarily before coming to WOL.

EASTER PROGRAM MATERIAL

In anticipation of seasonal program activities for Easter, NAB is happy to co-operate with the **Christian Observer** in publishing the following story of the Resurrection in abbreviated form:

"And when they were come unto a place called Golgotha, they crucified him. And with him they crucify two thieves; the one on his right hand, and the other on his left.

"And Pilate gave the body to Joseph. And he bought fine linen, and took him down, and wrapped him in the linen, and laid him in a sepulchre which was hewn out of a rock, and rolled a stone unto the door of the sepulchre.

"And, behold, there was a great earthquake: for the angel of the Lord descended from heaven, and came and rolled back the stone from the door, and sat upon it. His countenance was like lightning, and his raiment white as snow: and for fear of him the keepers did shake, and became as dead men.

"In the end of the sabbath, as it began to dawn toward the first day of the week, came Mary Magdalene and the other Mary to see the sepulchre.

"And they said among themselves, Who shall roll us away the stone from the door of the sepulchre? And when they looked, they saw that the stone was rolled away: for it was very great.

"And they entered in, and found not the body of the Lord Jesus. And the angel . . . said unto the women, Fear not ye: for I know that you seek Jesus, which was crucified. He is not here: for he is risen, as he said. Come, see the place where the Lord lay. And go quickly, and tell his disciples that he is risen from the dead; And they departed quickly from the sepulchre with fear and great joy; and did run to bring his disciples word.

"Peter therefore went forth, and that other disciple, and came to the sepulchre. . . . And the other disciple did outrun Peter . . . and looking in, saw the linen clothes lying; yet went he not in.

"Then cometh Simon Peter . . . and went into the sepulchre. . . . Then went in also that other disciple, which came first to the sepulchre, and he saw, and believed.

"Then the disciples went away again unto their own home.

"Now when Jesus was risen early the first day of the week, he appeared first to Mary Magdalene, . . .

". . . Mary stood without at the sepulchre weeping; and as she wept, she stooped down, and looked into the sepulchre, . . .

"And . . . she turned herself back, and saw Jesus standing, and knew not that it was Jesus.

"Jesus saith unto her, Woman, why weepest thou? whom seekest thou? She, supposing him to be the gardener, saith unto him, Sir, if thou have borne him hence, tell me where thou hast laid him, and I will take him away.

"Jesus saith unto her, Mary. She turned herself, and said unto him, . . . Master.

"Jesus saith unto her, Touch me not; for I am not yet ascended to my Father: but go to my brethren, and say unto them, I ascend unto my Father, and your Father; and to my God, and your God.

"After that he appeared in another form unto two of them, as they walked, and went into the country . . . to a village called Emmaus.

". . . And he went in to tarry with them.

"And it came to pass, as he sat at meat with them, he took bread, and blessed it, and brake, and gave to them. And their eyes were opened, and they knew him; and he vanished out of their sight.

"And they rose up the same hour, and returned to Jerusalem, and found the eleven gathered together, and them that were with them, saying, The Lord is risen indeed, and hath appeared to Simon. And they told what things were done in the way, and how he was known of them in breaking of bread.

"And as they thus spake, Jesus himself stood in the midst of them, and saith unto them, Peace be unto you.

"But they were terrified and affrighted, and supposed that they had seen a spirit. And he said unto them, Why are ye troubled? and why do thoughts arise in your hearts? Behold my hands and my feet, that it is I myself: handle

me, and see; for a spirit hath not flesh and bones, as ye see me have.

"And when he had thus spoken, he shewed them his hands and his feet.

"But Thomas, one of the twelve, called Didymus, was not with them when Jesus came. The other disciples therefore said unto him, We have seen the Lord.

"But he said unto them, Except I shall see in his hands the print of the nails, and put my finger into the print of the nails, and thrust my hand into his side, I will not believe.

"And after eight days again his disciples were within, and Thomas with them: then came Jesus, the doors being shut, and stood in the midst, and said, Peace be unto you.

"Then saith he to Thomas, Reach hither thy finger, and behold my hands; and reach hither thy hand, and thrust it into my side; and be not faithless, but believing.

"And Thomas answered and said unto him, My Lord and my God.

"Jesus saith unto him, Thomas, because thou hast seen me, thou hast believed: blessed are they that have not seen, and yet have believed.

"After these things Jesus shewed himself again to the disciples at the sea of Tiberias.

"After that he was seen of above five hundred brethren at once.

"Then the eleven disciples went away into Galilee, into a mountain where Jesus had appointed them.

"And Jesus came and spake unto them, saying, . . . All power is given unto me in heaven and in earth. Go ye therefore and teach all nations . . . teaching them to observe all things whatsoever I have commanded you. Lo, I am with you alway, even unto the end of the world.

"And he led them out as far as to Bethany, and he lifted up his hands, and blessed them, And it came to pass, while he blessed them, he was parted from them, and carried up into heaven.

"(All the above passages are from the New Testament, word for word as written there.)"

CERTIFICATE OF MERIT FOR KFEL

The program schedule for KFEL, week of February 11, boxes a significant news item stating that the Denver Junior Chamber of Commerce has awarded a Certificate of Merit to station KFEL "in recognition of unselfish services rendered in civic and social advancement and promotion of national welfare."

NUNN STATIONS ANNOUNCE NEWSPAPER, TRADE JOURNAL SCHEDULES

The Nunn stations, WBIR, Knoxville; WLAP, Lexington; WCMI, Ashland and Huntington; and KFDA, Amarillo, report that they will use a total of over 112,000 lines in the daily newspapers in their respective cities, and a minimum of 80 display advertisements in radio trade journals during 1945.

HEARINGS ON DONDERO BILL

The House Committee on Interstate and Foreign Commerce has announced that open hearings will begin February 22, in connection with H. R. 1648 introduced by Rep. Dondero, of Michigan.

This is a companion bill to the Vandenberg bill which has already been passed by the Senate and deals with the Petrillo situation.

MONRONEY BILL WOULD AFFECT PETRILLO

On February 12 Rep. Monroney (D), Oklahoma, introduced the following Bill in the House:

A BILL

TO CONFER JURISDICTION IN THE UNITED STATES COURTS IN CASES INVOLVING WORK STOPPAGE FOR ILLEGITIMATE AND NONLABOR PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 20 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, is amended to read as follows:

"And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any persons engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the facts specified in this paragraph be considered or held to be violations of any law of the United States: *Provided*, That nothing in this paragraph shall be construed in any proceeding, civil or criminal, instituted by the United States under the antitrust laws to make lawful any combination, contract, or conspiracy in restraint of trade having as its purpose one or more of the objects which are defined in section 2, subsections (a), (b), (c), and (d), as not being legitimate objects of labor, agricultural, or horticultural organizations."

SEC. 2. That section 6 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, is amended by adding thereto the following additional paragraphs:

"It shall not be within the legitimate objects of such organizations or of the officers, representatives, or members thereof to make any contract, or to engage in any combination or conspiracy, in restraint of commerce, if one of the purposes of such contract, combination, or conspiracy is—

"(a) to induce or require any employer to deal with, to recognize or to employ members of one labor organization instead of members of another labor organization when the latter has been designated exclusive representative of the appropriate labor unit for the purpose of collective bargaining pursuant to the National Labor Relations Act (July 5, 1935, ch. 372, sec. 9; 49 Stat. 452) and provided such latter union is free from domination or interference in its formation or administration by the employer and the employer does not contribute financial or other support to it; or

"(b) to induce or require any employer to pay or to give to any officer, agent, or representative of a labor organization any money or other thing of value unless the payment is pursuant to publicly announced terms of an existing collective bargaining agreement and no part thereof is for the personal benefit of such officer, agent, or representative; or

"(c) to induce or require any employer to impose unreasonable restrictions or conditions upon the use of any material, machines, or equipment: *Provided*, That no such restrictions or conditions shall be regarded as unreasonable if they are directly and appropriately related to the wages, hours, health, safety, or working conditions of the employees, or if they are required in good faith as part of a temporary program to retard technological unemployment by providing an orderly change in the methods of production or distribution or to forestall the imposition by the employer of a speed-up system; or

"(d) to join or combine with any employer or any nonlabor group to fix prices, allocate customers, restrict production, eliminate competing employers, monopolize or attempt to monopolize any part of trade or commerce, or to restrain competition or otherwise to restrain trade or commerce; or

"(e) to induce or require any employer to employ, or to pay any wages, salary, or other compensation to any person when such person is in fact in excess of the number of persons reasonably required to perform the work in which the employer is engaged: *Provided*, That no employee whose employment is directly and appropriately related to any of the subjects set out in the proviso to paragraph (c) of this section 2 shall be regarded as being in excess of the number reasonably required to perform the work in which the employer is engaged."

The *New York Times*, in an article on Feb. 13, makes the following observation on this bill:

"Mr. Monroney's bill would clearly make illegal two of the current practices of James C. Petrillo's American Federation of Musicians, AFL. One of them is his refusal to recognize the certification by the National Labor Relations Board of the National Association of Broadcasting Engineers and Technicians as the bargaining agent of 'platter turners,' and the other is the forced hiring of 'standby' musicians."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 19. They are subject to change.

Monday, February 19

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license for main and auxiliary transmitter. 790 kc., 5 KW (main) 500 watt (auxiliary), unlimited (main), (DA-night). Aux. purposes only (Aux.).

WEEU—Berks Broadcasting Co., Reading, Penn.—Renewal of license, 850 kc., 1 KW, daytime.

Federal Communications Commission Action

APPLICATIONS GRANTED

KMYR—F. W. Meyer (Assignor), KMYR Broadcasting Company (Assignee), Denver, Colo.—Granted consent to voluntary assignment of license of station KMYR from F. W. Meyer to KMYR Broadcasting Company, a newly organized corporation in which the Assignor is to own the controlling stock (251/500 shares); Meyer, the individual owner, will assign and transfer to KMYR Broadcasting Co. all the tangible assets of KMYR, having an original cost of \$43,362.55 and a depreciated value as of Oct. 26, 1944 of \$23,841.09, in exchange for 250 shares of the corporation's stock (par value \$100 per share). (B5-AL-456)

WROX—Robin Weaver, Sr. (Assignor), Birney Imes, Sr. (Assignee), Clarksdale, Miss.—Granted consent to voluntary assignment of license of Station WROX from Robin Weaver, Sr., to Birney Imes, Sr., for a consideration of \$25,000. (B3-AL-450)

WJEF—Fetzer Broadcasting Co., Grand Rapids, Mich.—Granted license to cover construction permit for a new station to operate on 1230 kc., 250 watts, unlimited time, and authority to determine operating power by direct measurement of antenna power. At the same time the Commission approved a letter to Counsel for Ashbacker Radio Corp., Muskegon, Mich., denying request that Commission delay final action on the Fetzer application.

KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Granted request for 30 days extension of time within which to complete the transfer of control of KFJI.

WALB—Herald Publishing Co., Albany, Ga.—Granted petition of WALB to dismiss application for construction permit to change frequency from 1590 to 1550 kc., and make changes in directional antenna (Docket 6399), and application for assignment of license from Herald Publishing Company (Docket 6400) (Commissioner Durr not participating).

KXOX—Wendell Mayes (transferor), J. S. and Mittie Agnes McBeath (transferees), Sweetwater Radio, Inc. (licensee), Sweetwater, Texas.—Granted application for acquisition of control of Sweetwater Radio, Inc., licensee of Station KXOX, by J. S. McBeath and Mittie Agnes McBeath, by transfer of 50 per cent, or 75 shares, of outstanding capital stock from Wendell Mayes, for a consideration of \$8,754.42. (B3-TC-420)

KTNM—Lester Q. Krasin and Otto A. Krutzner, d/b as Krasin and Krutzner Broadcasting Co. (assignor), Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Co. (assignee), Tucumcari, New Mexico.—Granted consent to voluntary assignment of license of Station KTNM from Krasin and Krutzner Broadcasting Company to Tucumcari Broadcasting Company for a consideration of \$20,000. (B5-AL-449)

WEEU—Berks Broadcasting Co., Reading, Pa.—Adopted order granting petition requesting cancellation of hearing on application for renewal of license now scheduled for February 19, and granted renewal on a regular basis.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Adopted order sustaining the action taken by presiding officer of Motions Docket on February 1, denying the petition of WLEU for authority to intervene and enlarge the issues in the matter of the application of WERC, Presque Isle Broadcasting Co., Erie, Pa., for construction permit and license to cover same, and for authority to determine operating power by direct measurement.

KOIN—KOIN, Inc., Portland, Ore.—Granted construction permit to make changes in transmitting equipment. (B5-P-3845)

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted license to cover construction permit which authorized increase in power to 5 KW and changes in ground system, subject to the following conditions: (1) That all reasonable complaints arising from interference attributable to the high signal intensity of KCMO in the Kansas City area will be satisfactorily adjusted; (2) that when materials and personnel are available, applicant will file an application for a permit and make necessary provision for change in location of the KCMO transmitter to a site conforming to requirements of the Standards of Good Engineering Practice; (3) that the DA installed at that time will afford KTBS, Shreveport, La., the same projection as was previously provided just prior to commencement of operation with 5 KW power night, provided KTBS makes provision to afford KCMO protection to the 2.5 mv/m nighttime contour of that station; and (4) that the DA installed pursuant to (3) above will also restrict radiation in the direction of Sidney, Mont., to the same value as previously existed just prior to commencement of operation with 5 KW power night. Also granted authority to determine operating power by direct measurement. (B4-L-1842; B4-Z-1645)

George T. Morris, et al., d/b as Dublin Broadcasting Co., Dublin, Ga.—Granted license to cover construction permit for new station to operate on 1340 kc., 250 watts, unlimited time; also authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) that a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted

to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B3-L-1856; B3-Z-1660)

DESIGNATED FOR HEARING

WDSU—E. A. Stephens, Fred Weber, and H. G. Hall, d/b as Stephens Broadcasting Co., New Orleans, La.—Adopted an order designating for hearing to determine whether the licensees of station WDSU have violated Section 315 of the Communications Act.

LICENSE RENEWALS

The following stations were granted renewal of licenses (Comr. Durr not participating), for the period ending February 1, 1946: KPOW, Powell, Wyo.; KRLH, Midland, Texas; KVEC, San Luis Obispo, Calif.; KYSM, Mankato, Minn.; WKBO, Harrisburg, Pa.

The following stations were granted renewals for the period ending February 1, 1948: KNOE, Monroe, La., and

KLPM, Minot, N. Dak., for the period ending November 1, 1947.

KGW—Oregonian Publishing Co., Portland, Ore.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

KEX—Westinghouse Radio Stations, Inc., Portland, Ore.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

WJAS—Pittsburgh Radio Supply House, Inc., Pittsburgh, Pa.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted renewal of license for the regular period. Station has been operating under temporary license because of the Multiple Ownership rule.

WOWO—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

W9XUI—State University of Iowa, Iowa City, Iowa.—Granted renewal of experimental television broadcast station license for the period ending February 1, 1946, subject to the condition that the license is granted subject to changes in frequency assignment which may result from proceedings in Docket 6651.

KLO—Interstate Broadcasting Corp., Ogden, Utah.—Granted renewal of license (Comr. Durr not participating).

Renewal of licenses for the following Relay Broadcast Stations were granted:

KBSF, KEHV, KETV, KFJU, KRSA, KSFQ, The Associated Broadcasters, Inc., San Francisco; WBWB, Banks of the Wabash, Inc., Terre Haute, Ind.; WJAE, WJNO, Inc., W. Palm Beach, Fla.

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

Advocate Printing Co., Newark, Ohio; Burlington Broadcasting Co., Burlington, Iowa; The Messenger Publishing Co., Athens, Ohio; Miss. Valley Broadcasting Co., E. St. Louis, Ill.; The Wm. H. Block Co., Indianapolis, Ind.; Isle of Dreams Broadcasting Corp., Miami, Fla.; Commodore Broadcasting, Inc., Peoria, Ill.

WILM—Delaware Broadcasting Co., Wilmington, Dela.—Granted renewal of license of Station WILM for regular period. (B1-R-141)

WDEL—WDEL, Inc., Wilmington, Dela.—Granted renewal of license of Station WDEL for regular period. (B1-R-745)

KROW—KROW, Inc., Oakland, Calif.—Granted renewal of license of Station KROW for regular period. (B5-R-29)

KGCU—Mandan Radio Association, Mandan, N. Dak.—Granted renewal of license of Station KGCU for regular period. (B4-R-658)

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted renewal of license of Station WPEN for regular period. (B2-R-363)

WAIM—Wilton E. Hall, Anderson, S. C.—Granted renewal of license for period ending February 1, 1946 (Comr. Durr not participating).

WRBL—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Granted renewal of license for period ending February 1, 1946 (Comr. Durr not participating). (B3-R-727)

KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—Granted renewal of license for period ending November 1, 1947.

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Granted renewal of license for period ending November 1, 1947. (B3-R-389)

MISCELLANEOUS

In response to a request by Cornell University, licensee of Station WHCU, Ithaca, New York, for special temporary authority to operate between 7:30 and 8 a. m. during February 1945, the Commission approved a letter advising the licensee that Section 3.87 of the Commission's rules permits its operation from 4 a. m. to local sunrise without the necessity of applying for special permission if the dominant station on the channel has agreed to such operation. In the instant case, the dominant station on this channel, WWL, licensed to Loyola University, New Orleans, La., appears to have consented to WHCU's operation during such time.

The Commission approved a letter to be sent American Radio Telephone Co., licensee of Station KXA, Seattle, Wash., advising that the license of KXA and the rules applicable do not permit simultaneous operation with WJZ under arrangements such as proposed. The Commission stated in its letter:

"Under the provisions of Section 3.23(b) of the Commission's Rules and Regulations, Station KXA is licensed to operate during daytime hours until local sunset, and in addition, during those nighttime hours when Station WJZ is off the air.

"It appears from the schedule which you have filed that after signing off at sunset, you intend to resume broadcasting each evening at 10 p. m. and continue until 12 midnight PWT, by virtue of an agreement with WJZ. Any simultaneous operation of KXA and WJZ during nighttime hours would not be consistent with the provisions of Section 3.23(b) and would not be within the scope of your existing license. Since an extension of your operating rights can only be permitted by Commission action, and not by contract with other licensees, you are advised that this operating schedule is invalid insofar as it purports to authorize KXA to operate after local sunset simultaneously with WJZ."

In response to many inquiries received by the Commission whether the oral argument to be held in the matter of Allocation of Frequencies (Docket No. 6651) will be confined to matters already in the record, or whether additional material may be introduced into the record at the time of the oral argument, the Commission announces that, in order that the Commission may have the fullest evidence before making a final decision, persons appearing at the oral argument may submit in the form of exhibits or testimony any additional relevant material that has been developed since the close of the hearing on November 2, 1944. Any such testimony or exhibits will be subject to cross-examination within the Commission's discretion if request therefor is made.

The following applications for non-commercial educational stations were placed in the pending file:

Board of Education, Sewanhaka High School, Floral Park, N. Y.; Stephens College, Columbia, Mo.

APPLICATIONS FILED AT FCC

590 Kilocycles

WFTC—Jonas Weiland, Kinston, N. Car.—Special service authorization to operate on 590 kc., with power of 250 watts day, and 100 watts night; AMENDED to request authority for the period ending April 1, 1945.

1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—License to use formerly licensed main transmitter (W.E. 304-A) as an auxiliary transmitter with power of 1 KW, employing directional antenna day and night.

1230 Kilocycles

KGHI—A. L. Chilton and Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service, Little Rock, Ark.—Voluntary assignment of license to A. L. Chilton, Leonore H.

Chilton, and S. C. Vinsonhale, a partnership, d/b as KGHI Broadcasting Service.

1240 Kilocycles

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Modification of construction permit (B3-P-3596 for change in frequency) for extension of completion date.

1340 Kilocycles

NEW—The Brockway Company, South of Massena, New York—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation.

NEW—John M. Spottswood, Key West, Fla.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

WBRW—McDowell Service Company, Welch, W. Va.—Transfer of control of licensee corporation from J. W. Blakely, Gladys H. Blakely and J. Read Werness to Joe G. Hunt, W. R. Keyser, Ellis Landreth, Clarence H. Frey and Robert O. Greever—100%.

1400 Kilocycles

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—License to cover construction permit (B5-P-3697) which authorized move of transmitter and studio and installation of new antenna and ground system.

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Authority to determine operating power by direct measurement of antenna power.

1430 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Construction permit to change frequency from 750 kc. to 1430 kc., change power and hours of operation from 1 KW limited time to 1 KW daytime and 250 watts nighttime, unlimited hours of operation.

1450 Kilocycles

WRIV—Thomas Garland Tinsley, Jr., Richmond, Va.—Modification of construction permit (B2-P-3644 for a new standard broadcast station) for approval of transmitting equipment.

WBBL—Grace Covenant Presbyterian Church (M. A. Sitton, Agent), Richmond, Va.—Modification of construction permit (B2-P-3638 for change in frequency, hours of operation, move, increase power and changes in equipment and antenna) for approval of transmitting equipment.

1490 Kilocycles

NEW—Gulf Broadcasting Co., Inc., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation; AMENDED re changes in incorporated structure.

FM APPLICATIONS

NEW—The Valley Publishing Co., Harlingen, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on 44,500 kc., with coverage of 1,515 square miles.

NEW—Brownsville Herald Publishing Company, Brownsville, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on 46,500 kc., with coverage of 632 square miles.

NEW—Valley Evening Monitor, Inc., McAllen, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on 48,500 kc., with coverage of 908 square miles.

NEW—The Ohio Broadcasting Co., Marion, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 47,100 kc., with coverage of 2,882 square miles.

NEW—Dubuque Broadcasting Co., Dubuque, Iowa—Construction permit for a new high frequency (FM) broadcast station to be operated on 45,500 kc., with coverage of 7,900 square miles.

NEW—Warren N. Shingle, Lester L. Rice and Beverly B. Ballard, d/b as Sacramento Valley Broadcasters, Marysville, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43,300 kc., with coverage of 19,800 square miles.

MISCELLANEOUS APPLICATIONS

NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #17 (282000-288000 kc.) with ESR of 7400.

NEW—Sherron Metallic Corp., Brooklyn, N. Y.—Construction permit for a new experimental television broadcast station to be operated on Channels #6 to 18 (96000-294000 kc.), power of 10 KW.

NEW—Hearst Radio, Inc., Baltimore, Md.—Construction permit for a new commercial television broadcast station to be operated on Channel #6 (96000-102000 kc.), with ESR of 1800; AMENDED re change in antenna system.

NEW—Raytheon Manufacturing Co., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on 44,000 to 50,000 kc. (as specified in the proposed allocation), with ESR of 7600.

Spinnerin Yarn Co., et al.—A complaint alleging misbranding of wool products in violation of the Wool Products Labeling Act has been issued against Spinnerin Yarn Company, Inc., 230 Fifth Avenue, New York; and Energetic Worsted Corporation and Norr-Bridge Yarn Company, both of Bridgeport, Pa. Nor-Bridge Yarn Company is a copartnership composed of John J. Hosey, Jr., Edna M. McManus, Dorothy H. Cassel and Edna J. Hosey. (5280)

Wax Bros. & Rosenberg Dress Co. A complaint has been issued charging Wax Bros. & Rosenberg Dress Co., Inc., 808 Washington Avenue, St. Louis, a manufacturer of women's wearing apparel, with failing to disclose to purchasers that certain of its garments which resemble silk in texture and appearance are composed in whole or in part of rayon. (5276)

STIPULATION

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

Chapman Wraps & Coat Company, Inc., 530 Seventh Avenue, New York, stipulated that it will discontinue misrepresenting the fiber content and properties of women's coats it manufactures from a fabric advertised as "Cohama Nylon Fleece." (3974)

CEASE AND DESIST ORDERS

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

Happy Hostess Candy Company, Inc., 615 South Peoria St., Chicago, and its president, Harry Rachlin, have been ordered to discontinue the use of lottery methods in the sale of candy products or other merchandise. (4842)

Mayo Brothers Vitamins, Inc., and its officers, Irby L. Mayo, Oran Frank F. Mayo and Paul T. Murry, 639 South Spring St., Los Angeles, have been ordered to cease and desist from disseminating false advertisements concerning the therapeutic properties of their "Mayo Bros." medicinal preparations, and from representing that they or their products are in any manner connected with the Mayo Clinic of Rochester, Minn. The preparations involved in the order are Mayo Bros. Vitamin B Complex, Mayo Bros. Vitamin B₁, and Mayo Bros. Family Formula. (5044)

Frank F. Woelfel, et al. An order prohibiting the use of unfair methods of competition and unfair and deceptive acts and practices has been issued against Frank F. Woelfel and Fred E. Willis, 806 West Washington Blvd., Chicago, and a group of other respondents associated with them in the interstate sale of colored photographic enlargements and miniatures and frames therefor. (4649)

Federal Trade Commission Docket

COMPLAINTS

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

Economy Monument Company, 4145 West Kinzie Street, Chicago, are charged in a complaint with misrepresenting the durability, quality and composition of memorial monuments they sell in interstate commerce under the name "Granidur." The complaint also is directed against Nelson Friis, who formerly was sales manager for the copartnership. (5295)

Philip Shlansky & Bro., 500 Seventh Avenue, New York, is charged in a complaint with misrepresenting that women's coats and other garments composed of textile fabrics are made from the peltries or fur of fur-bearing animals. The copartners named as respondents in the complaint are Philip Shlansky, Lewis Shlansky, Bessie Shlansky, Ida Shlansky, Morris Shlansky and Selig Shlansky. (5274)



FCC SETS "CLEAR CHANNEL" HEARING

The Federal Communications Commission today ordered a general public hearing beginning May 9, 1945, to determine what changes, if any, should be made in the present policies on allocation of so-called "clear channels" in the standard radio broadcast band.

Since 1928, the Commission and its predecessor, the Federal Radio Commission, have set aside so-called clear radio channels for the use of one Class 1A station or a limited number of 1B stations to give a radio service over a wide area and with the particular aim of providing the rural population of the United States with a radio service.

A reexamination of present clear channel allocations is necessary since Commission studies reveal there are still large areas within the United States which receive no radio service at all during the daytime hours and no primary radio service at night.

The Commission has, moreover, received many applications for authority to operate additional stations on these clear channels and for authority to use power in excess of 50,000 watts, maximum power now permitted a clear channel station under present Commission rules.

Radiation assignments on clear channels in this hemisphere are provided for by Treaty agreement and in the North American Regional Broadcasting Agreement of December 13, 1937. Since NARBA expires March 29, 1946, it is desirable to determine what if any changes are necessary in present clear channel assignments and what recommendation should be made to the Department of State prior to renegotiation of the Treaty.

Under existing FCC rules certain radio frequencies are allocated for exclusive or dominant use by one high-powered station and are defined as clear channels. A clear channel is defined as "one on which the dominant station or stations render service over wide areas and which are cleared of objectionable interference within their primary service areas and over all or a substantial portion of their secondary service area."

On these clear channels, Class I or II radio stations may be assigned. Class I-A channels—there are now 24—are reserved for exclusive nighttime use by only one domestic station, which must operate with 50 KW power. Class I-B channels—there are now 22—are generally allocable to more than one station nighttime, operating with power ranging from 10 to 50 kilowatts.

Class II stations are secondary stations which offer limited service on clear channels.

All persons wishing to testify or appear must notify the Commission before April 2.

KSTP BOWS TO PETRILLO

Minneapolis, February 16: After a controversy of eleven months duration Stanley E. Hubbard, President of Radio Station KSTP, acceded to the demands of the American Federation of Musicians, headed by James C. Petrillo.

Under the terms of contract signed early this morning, KSTP will employ in the Minneapolis studio a minimum

of eight musicians, working twenty-two hours a week at a wage of \$52.00 each. These eight musicians are in addition to those now employed by KSTP at St. Paul.

Mr. Hubbard had previously described these musicians as not needed in the operation of his station, and explained that his action was dictated by the fact that "Petrillo has demonstrated to the world that he has more power" than the National War Labor Board.

In New York Mr. Petrillo described the contract as an "important victory" for the Union, but declined further comment. The union official made no secret of his satisfaction over the outcome of the bitter controversy.

In the course of the dispute William Green, President of the American Federation of Labor, had sought unsuccessfully to have Mr. Petrillo modify his position, and a local court had issued a warrant for Mr. Petrillo's arrest if he ever came to Minneapolis.

Mr. Hubbard issued the following statement in connection with the matter:

"We have been fighting for a fundamental American principle but that after all these months it has been made clear to us that the Government is unable to assist us." He continued:

"We have sought justice through the proper legal and administrative channels afforded us—the State Labor Conciliator, the Federal Labor Conciliator, the Regional War Labor Board and the National War Labor Board—and we have had unqualified decisions from every one of these agencies but to no avail, because Petrillo has demonstrated to the world that he has more power than all of them.

"The American public and the working men and women of America, as well as the majority of the unions, have told us that they are with us in this fight, but in these eleven months the Government has done nothing to force Petrillo to change his demands and methods.

Bows to "Forcing" Employment

"As long as matters are as they are at present, we had no alternative but to at least temporarily accept the situation. We therefore have capitulated and today signed a contract with his union acceding to his demands that we employ men under contract regardless of whether or not we need them.

"If the Petrillo system of forcing an employer to contract for men he does not need, and to pay royalties directly to the union because union members are employed in the manufacture of his commodity (a provision in the recent contract signed with record companies) is adopted by other unions, it means the finish of American business.

"We fully recognize the reasonable rights of labor and by the same token labor should recognize the problems and rights of management.

"The difficulty which exists today in our country is that labor and management cannot deal on a parity. The remedy to this situation lies in the hands of the legislative branch of our government, and that is where immediate relief should be worked out."

PETRILLO TO BE CURBED, SAYS SENATOR BALL

The KSTP case evoked the following comment as published in the *Washington Post*, February 18:

(Continued on page 66)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, President

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

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

PETRILLO TO BE CURBED, SAYS SENATOR BALL

(Continued from page 65)

"Senator Joseph H. Ball (R., Minn.) predicted last night that Congress eventually would find it necessary to curb the 'arbitrary activities' of Joseph C. Petrillo, president of the American Federation of Musicians.

"Sooner or later the arbitrary activities of Petrillo will have to be curbed," Senator Ball said when he was informed that Stanley E. Hubbard, president of radio station KSTP at Minneapolis, protestingly had signed what Hubbard described an onerous contract with Petrillo's AFL Musicians' Union.

"It is too bad," Ball said, "that Hubbard felt that he had to capitulate. It sets a bad precedent."

BROADCASTERS TO HEAR PORTER

As a part of the meeting of the Virginia, West Virginia and District of Columbia broadcasters, to be held at the Hotel Statler in Washington, Monday, Tuesday, March 12-13, FCC Chairman Paul A. Porter will be the guest and principal speaker at a dinner to be held on Monday night.

Mr. Porter will take as his subject "Broadcasting of Tomorrow." The guests from outside of Washington are limited strictly to those who have pre-registered to attend the District meeting. This has been made necessary in order to comply with the government policy limiting outside attendance to less than 50.

Representatives of Washington stations, together with members of the Senate and House Interstate Commerce Committees have been invited. Invitations likewise have been extended to Vice President Truman, Speaker Rayburn and majority and minority leaders of both the House and Senate, as well as members and top administrative personnel of the FCC. The dinner will be under the auspices of the 4th District and of Washington radio stations. Campbell Arnoux, NAB 4th District Director, will preside and Harold Ryan, NAB President, will act as toastmaster.

AWD SPONSORED MEETING SUCCESSFUL

Sponsored by the Association of Women Directors of the National Association of Broadcasters, the second annual campaign of the "Women of the United Nations" was successfully launched at a luncheon in New York on Saturday 17th.

The program of the morning session started off with a business meeting. Following this outstanding speakers and women commentators carried out the following program:

Theme—"Woman of the United Nations"

Presiding—Ruth Chilton, President, Association of Women Directors

NO BMB BULLETIN THIS WEEK

BMB President Hugh Feltis is busily engaged this week in internal organization matters, the appointment of committees, selection of headquarters, etc. Until all of these internal arrangements are completed nothing of any particular interest suggests itself as a topic for a bulletin. However, another BMB Bulletin will be forthcoming next week.

Distinguished Speakers (10 minutes each)

"Neighboring by Radio"—Miss Elizabeth Long, Director of Women's Activities, Canadian Broadcasting Corp.

"Women of the Americas"—Miss Mary M. Cannon, United States Representative Inter-American Commission of Women

"The Task of Sharing"—Dr. Frank Munk, Czechoslovakia, Director of Overseas Training Center, UNRRA

"Babies, Bullets, Ballots"—Mrs. William Dick Sporborg, National Chairman on International Affairs, General Federation of Women's Clubs

"Radio's Strategic Role in War and Peace"—Col. Edward M. Kirby, Chief, Radio Branch, Bureau of Public Relations, War Department

"I Knew Your Soldier"—Mrs. Eleanor Stevenson, Author Panel Discussion by Well Known Women Broadcasters Chairman—Ruth Chilton, WCAU, Philadelphia, Pa.

Panel Participants

- Alma Kitchell, Blue Network and WJZ
Mary Margaret McBride, WEAF
Bessie Beatty, Mutual Network and WOR
Ruth Crane, WMAL, Washington, D. C.
Mildred Bailey, WTAG, Worcester, Mass.
Helen Sioussat, Columbia Broadcasting System
Jane Wagner, Inter-American University of the Air, National Broadcasting Company
Hazel Cowles, WHAM, Rochester, N. Y.
Ruth Welles, KYW, Philadelphia, Pa.
Nell Daugherty, WSRR, Stamford, Conn.
Estelle Sternberger, WLIB, Brooklyn, N. Y.

The noon luncheon found Dorothy Lewis, NAB Coordinator of Listener Activities presiding. Ruth Chilton, AWD President, made a presentation of an AWD award to Mrs. Franklin Delano Roosevelt, following which Mrs. Roosevelt responded with appropriate remarks. The remainder of the luncheon program follows:

Greeting—Mme. Henri Bonnet, Wife of the French Ambassador

Music—Russian Folk Song—"Ananis"
Song of the United Nations—Shostakovitch

Mr. Sidor Belarsky, Distinguished Russian Basso
Address—"Time for Leadership"—Hon. Emily Taft Douglas, Member-at-large, House of Representatives

Music—Spiritual—"Wasn't It a Wide River"
Aria—"Coucou" from "Queen of Spades"—Tchaikovsky

Miss Portia White, Distinguished Canadian Contralto
Address—"Canadian Women on the March"—Mrs. Edgar D. Hardy, President, National Council of Women of Canada

Address—Mr. Charles P. Taft, Office of Wartime Economic Affairs, Department of State

Tribute to Women Broadcasters for Wartime Services—War Administration—Miss Anne Hagen

From 3:00 to 3:45 p. m. there was an international broadcast carried in the United States over CBS and throughout Canada over the facilities of CBC, in which Mrs. Roosevelt and Her Majesty, Queen Wilhelmina of the Netherlands participated. A rebroadcast of this pro-

gram was made to all overseas stations through the courtesy of the Office of War Information.

The following distinguished guests attended the luncheon and many of the sessions:

International Representatives

Madame Henri Bonnet—France
Madame A. Loudon—Netherlands
Madame Georg Bech—Denmark
Madame Wei Tao-ming—China
Madame Hugues La Gallais—Luxemburg
Madame Jan Papanek—Czechoslovakia
Miss Agnes McCloskey—Canada
Miss Mary Cannon—United States—U. S. Delegate of the Inter-American Commission of Women
Sra. Carmen B. de Lozada—Bolivia—Bolivian Delegate to Inter-American Commission of Women
Mrs. Vera Jordao Pacheco—Brazil—Writer and Newspaper woman
Mrs. Kitty Boshell d'Botero—Colombia
Miss Ana Maria Berlanga—Mexico
Miss Josefina Tarafa—Cuba
Mrs. Mayrink Viega—Dominican Republic
Mrs. Pilar Hildago Lim—Philippines
Miss Cecily Hastings—Acting British Consul
Mrs. Oscar Gavrilovitch—Yugoslavia

National Leaders

Mrs. Lula Bachman, President, National Association of Women Lawyers
Mrs. William A. Becker, National Society, Daughters of the American Revolution
Mrs. Jeannetta Welch Brown, National Council of Colored Women
Mrs. LaFell Dickinson, President, General Federation of Women's Clubs
Mrs. Ellen O'Gorman Duffy, National Conference of Christians and Jews
Mrs. E. Wesley Frost, President, National Garden Clubs
Mrs. Guy Patterson Ganett, President, National Federation of Music Clubs
Mrs. Charles B. Gilbert, President, American Legion Auxiliary
Mrs. Clifford Thompson, Vice President, National Congress of Parents and Teachers
Mrs. Joseph E. Goodbar, Radio Chairman, National Federation of Press Women
Mrs. Ruth A. Handy, President, National Federation of Negro Business and Professional Women
Mrs. Edgar B. Hardy, President, National Council of Women of Canada
Mrs. Henry Ingraham, President, National Board of YWCAs
Mrs. Esther Johnston, American Library Association
Prof. Dora S. Lewis, President, American Home Economics Association
Miss Frances Maule, National Business and Professional Women's Clubs
Mrs. Valentine E. Macy, National Girl Scouts, Inc.
Mrs. Harold V. Milligan, President, National Council of Women of the U. S.
Miss Sophie Okun, Camp Fire Girls
Dr. Helen Dwight Reid, American Association of University Women
Mrs. Harper Sibley, President, United Council of Church Women
Mr. Theodore Simpson, American Institute of Decorators
Mrs. Roy C. F. Weagley, President, Associated Women of the American Farm Bureau Federation
Mrs. Norman deR. Whitehouse, President, Women's Action Committee
Mrs. Joseph Welt, President, National Council of Jewish Women
Miss Charl Williams, National Education Association

Radio Executives

Brig. General David Sarnoff, President, Radio Corp. of America
Mr. Paul Kesten, Executive Vice President, Columbia Broadcasting System

Mr. Mark Woods, President, American Broadcasting Co.
Mr. Edgar Kobak, President, Mutual Broadcasting Co.
Mr. Paul Porter, FCC, Chairman

The purpose of the "Women of the United Nations" campaign and its procedure was announced as follows:

Purposes:

To develop understanding among women of the world.
To meet returned veterans' enlarged horizons.
To share mutual experience and encourage a respect for differences.
To build a foundation for a lasting peace.

Procedure:

This is AWD's second editorial campaign. Through its membership of 700 women broadcasters of local stations from coast to coast, women listeners will be reached every day with variations of the theme, "Women of the United Nations." Special material in the form of spot announcements has been prepared by the United Nations Information Office and the Office of Coordinator of Inter-American Affairs. In addition, series of spot announcements have been submitted by 30 national groups, with Mrs. Luella S. Laudin, Radio Chairman for the General Federation of Women's Clubs, acting as editor.

Recipes and recommended music of the United Nations will accompany the prepared material.

In 70 key cities, an AWD member will serve as Local Coordinator for local integration of the plan. She is provided with a "Blueprint" which calls for close cooperation with civic, club and educational leaders in each community. Where unusual interest is developed, various United Nations will beam special messages to the local programs of our women broadcasters. Mildred Bailey, WTAG, Worcester, Mass., has greatly aided in the preparation of the "Blueprint."

Request has been received for the campaign material from women broadcasters of other countries.

Participating national organizations included the following:

Participating National Organizations

American Home Economics Association
American Institute of Decorators
American Legion Auxiliary
American Library Association
Associated Women of the American Farm Bureau Federation
American Association of University Women
Camp Fire Girls, Inc.
General Federation of Women's Clubs
Girl Scouts, Inc.
National Association of Women Lawyers
National Business and Professional Women's Clubs
National Conference of Christians and Jews
National Congress of Parents and Teachers
National Board of Young Women's Christian Ass'n.
National Council of Jewish Women
National Council of Negro Women
National Council of Women
National Council of Women of Canada
National Council of State Garden Clubs
National Federation of Music Clubs
National Federation of Negro Business and Professional Women
National Federation of Press Women
National League of Women Voters
National Music Council
National Society, Daughters of the American Revolution
National Society of New England Women
Pan Pacific Association
United Council of Church Women
Women's Action Committee for Victory and Lasting Peace

The reaction to this brilliant affair, termed by many as one of the most outstanding programs in radio history, has come from many sources. In her column, "My Day", Mrs. Roosevelt comments as follows:

"On Saturday I went to the meeting of the National Association of Broadcasters. The women broadcasters have a very great opportunity to accomplish an educational job for the country, which no other group could possibly do. As Miss Dorothy Lewis, chairman of the meeting, pointed out, they speak to millions of women every day. No one else has that close contact. Theirs is the friendly voice which women come to know and trust—a visitor in the home telling us something of the outside world.

It is a great responsibility to have this power, but I felt very proud that women seem willing to accept the responsibility and planned to do a really fine job promoting international understanding."

* * *

"I was very much touched and deeply honored at being presented with their first award. I know quite well, of course, that nothing I do could be looked upon as a personal achievement, since I simply happen to be in a position where great opportunities are offered me and where circumstances make it possible for what I do to be helpful.

"As I looked at the long table filled with representative women from other countries, and below us at the wonderful women who head up our national women's organizations, I realized that no one woman in this country could consider that she had accomplished anything of which she could be individually proud. The women of the United States as a whole make it possible for women to have great opportunities and to achieve greater things as women, for women, as the years roll by."

Telegrams of commendation were received in large numbers. From among others they came from Paul Porter, FCC Chairman; Brig. General David Sarnoff, RCA President; Paul Kesten, CBS Executive Vice President and national leaders of many groups.

A book of spot announcements has been prepared for all AWD members containing authoritative source material. The campaign will cover a period of four months and AWD members in 80 cities will tie-in with all local, civic club, and educational groups.



PUBLIC RELATIONS COMMITTEE EXPANDS ANNIVERSARY PLANS

Following the report and review of Radio's Twenty-Fifth Anniversary activities to date, the NAB Public Relations Committee in Washington Tuesday and Wednesday of this week expanded plans for observing Radio's Silver Anniversary throughout 1945.

Detailed suggestions were outlined under the heading of advertising, publicity, promotion, programming—sustaining and commercial—and public relations.

The report of the Committee on Network Participation was read and discussed. The network committee met in New York February 16.

All activities are dominated by the industry's "Pledge to Victory!"

"Management in the Public Interest"

Final proofs of the 120-page book, "Management in the Public Interest," were viewed by the Committee, which

ordered its printing at once and discussed methods of distribution inside and outside the industry. Work is to begin soon on a similar volume entitled "Radio in the War."

Listener Activity

Dorothy Lewis, NAB Coordinator of Listener Activity, reported on the activities of her department, highlighted by the February 17 New York City meeting, "Women of the United Nations," 1945 broadcast project of the NAB Association of Women Directors.

Entire Field Covered

Radio's entire field of public relations was given thorough discussion and a number of recommendations prepared which will be presented to the NAB Board of Directors when John Patt, WGAR, Committee chairman, reports on February 27. Those in attendance were: John F. Patt, WGAR, Cleveland, Ohio, Chairman; Edgar L. Bill, WMBD, Peoria, Ill.; George Crandall, CBS, New York, N. Y.; Michael R. Hanna, WHCU, Ithaca, N. Y.; Craig Lawrence, WHOM, New York, N. Y.; Leslie W. Joy, KYW, Philadelphia, Pa.; Karl O. Wyler, KTSM, El Paso, Texas; J. Harold Ryan, President, NAB; Dorothy Lewis, Coordinator of Listener Activity, NAB; and Willard D. Egolf, Director of Public Relations, NAB.

Lew Weiss, Don Lee Network, was kept away because of business and Harry Kopt, NBC, Chicago, was absent because of the death of his brother in El Paso, Texas.

CODE COMMITTEE MEETS IN WASHINGTON THIS WEEK

The NAB Code Committee meets in Washington Thursday and Friday, February 22 and 23.

All members of the Committee will be present except Felix Hinkle, WHBC, who was compelled to cancel reservations at the last moment.

Possible revisions of the NAB Code will be discussed and reported to the NAB Board of Directors on February 28.

3RD DISTRICT MEETING

At the concluding session of the two-day meeting of the Third District in Pittsburgh on February 15 and 16, George D. Coleman of WGBI, Scranton, was elected unanimously to serve a two-year term as director of the district. Mr. Coleman's term will begin with the end of the 1945 membership meeting, or at such other time as the NAB Board of Directors may designate, in case no annual membership meeting is held this year.

Again in Pittsburgh, in the absence of J. Harold Ryan, NAB President, at the annual convention of the Canadian Association of Broadcasters, C. E. Arney, Jr., NAB Secretary-Treasurer, presented the report of association activities, touching on labor, legislation, music and manpower problems. At luncheon on the opening day, Lloyal D. Odner, Managing Director of the Pennsylvania Chain Store Council, spoke on "The Agricultural Situation." He urged radio stations to create and broadcast regular programs specifically designed to appeal to and serve the rural audience.

Following the presentation of the Broadcast Measurement Bureau plan by Hugh M. Feltis, BMB President, and Roger Clipp of WFIL, BMB Secretary-Treasurer, David E. Robinson, Director of Research at Pedlar & Ryan, Inc., and a member of the BMB Board, spoke of the need for the uniform method of determining station circulation contemplated under the BMB plan, and urged all broadcasters present to subscribe to the project.

During the two-day sessions, various committee reports

were presented, including one for the Public Relations Committee by Mr. Coleman, District Chairman; another for the Program Managers Committee of which Fred Joyner of WWSW is District Chairman, and a third by the Engineering Committee with T. C. Kenney of KDKA as District Chairman.

The morning of the second day was devoted to the Small Market Stations Panel at which David Rosenblum of WISR, member of the NAB Small Market Stations Committee, presided. This was followed by the Sales Managers Clinic under the chairmanship of Tom Price of WWSW, District Chairman of the Sales Managers Committee.

District Director Roy F. Thompson of WFBG, who arranged the two-day meeting, was honored in the first of three resolutions adopted unanimously by the broadcasters at the closing session. These resolutions included:

WHEREAS the broadcasters of the Pittsburgh area were hosts for the second time in two years, therefore

BE IT RESOLVED that the members of the Third District of NAB express their appreciation to the hosts for a splendid meeting and their fine western hospitality.

WHEREAS Roy Thompson has served as NAB Director for the Third District for two years, therefore

BE IT RESOLVED that a vote of appreciation be extended to him for his splendid service.

WHEREAS the NAB has caused to be formed the Broadcast Measurement Bureau, therefore

BE IT RESOLVED that the members of the Third District command the NAB said Broadcast Measurement Bureau, and

BE IT FURTHER RESOLVED that members of the Third District of NAB lend every support to its success.

WHEREAS much time and effort have been expended by members of the NAB staff to properly present the various phases of the industry's problems, therefore

BE IT RESOLVED that the appreciation of the Third District NAB members be extended to those participating.

WHEREAS a new director for the Third NAB District has been elected, therefore

BE IT RESOLVED that the members of the said Third NAB District give their continued support to the new director during his term in office.

RADIO AT WAR

The *South Bay Breeze*, Redondo Beach, Calif., recently published the following tribute to radio:

"Recent references to Japanese efforts to kill the effect of radio announcements beamed to the populace of Japanese cities, directs attention to radio's part in the invasion of Hirohito's empire. All the while the air waves are carrying messages of encouragement to our own fighting men and warnings to the Japanese.

"Probably the greatest contribution which the Pacific broadcasts are making are the least dramatic. They are even commonplace, designed to keep our soldiers in touch with their home communities. These are regarded as of more service than oratorical pep-talks, the blare of martial music and the din of rallies on the home-front.

"The sensational and noisy broadcasts are not without effect on natives who are unacquainted with American life. They give stimulation to the longing of islanders who are hoping to be rid of Japanese masters. American martial music has a message for oppressed peoples everywhere.

"Japanese officials in the Philippines appreciate what American broadcasters are doing to their hold in invaded territory. Repeatedly, they have issued orders forbidding the possession of radio sets, other than those attuned only to Tokyo."

An earlier story on this same subject will be found in NAB REPORTS, Vol. XIII, p. 4.

PROGRAM MATERIAL

An editorial from the *Times*, Chester, Pa., offers interesting comment on "waste paper" collection:

"The idea won't work in Chester if we spread the story too widely, but it's one of those interesting yarns that are worth the telling, and maybe using.

"It seems that Lee Little, of Radio Station KTUC, the Columbia Broadcasting outlet in Tucson, Ariz., was dissatisfied with the progress of the city's paper salvage campaign. Making arrangements with the city fathers, he placed big bins at strategic points throughout the city and got a sign painter to letter them with foot-high words—"Waist Paper." He then went on the air and told the radio audience to get busy and fill the bins.

"Immediately there came a barrage of telephone calls, telegrams and personal visitations charging the salvage committee with criminal spelling. An Army man said it was shameful in a cultural center housing the University of Arizona. A foreign refugee said it was a 'sign of moral deterioration.' Tucson teachers wanted to know how they could get anywhere with Tucson's children when the City Fathers didn't know how to spell a simple, one-syllable word.

"Net result was: Sixty per cent more waste paper was collected than in any other campaign in Tucson history!"

NAB-RTPB PANEL 4 BRIEFS FILED

The National Association of Broadcasters and Panel 4 on Standard Broadcasting of the RTPB on Wednesday (21) filed separate briefs in connection with the FCC hearing on allocations.

The NAB brief stressed the importance of the allocation of sufficient wave lengths in the entire spectrum for exclusive use of commercial broadcasting to enable its performance of an expanded public service. It pointed out that such allocation was essential to the continued development of broadcasting consistent with the American ideal. No representations of any kind were made with respect to the type of broadcasting to which the various channels should be assigned.

The RTPB brief dealt largely with the subject of relay broadcasting and the provision of adequate channels to assure the continued efficient operation and expansion of this service.

Other briefs filed in connection with these hearings will be carefully digested and pertinent material relating to broadcasting will be published in subsequent issues of the REPORTS.

The NAB and Panel 4 (RTPB) briefs follow in full:

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

Docket No. 6651

IN THE MATTER OF:

Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

The National Association of Broadcasters respectfully submits this Memorandum Brief in the above entitled matter in an endeavor to assist the Commission in reaching a fair and equitable determination of the issues involved.

Report of Proposed Allocation of 25,000 to 30,000,000 Kilocycles, Docket 6651

Upon consideration of the conflicting demands for radio spectrum space made by a variety of radio services, it is

obvious that the Commission has dealt justly with the radio broadcasting industry in terms of total spectrum space available. Insofar as it is practicable, the Commission has recognized, generally, the requirements of broadcasting presented at the Allocation Hearings of 1944 by the President of the National Association of Broadcasters. The importance of radio broadcasting is recognized. The balances drawn between broadcasting and the competitive demands for spectrum space by other important radio services appear to be fair.

The proposed allocation is basically sound, so far as the broadcasting industry is concerned, since the industry is given, generally speaking, opportunity to develop and expand into new fields. Consequently, the National Association of Broadcasters endorses the allocation in principle on a broad basis, but differs therewith in certain particulars which will be discussed later in this Brief.

It is well known that there are differences of opinion between various groups within the broadcasting industry as to the position in the spectrum which should be allocated for frequency modulation, television and facsimile broadcasting. In view of this lack of unanimous thought and the recognition of its existence by this Commission, the National Association of Broadcasters assumes that the Commission will give proper weight to the technical and economic evidence submitted which relates to this important phase of the allocation. It is assumed that if the Commission, in the opinion of any group within the broadcasting industry, has given improper weight in its Report of January 16, 1945, to any important evidence, these questions will be raised and discussed at the oral argument before the Commission by those in the industry who are experienced in those phases of the problem.

While the broadcasting industry desires operation free of co-channel interference, we know that the Commission, realizing its responsibility in decisions which arise out of a choice between interference-free operation and practical receiver and transmitter design or out of compromises in engineering because of economics or policy, will render its final decision after giving proper weight and balance to all of the factors involved.

II

Frequency Modulation (FM) Broadcasting

It is proposed that frequency modulation broadcasting be moved from its 42-50 megacycle space in the spectrum up to 84-102 megacycle space. The Commission proposes this change after having considered evidence with respect to co-channel interference between FM stations operating in various portions of the spectrum between 40 and 108 megacycles. Much of the evidence so considered is generally new to both the broadcasters and the radio manufacturer. Many have not experienced co-channel interference in the present FM frequency bands and no FM broadcaster has had operating experience in the band between 78 and 108 megacycles.

However, it is clear that the Commission has evidence of the probability of co-channel interference in the lower frequency range, and, likewise, has knowledge of the propagation qualities of the higher frequencies. On this basis, the Commission proposed the band from 84 to 102 megacycles for the immediate use of FM broadcasting and made possible the use of the entire frequency band from 78 to 108 megacycles by FM, should future need require it. It is apparent, from the standpoint of the total number of channels, that this potential allocation is very favorable to FM broadcasting. However, there is strong disagreement among broadcasters as to the place in the spectrum most advantageous for the development of FM. Some

favor the higher frequencies, while others prefer the lower frequencies. The National Association of Broadcasters, at this time, has no evidence to offer in support of either allocation and there is insufficient time to secure data of our own to submit to the Commission. Consequently, it is not possible for the National Association of Broadcasters to either endorse or oppose this phase of the allocation and it is respectfully requested that the Commission give additional attention to the data which may be submitted by the advocates of both the lower and higher frequency allocations.

III

Facsimile

The Commission has allocated separate spectrum space, between 470 and 480 megacycles, for facsimile broadcasting, together with a provision for simplex facsimile on the regular FM channels. The Commission does not believe that multiplexing of audio and facsimile should be permitted on the FM broadcast channels "except on a limited or experimental basis until a system can be demonstrated whereby both the sound and facsimile material can be transmitted and received on the one channel without degradation to either of the transmissions and without requiring the use of filters or other devices which would increase the cost or complexity of receivers for use in an area by those not desiring to receive facsimile". (FCC Report on Allocations, page 147.)

In view of the present state of development in facsimile broadcasting, it appears that the Commission's decision with reference to facsimile broadcast allocation is just and reasonable.

IV

Television

The Commission has allocated only 12 channels to television broadcasting below 300 megacycles which reduces by 6 the number of channels presently allocated. It is respectfully submitted that the allocation of only 12 channels would make impossible a nation-wide television broadcast service on a widely competitive basis. It is easily apparent that one of the factors which brought about this reduction was the fact that the Commission was impelled to give most serious consideration to the requirements of necessary radio services other than broadcasting in this portion of the spectrum. It appears unreasonable to expect that the Commission would substitute television broadcasting for all of the aviation and government radio services now operating in the spectrum below 300 megacycles. Since television, therefore, cannot be allocated sufficient space below 300 megacycles to make possible a broadly competitive service on a national scale, it seems inevitable that the allocation of television must include channels in the higher portions of the radio spectrum. Consequently, we deem it most logical that the Commission has provided adequate space in the spectrum above 400 megacycles for television broadcasting to develop, improve and expand. Therefore, the few channels which have been allocated to television below 300 megacycles must be considered as being most useful pending the development of television above 400 megacycles and, in view of the circumstances, it would seem that the Commission has provided adequately for television broadcasting at this time.

However, the allocation for television broadcasting below 300 megacycles cannot be considered ideal from the standpoint of television alone. This is due to the fact that the Commission split the bands allocated to television

by allocating the 84 to 102 megacycle band to FM broadcasting and the 108 to 180 megacycle band to services other than broadcasting. We realize that the Commission has endeavored to reach a reasonable compromise between FM and television broadcasting and has evidently balanced the possibility that the ultimate television operation would be on operating frequencies above 400 megacycles against the possibility that FM broadcasting assigned permanently to frequencies below 60 megacycles might be unsatisfactory to the public from an interference standpoint.

We realize that there are involved in this television decision basic questions of public interest in which the weight given to evidence of a technical character, as well as the weight which should be given to the requirements of the government and aviation radio services, are paramount factors. Inasmuch as we cannot, at this time, produce with unanimity conclusive technical evidence in support of objections to the television allocations, we request that our observations thereon be kept in mind by the Commission in reviewing the evidence submitted by the various parties appearing before it in this matter.

V

Regulatory Aspects As to Frequency Modulation Broadcasting

We respectfully call your attention to Exhibit A which is an extract from that part of the Commission Report which relates to FM broadcasting. It seems apparent from the language contained in this part of the Report that some existing broadcasters in the congested areas of the country may be handicapped or even prevented from entering new fields of broadcasting because the Commission desires to give preference to "newcomers." Thereunder the Commission would reserve 20 of the 70 channels allocated to commercial broadcasting for "later applicants", with 50 FM channels to be available for assignment both to present licensees and to "newcomers" in the radio field. Assuming that only a portion of the 50 channels could be assigned to applicants in an area such as the New York metropolitan district, it would appear possible and likely that some of the existing broadcasters in that area would be denied an FM channel merely because of the Commission's apparent preference for "newcomers." If an existing broadcaster is forced to face radio competition without being permitted by the Government to keep abreast of progress, it seems obvious that the continued operation of his existing broadcasting station must be at an increasing economic risk. Ultimately, he might be forced out of the radio business because of his inability to compete on an equitable basis, regardless of his desire to further provide for the area in which he has been supplying a broadcasting service.

The National Association of Broadcasters welcomes "newcomers" into the field of broadcasting and does not oppose regulatory measures which encourage or stimulate competition, providing such measures are on an equitable basis. However, any regulatory action which prevents or handicaps anyone, including existing broadcasters, from keeping abreast of progress within the industry is obviously unsound regulation. Certainly, the Commission does not intend to force existing broadcasters out of business and, consequently, it appears desirable that the Commission clarify this phase of its Report. In this clarification, the attention of the Commission is respectfully called to the fact that it has provided for future expansion in the number of licensees by making possible additional allocations of radio frequency spectrum space to FM broadcasting between 78 and 84 megacycles and between 102 and 108 megacycles when and if required by future expansion. It, therefore, appears unwise to provide for

possible "newcomers" at the expense of the orderly expansion and progress of the broadcasting industry and would not appear to serve the public interest.

VI

Regulatory Aspects As to Subscription Radio

The Commission has made the following statement with respect to subscription radio service: (F.C.C. Report on Allocations, Page 74.)

"No specific portion of the spectrum is being allocated for a subscription radio service which was advocated by one witness (Weiner, Tr. 1371-1412). The Commission does not have sufficient information to determine whether or not stations should be licensed for this type of service. If this service proves feasible and the Commission decides to license stations of this type, applicants will be permitted to apply for channels in the regular FM commercial band or in such other band or bands as the Commission may later designate."

The National Association of Broadcasters does not object to competition from the subscription type of radio service. On the contrary, we are confident of the ability of the broadcasting industry, as presently constituted, to compete on a program basis with such a service. Consequently, we have no objections to the allocation of frequencies to the multiple address subscription radio service, providing such service is allocated a part of the radio frequency spectrum in a manner which will not handicap the expansion or development of FM broadcasting. We cannot believe that the public interest is served by the composite allocation of channels to broadcasting and the multiple address subscription radio service. Consequently, we strongly urge that the assignment of FM broadcast channels to a multiple address subscription radio service, as may be implied from the Report of the Commission is improper for the following reasons: (1) such an assignment might conceivably reduce the number of channels available to FM broadcasting, thus handicapping its logical development toward the objective of free competition among broadcasters; (2) an ordinary FM receiver, when tuned to an emission from a subscription type of radio service, produces programs in the loud speaker which are marred by a "squeal" similar in sound to the ill-famed heterodyne interference of the early days of standard broadcasting. Consequently if high quality interference-free FM broadcast channels are interdispersed with channels for subscription radio service, there will be an unwise mixture on the regular FM receiver dial of high quality channels with channels on which the quality is marred. This would result in confusion in the minds of the listeners and would lower the public estimate of the FM service which has been extensively publicized as a high fidelity, interference-free broadcast service.

Therefore, we earnestly urge the Commission to assign a separate portion of the spectrum to such multiple address subscription radio service if the Commission determines this proposed service to be in the public interest and decides to license stations of this type. This would permit both FM broadcasting and the subscription radio service to stand on their own feet in their competition for public favor. Moreover, such an allocation would separate logically those licensees who have the responsibility of serving the entire public from those licensees who would serve only that part of the public which desires, and is financially able, to pay directly by subscription for their program services.

Inasmuch as the Commission has not yet allocated any FM broadcast channels to subscription radio service, some may question whether any form of suggested objections at this time is opportune. On the other hand, it appears

appropriate at this time to state to the Commission that FM broadcasting and multiple address subscription radio should not utilize frequencies in precisely the same portion of the radio spectrum; and to urge that if multiple address subscription radio service is to be recognized in the future by the Commission, the radio spectrum space allocated to such subscription radio service should be different from that allocated to FM broadcasting so as to provide for a logical expansion of FM broadcasting and avoid the compulsory design and manufacture of receivers embracing both FM broadcasting and multiple address subscription radio.

VII

Relay Broadcasting

The proposal of the Commission to allocate 22 shared channels between 25 and 28 megacycles for relay broadcasting, instead of the 16 exclusive channels now allocated between 30 and 40 megacycles, appears to be inadequate. It should be clearly kept in mind that the proposal for these channels to be shared with other services, some of which are competitive to relay broadcasting will require the use of the channels at certain times to conflict. This makes the proposed allocation one of questionable value for the intended use. Consequently, this proposal should be reconsidered.

We also strongly urge the Commission to review, at this time, its proposal to allocate only 4 channels in that portion of the spectrum from 156 to 162 megacycles. Experience indicates that frequencies in this spectrum range are most valuable for the so-called "walkie-talkie" relay use.

The National Association of Broadcasters respectfully invites the Commission's attention to the Brief on this subject to be filed by Panel 4 of the Radio Technical Planning Board and urges that the recommendations contained therein be given every possible consideration.

VIII

Conclusion

In summation, the National Association of Broadcasters submits that the proposed allocations are basically sound, but asks further consideration of the following as presently proposed:

- (1) The allocation for frequency modulation broadcasting;
- (2) The allocation for television broadcasting;
- (3) The reservation of 20 FM channels allocated to commercial broadcasting for late "newcomers";
- (4) The possible assignment of subscription radio service to channels allocated to frequency modulation broadcasting;
- (5) The allocation of frequencies for Relay Broadcasting.

We urge that this consideration be given on the basis of evidence presented to the Commission during its Allocation Hearings of 1944 and which may be submitted at the oral argument to be held in this matter.

Respectfully submitted,

THE NATIONAL ASSOCIATION OF BROADCASTERS

By JOHN MORGAN DAVIS

General Counsel.

EXHIBIT A

Extract from Pages 74 and 75 of F.C.C. Report of Proposed Allocation from 25,000 Kilocycles to 30,000,000 Kilocycles

"As shown by Exhibit 173, Table 2, only 26 of the 204 commercial FM applications on file August 25, 1944, were from interests independent of existing standard broadcast stations. The 26 newcomers had an aggregate net worth of \$20,058,377, or an average net worth of \$771,476. It thus appears that the bulk of the FM applications are from interests having AM stations, and that the newcomers are for the most part large-scale enterprises.

In October 1944 there were 248 applications for commercial FM stations in the pending file, 46 stations in operation and 7 construction permits outstanding, a total of 301. Of the applicants, 207 or 83.5 per cent were from licensees of standard broadcast stations. Of the authorized FM stations, 45, or 85 per cent, are owned or affiliated with standard broadcast stations.

The reasons for this are clear. An existing AM licensee can build an FM station more cheaply than others by utilizing the same buildings, studios, etc. (Ex. 173, Table 2.) He can operate an FM station more cheaply than others by utilizing common personnel. (Ibid.) During the first period of FM development when FM receivers in the hands of the public are few and advertising revenues insufficient to cover costs, he can offset his expenses against revenues from AM operation—which may be a very great advantage under present tax conditions.

Since the radio spectrum is public domain, the granting of a license to operate a station is a valuable public privilege. The Commission, in carrying out its responsibilities under the Communications Act, has frequently emphasized the statutory mandate that broadcasting shall be conducted on a competitive basis, and has sought to maintain a fair and even-handed treatment of competitors. It is economically and socially unwise to concentrate the control of broadcast facilities in the hands of a select few, and it is economically and socially essential to keep the door open, to the fullest extent possible for newcomers.

However, as indicated above, the large percentage of AM licensees among the present FM applicants and the economic advantage which AM licensees have in building and operating FM stations more cheaply raise serious questions as to whether, unless some special measures are taken to that end, this objective will be accomplished. The Commission recognizes that until a substantial number of receivers are in the hands of the public FM broadcasting will not be a self-supporting operation.

To keep the door open for later applicants, the Commission is considering the adoption of the following plan: 50 FM commercial channels will be available for assignment both to present licensees and to newcomers in the radio field. This policy will afford existing AM licensees an opportunity to enter FM if they so desire, and in addition will enable some new persons to participate in FM's early development. The remaining 20 FM commercial channels will be reserved from assignment at the present time to be licensed in the future in accordance with rules and regulations subsequently to be promulgated."

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

Docket No. 6651

IN THE MATTER OF:

Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Panel 4 on Standard Broadcasting of the Radio Technical Planning Board respectfully submits this Memorandum Brief in the above entitled matter in an endeavor to assist the Commission in determining the minimum

allocation requirements of certain services which are supplementary and incidental to standard broadcasting.

Report of Proposed Allocation of 25,000 to 30,000,000 Kilocycles, Docket 6651

Under date of February 1, the proposals of the Commission as set forth on pages 59 to 65 inclusive of the report, were transmitted to the membership of the panel. Expressions of opinion were requested in order that such views may be made known to the Commission. It appears that the membership of the Panel are in general agreement with the Commission's proposals with the exception of those pertaining to the allocation of frequencies for relay broadcasting. The allocation for this service has been the subject of considerable study by subcommittees of Panel 4, as many broadcasters attach much importance to this service.

Relay broadcasting has made it possible to bring to the public the most important public service events of our time, some of which would have been impossible without adequate relay channels and others on which the coverage would have been curtailed had it not been for ample radio relay facilities. Some of the events of outstanding interest in the past have been the national political conventions, hurricanes, floods, train wrecks, catastrophes caused by fire or explosion, agricultural broadcasts direct from the scene, presidential inaugurations, military pageants, stratosphere balloon flights, fleet reviews, intercollegiate sports, international yacht races, other sports competitions and special events of public interest too numerous to mention.

Much of the material presented to the Commission by Panel 4, during the course of the Hearing, was submitted merely as information and had not been acted upon by the panel or any subcommittee, due to time limitations. (T. R. 3685) The Allocation Committee of Panel 4 has now approved a subcommittee report and recommendations on broadcast relay allocation requirements. This report is identified as Appendix 12 of RTPB Docket Number P4-648-A.

This subcommittee met again on February 1, 1945, to consider the FCC proposals for allocations for this service. This meeting was attended by the following:

Raymond Guy, NBC
Guy Hutchinson, CBS
M. Jacobsen, NBC
George McElrath, NBC
George Milne, Blue Network
C. Robinson, Mutual

It was the consensus of those present that the FCC proposed allocations do not adequately provide for relay broadcast service insofar as assignments above 25,000 kc. are concerned. There are at present, exclusively assigned for relay broadcasting, sixteen frequencies between 30.82 mc. and 39.82 mc. The Commission proposes to eliminate all relay broadcast assignments from this band and proposes to assign twenty-two non-exclusive channels between 25 and 28 mc. to replace them. The non-exclusive assignment contemplates sharing these channels with provisional, motion picture, relay press and geophysical services. The motion picture and relay press services are competitive with relay broadcasting and would be forced to use these frequencies simultaneously.

Each major network requires four frequencies exclusively for its cue and program transmitters, a total of sixteen. At least four additional channels should be provided for independent stations, making a total of twenty as requested. It is believed that the exclusive assignment

of twenty channels for relay broadcasting is necessary to prevent interference between relay broadcasting and competitive services. The Commission does not specify the channel width proposed in the band of 25 to 28 mc. but has provided for thirty-seven channels, which indicates a band width of 80 kc. Twenty channels, each 40 kc., are requested for relay broadcasting exclusively. It is recommended that four blocks of five channels each be provided and that these four blocks be distributed between 25 and 28 mc. Four blocks are needed to enable program channels and cue channels to operate with the receivers and transmitters adjacent to each other without adjacent channel interference. Inasmuch as 40 kc. channels are considered adequate for the type of service proposed between 25 and 28 mc., the exclusive assignments requested above could be granted without depriving other services of channels proposed for them by the FCC in their January 16th proposal, docket number 6651.

In Document P4a-563-A, Exhibit 156, twenty channels were requested in the range of 150 to 200 mc., in four blocks of five channels each. The Commission proposes to reduce the total of eight channels, now assigned, to four which would be shared with competitive services. Frequencies in this range are the most ideal for relay broadcasting in which the "walkie-talkie" type of equipment is used. For this purpose they are much superior to the 25-28 mc. frequencies because of the compactness and portability of equipment and antennas required. We are cognizant of the Commission's problem in providing space for all services. However, it would appear that space between 156-162 mc. could be found for twenty 60 kc. exclusive relay broadcast channels, without hardship to other services. We reiterate the September 21 request for twenty exclusive channels in four blocks of five channels each between 150 and 200 mc., but at this time request them in the range of 156-162 mc. A reduction of channel width to 60 kc. would be tolerable, if necessary, in preference to sharing. The reasons for the request of exclusive assignments are, as in the case of the 25 mc. request, to prevent interference with competitive services which would be required to use the same frequencies at the same time in the same area, under a non-exclusive assignment. We cannot over-emphasize the need to avoid the interference simultaneous operation by competitive services would create. Relay broadcasts are almost always conducted in connection with events of great interest and the existence of interference, or the absence of it, cannot be anticipated unless assignments are exclusive. In the past, conditions have frequently been encountered after elaborate planning, publicity, and preparations, which have made it impossible to carry out plans because other services created interference which did not become evident until shortly before broadcast time.

This has characterized relay broadcasting through the years and has resulted in substantial uselessness of many of the frequencies assigned. It may have been assumed that relay broadcasting requirements were being met because several blocks of channels were allocated to that service; however, the interference so reduced the usability of the frequencies that elaborate relay broadcasting has always been undertaken with apprehension. The interference has been caused not only to relay broadcasting but also to other services by virtue of operations on adjacent channels. There have been many cases where a prebroadcast test has resulted in interference to adjacent channel emergency services, resulting in the broadcaster being ordered to vacate the channel in the interest of public safety.

Sharing these channels with relay press and the motion picture companies may frequently result in a clash of

interests which will become evident too late to be avoided. There appears to be adequate space for exclusive assignments in the bands contemplated, if the recommended 40 kc. channels are adopted. The desirability of exclusive channel assignments cannot be too strongly emphasized.

The operation of relay broadcast equipment has been seriously curtailed by the war and the record of use in that period is by no means representative of normal operations or what may be anticipated in the postwar period.

It is contemplated that in the future the region of 3000 mc. will become extremely valuable for relay broadcasting because of the inherent advantages of very light-weight portable transmitters and directive antennas. The use of directive antennas will reduce the requirements for power and power supply. This frequency region is beyond our reach at the present time but apparatus is expected to be available within the next few years which would permit us to operate there. A band of 100 mc. was requested in the region of 3000 mc. for relay broadcasting purposes, exclusively assigned insofar as competitive services are concerned. This request is reiterated. However, a reduction of the band from 100 mc. to 50 mc. would not be prohibitive if other services are crowded in this region.

With the availability of higher frequencies for relay broadcasting, this service will improve and be expanded. The past fifteen years have been a period of continuous development, interrupted during the war years. It is for relay broadcasting that the first "handy-talkie" and "walkie-talkie" transmitters were developed and used. This apparatus was adopted for military use and the experience gained in broadcasting was of great value in the military adaptations of it. There is reason to believe that this experience may be repeated as the higher frequencies become available for the service after the war.

According to the best information available there is now a total of nearly 600 relay broadcast transmitters, available for use in the United States. The Columbia Broadcasting System has 22 of these transmitters; the National Broadcasting Company has 63 of which 52 are cross licensed to the Blue Network Company. It appears the average use of these transmitters for each network totals about 500 hours per annum. Other statistics will be found in RTPB Document No. P4a-564-A, Exhibit 156, on the present and future use of relay broadcast frequencies as reported to the National Association of Broadcasters.

We urge that the Commission reconsider the allocation proposals for relay broadcasting in order that a sufficient number of channels may be allocated for this service.

Respectfully submitted,

PANEL 4, ON STANDARD BROADCASTING

OF THE

RADIO TECHNICAL PLANNING BOARD,

By HOWARD S. FRAZIER, *Chairman.*

NLRB SETS NABET HEARING

The National Labor Relations Board has set March 6, 1945, at 10:30 a. m., E. W. T., in Washington, D. C., for the hearing of oral argument on the Intermediate Report of the Trial Examiner in the NABET-AFM dispute with the National Broadcasting Company and the American Broadcasting Company relative to the jurisdiction over "platter-turning." The full text of the Intermediate Report follows:

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

TRIAL EXAMINING DIVISION

Washington, D. C.

Case No. 2-C-5735¹

In the Matter of

NATIONAL BROADCASTING COMPANY, INC.

AND

NATIONAL ASSOCIATION OF BROADCAST ENGINEERS
AND TECHNICIANS

AND

AMERICAN FEDERATION OF MUSICIANS

Case No. 2-C-5734

In the Matter of

AMERICAN BROADCASTING COMPANY, INC.

AND

NATIONAL ASSOCIATION OF BROADCAST ENGINEERS
AND TECHNICIANS

AND

AMERICAN FEDERATION OF MUSICIANS

Mr. Alan F. Perl, for the Board; Messrs. Franklin S. Wood and Walter L. Emerson, of New York, N. Y., for Blue Network; Messrs. J. R. T. Cahill, Joseph A. McDonald, and Charles F. Detmar, of New York, N. Y., for NBC; Mr. Joseph A. Padway, by Mr. Robert A. Wilson, of Washington, D. C., and Mr. Henry A. Friedman, of New York, N. Y., for AFM; Mr. Martin F. O'Donoghue, of Washington, D. C., for NABET.

INTERMEDIATE REPORT

Statement of the Case

Upon separate charges duly filed on January 11, 1945, by National Association of Broadcast Engineers and Technicians, herein called NABET, the National Labor Relations Board, herein called the Board, by the Regional Director for the Second Region (New York, New York), issued its complaint dated January 15, 1945, against National Broadcasting Company, Inc., New York, New York, herein called NBC, and American Broadcasting Company, Inc., New York, New York, herein called Blue Network, both herein collectively called the respondents, alleging that the respondents, and each of them, had engaged in and was engaging in unfair labor practices affecting commerce within the meaning of Section 8 (1) and (5) and Section 2 (6) and (7) of the National Labor Relations Act, 49 Stat. 449, herein called the Act. Copies of the complaint and notice of hearing thereon were duly served upon each of the respondents, NABET, and upon the American Federation of Musicians, a party to the proceeding and herein called AFM.

With respect to the unfair labor practices, the complaint alleged in substance that from on or about November 24, 1944, each of the respondents has refused to bargain collectively with NABET as the exclusive representative of its respective employees in certain appropriate units, although NABET had been certified as the bargaining representative for such employees by the Board in a prior proceeding.² The answer filed by NBC admits all the allegations of the complaint with respect to it but avers that it refused to bargain collectively with NABET because AFM had threatened it with reprisal if it recognized and bargained with NABET as the exclusive representatives of its "platter turners."³ The answer of Blue Network ad-

¹ Pursuant to an order of the Board dated January 13, 1945, Case No. 2-C-5734 was consolidated with Case No. 2-C-5735.

² *Matter of National Broadcasting Company, Inc., et al.*, 59 N.L.R.B., No. 97.

³ "Platter turners," or, as they are sometimes called, turntable operators, place phonograph records on one of the two turntables used in broadcasting studios for "on the air" playback, adjusting it for either vertical or lateral cut records and fixing speed of the records in accordance with the instructions appearing on the face of the record, opening the fader control, and, after the record has been played, removing the records from the turntable. The Board found in the said prior representation proceeding that platter turners, except those employed in the Chicago studios of the respondents, are part of the appropriate units.

mits. in effect, all the allegations of the complaint with respect to it, including the allegation that it refused to bargain collectively with NABET for its platter turners, but denied that Blue Network has ever refused to bargain collectively with NABET with regard to its other employees in the unit found by the Board to be appropriate. The answer further admits that a letter, dated January 6, 1945, and sent by Blue Network to NABET, a copy of which is attached to and made part of the complaint, sets forth the position of Blue Network in this proceeding in stating that it would not bargain collectively with NABET with regard to its platter turners for the reason that it feared reprisals from AFM. The answer stated that on December 30, 1944, the Blue Network Company, Inc., was a wholly owned subsidiary of the American Broadcasting Company, Inc., and under that date was merged into, and became a part of, American Broadcasting Company, Inc., which has assumed, and is responsible for, all the liabilities of Blue Network Company, Inc. No answer was filed by AFM.

Pursuant to notice, a hearing was held on January 30, 1945, at New York, New York, before Howard Myers, the undersigned Trial Examiner, duly designated by the Chief Trial Examiner. The Board, NBC, Blue Network, NABET, and AFM were represented by counsel and participated in the hearing. Full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing upon the issues was afforded all parties.

At the opening of the hearing, upon motion of Board's counsel, unopposed by any of the parties, and upon a showing, as reflected by the answer filed herein, that as of December 30, 1944, Blue Network Company, Inc., was merged with its parent corporation, American Broadcasting Company, Inc., which has assumed all the liabilities of Blue Network Company, Inc., and now occupies the position of respondent herein, the title of Case No. 2-C-5734 was amended to substitute American Broadcasting Company, Inc., in the place and stead of Blue Network Company, Inc., as respondent herein. At the conclusion of the hearing, Board's counsel moved to conform the pleadings to the proof. The motion was granted without opposition. Oral argument, in which counsel for the Board and AFM participated, was heard at the conclusion of the taking of the evidence and is a part of the record. Although afforded opportunity to do so, none of the parties have submitted briefs.

Upon the entire record in the case, the undersigned makes the following:

Findings of Fact

I. The business of the respondents

National Broadcasting Company, Inc., is a Delaware corporation having its principal place of business in New York City. It is engaged principally in the business of network and local broadcasting, involving the sale of broadcast time, the production of radio programs, the transmission of such programs over certain stations managed and owned by it and to various broadcasting stations throughout the United States and Canada affiliated with it for broadcasting by them. The National Broadcasting Company owns and operates studios and radio facilities constituting the following broadcasting stations: WAAF, New York City; WMAQ, Chicago, Illinois; WRC, Washington, D. C.; WTAM, Cleveland, Ohio; KOA, Denver, Colorado and KGO, San Francisco, California. It also maintains studios and offices in Los Angeles, California, and has various short wave, television, and experimental broadcasting stations located throughout the United States. It transmits its programs in interstate commerce by broadcasting them from the stations it owns and operates and by feeding its network programs over wire lines to the broadcasting stations affiliated with it, which number approximately 140 and are located in various States, Canada, Hawaii, and Cuba.

American Broadcasting Company, Inc., is a Delaware corporation having its principal place of business in New York City. It is engaged in the business of network and local broadcasting, the sale of time facilities and radio programs, and the production of radio programs. It owns and operates the studios and facilities constituting the

following broadcasting stations: WJZ, New York City; WENR, Chicago, Illinois; KGO, San Francisco, California; and KECA, Los Angeles, California. It transmits programs over the Blue Network, which consists of the 4 above-mentioned stations, and 191 independently owned stations, 2 of which are located in Canada. The programs broadcast include both sustaining and commercial programs of news, entertainment and educational character, and advertising.

NBC and Blue admit, and the undersigned finds, that they are engaged in commerce within the meaning of the National Labor Relations Act.

II. The organizations involved

National Association of Broadcast Engineers and Technicians is a labor organization admitting to membership employees of the respondents.

American Federation of Musicians, affiliated with the American Federation of Labor, is a labor organization admitting to membership employees of the respondents.

III. The unfair labor practices

The Refusal to Bargain Collectively with NABET

1. The appropriate units

The complaint alleged, as the Board found in its Decision and Certification of Representatives, dated November 24, 1944,⁴ that all technical employees, wherever located, of the engineering departments of Blue Network and NBC, respectively, engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters or more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute units appropriate for the purposes of collective bargaining. None of the parties disputed the appropriateness of the units as found nor was there any new evidence introduced in the instant proceeding with respect thereto.

In accordance with the foregoing, and as set out by the Board in its certification of NABET, under date of November 24, 1944, the undersigned finds that all technical employees, wherever located, of the engineering department of NBC engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, at all times material herein constituted, and now constitutes, a unit appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment, and that the said unit insures to the said employees of NBC its full benefit of

⁴ See footnote 2, *supra*.

their right to self-organization and collective bargaining and otherwise effectuates the policies of the Act.

The undersigned further finds that all technical employees, wherever located, of the engineering department of Blue Network engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, at all times material herein constituted, and now constitutes a unit appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment, and other conditions of employment, and that the said unit insures to the said employees of Blue Network the full benefit of their right to self-organization and collective bargaining and otherwise effectuate the policies of the Act.

2. Representation by NABET of a majority in the appropriate units

In the above-mentioned representation proceeding, the Board, on November 24, 1944, certified NABET as the exclusive representative of the employees in the respective appropriate units. The correctness or adequacy of the Board's certification was not questioned by any of the parties. Accordingly, the undersigned finds that on November 24, 1944, and at all times thereafter, NABET was, and now is, the duly designated representative of a majority of the employees in the aforesaid appropriate units and that, pursuant to Section 9 (a) of the Act, NABET was, and now is, the exclusive representative of the employees in the said units for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment.

3. Refusal to bargain

As hereinabove indicated, upon separate petitions filed by NABET, the Board issued on November 24, 1944, its Decision and Certification in which it found the platter turners employed by the respondents, except those employed at their respective Chicago studios, were to be included in the appropriate units.

On November 27, 1944, Allan T. Powley, the president of NABET met with an official of Blue Network for the purpose of entering negotiations looking toward a collective bargaining contract. Later that day, Powley met with an official of NBC. As a result of these meetings, arrangements were made for a joint conference. On December 1, NABET submitted to each respondent identical proposed contracts. On December 5, representatives of NABET met at a joint conference with officials of NBC and Blue Network. There, discussions were had with respect to the contracts submitted by NABET on December 1. John MacDonald, the vice-president of NBC and who acted as spokesman at that meeting for the respondents, read to those present a letter dated December 1, which NBC received from James C. Petrillo, the president of AFM, in which Petrillo insisted that NBC disregard the Board's Certification of NABET as the exclusive representative of the employees of NBC in the appropriate unit and carry out the arrangements which NBC made with AFM in January 1944, to hire only members of AFM as platter turners. Despite Petrillo's letter, the parties met and discussed the terms of the proposed contracts on eight other occasions in December, during which agreement was reached with respect to some of the terms. At the last December meeting, held on the 21st of that month, the respondents agreed to submit counter-proposed contracts. They submitted identical proposed contracts on December 27. These con-

tracts, however, made no provision for the platter turners. The letter, dated December 27, which accompanied the proposed NBC contract reads in part as follows:

Even though we have been unable to complete the redraft of the proposed new NABET contract in line with our recent meetings, we have completed and are sending you herewith the first twelve pages covering Section 1 through 8. We are continuing to work on the balance of the draft and will get it to you as soon as possible. It is our plan to present the dollar amounts to you at our meeting on January 3d.

On December 29, NABET sent the following telegram to each respondent:

The contract you have submitted is at complete variance with the agreement that we reached in New York after three weeks of negotiations. The wage increases agreed to by you must be submitted to me by telegram not later than Saturday noontime. I am not going to wait until January 3 for NBC and Blue to submit the wage increases that we have requested. The balance of the draft of the contract must be in my possession not later than Saturday, December 30 and above all you must agree immediately in writing that you recognize NABET as the certified bargaining agent for all turn table operators or else all negotiations are completely off. I believe NBC and BLUE are stalling and are not bargaining in good faith and our patience is exhausted.

On the following day (December 30) NBC sent the following telegram to NABET:

Re your wire of December 29 understand that Jo McDonald in his telephone conversation with you yesterday shortly after your wire to me had been sent assured you of our good faith in these negotiations and of the diligence with which we have prepared our redraft of the proposed NBC NABET contract and that therefore no action will be taken on any part of contents of your telegram to me prior to next Wednesday. Stop at that time understand we will meet at 10:30 a. m. as originally scheduled and go over complete revised draft of the contract balance of which will be delivered to Hiller in New York Tuesday for your reconsideration prior to the meeting and also that the purposed NBC NABET wage scale will be presented at that meeting mean while I assure you that revised draft submitted by us prepared by Jo McDonald and George McElrath in complete good faith as reflecting their understanding of all matters agreed upon to date and that entire negotiations has been and will continue to be carried on with all practicable speed.

On January 3, 1945, the parties again met. At this conference, NABET demanded to know whether the respondents would bargain with NABET with respect to the platter turners. The respondents replied that they so would advise NABET within the next few days. On January 6, NBC wrote NABET the following letter:

This letter is in response to the request you made on Wednesday of this week for a written statement of our position with respect to jurisdiction over "platter turners". You stated that your union did not deem it advisable (sic) to continue the negotiations for a new collective bargaining agreement unless your jurisdiction was recognized.

The National Broadcasting Company has given this matter considerable thought and I must now advise you that we are not in a position to give you our commitment recognizing your union as the proper bargaining agent for "platter turners". We have come to this conclusion because, based on the facts which I shall summarize in this letter, it seems clear to us that this question can be resolved effectively only by judicial determination.

In January 1944, in the course of negotiating with the American Federation of Musicians a new contract covering the instrumental musicians in our employ we agreed, effective in June, to employ musicians as "platter turners". We made this agreement in the belief that we and you could more exactly define "on the air playback" equipment (as those words are used in our NABET contract) so as to exclude therefrom the actual work of

turning "platters", leaving the equipment itself solely under the jurisdiction of your engineers.

In April your union instituted a proceeding before the National Labor Relations Board seeking a declaration that your union was the proper collective bargaining agent for the employees engaged in "platter turning". The American Federation of Musicians and the Company were parties to those proceedings. On November 24, 1944, the National Labor Relations Board handed down its order certifying your union as the proper collective bargaining agent for employees engaged (except in Chicago) in "platter turning". We expected that this order would finally settle this jurisdictional controversy between your union and the American Federation of Musicians and we were fully prepared to negotiate with you on that basis.

However, on December 1, 1944, we were informed that the American Federation of Musicians did not regard the Board's decision as determinative of the issues involved and, accordingly, had ordered the musicians in Hollywood not to participate on the Jack Benny program scheduled for Sunday evening, December 3rd. We were able to have this strike call withdrawn by agreeing to confer with the President of the union, James C. Petrillo, on Tuesday, December 5th in order that we might be fully apprised of his position with respect to this matter. Prior to attending that meeting, we received from Mr. Petrillo a letter dated December 1st, reading as follows:

"Now that the hearing before the National Labor Relations Board is terminated and certification has been granted NABET over work commonly termed 'Pancake turning' except in Chicago, and which work you have yourself recognized belongs to our union, I deem it appropriate that I write to you my view in the matter.

"Regardless of the National Labor Relations Board certification, I firmly believe that the agreement we entered into awarding the work of pancake turning to the American Federation of Musicians is legal and proper, and I take this means of notifying you that I shall continue to insist upon this jurisdiction so that the work of pancake turning is performed by members of the American Federation of Musicians throughout the country.

"I do not wish to enter into an argument on the merits of the jurisdiction, but I think I am within my rights in saying that NABET's claim that it is an independent non-dominated unit is not substantiated by the facts and the record. Had this been a 'complaint' case before the National Labor Relations Board I feel sure that we would have established that NABET is a dominated organization. Of course such facts and circumstances cannot be established in a representation case, which was the character of the case before the Board. If you were to consider the testimony of Mr. Fredendall at the last hearing you would, I think, be satisfied that it spells nothing more nor less than that NABET is controlled by the companies employing their members.

"I think the only fair thing to do in this matter is to cause NABET to release jurisdiction over this class of work. Unless that is done we shall be plunged into another controversy, which I am sure neither you nor I desire. Therefore I hasten to bring to your attention my position in this matter irrespective of the certification by the Board, and I request you to take all necessary steps to put into force and effect the agreement we entered into for the members of the American Federation of Musicians in pancake turning."

On December 5th, during our first meeting with you after receiving the foregoing letter, we informed you of its contents.

You will note from Mr. Petrillo's letter that he disputes that you are an "independent non-dominated unit" and suggests that had the proceeding before the National Labor Relations Board been a "complaint case" the Board would have sustained his contention. He also states that since his union was not in a position to raise the question of domination in the "representation case" that issue is still present and is controlling in the

ultimate determination of who is entitled to represent employees engaged in "platter turning."

The Company is and always has been willing to abide by a decision conclusively determining the jurisdictional question. However, in view of the fact that the American Federation of Musicians insists that the certification by the National Labor Relations Board did not effectively determine this issue and refuses to abide by it, we decided that we had no alternative but to decline to negotiate with either union with respect to "platter turners" until the issue was finally and effectively determined.

The status quo, I trust, will be maintained by all concerned until the issue is finally determined—interruption of our essential services should not be permitted to take place particularly in time of war.

On the same day (January 6) Blue Network sent the following letter to NABET:

The following is a statement of the position of the Blue Network in reference to the dispute between your Union and the American Federation of Musicians, headed by Mr. James C. Petrillo, as to which union shall have jurisdiction of our personnel working as platter turners.

In negotiating a new contract with Mr. Petrillo, for the American Federation of Musicians, in January, 1944, the Blue Network agreed, effective in June, 1944, to employ platter turners who are members of the American Federation of Musicians. This agreement was part of a general contract with the American Federation of Musicians. In making this contract, we were acting in good faith and were advised that we were within our legal rights to award this jurisdiction to the American Federation of Musicians.

As you know, in April of last year, your Union instituted a proceeding before the National Labor Relations Board whereby you sought to have NABET named as the Collective bargaining unit for platter turners. The Blue Network and the American Federation of Musicians were parties to this proceeding. On November 24, 1944, the National Labor Relations Board certified your Union as collective bargaining agent for platter turners, except in Chicago. The Blue Network was prepared to follow the decision of the National Labor Relations Board.

However, on December 1, 1944, Mr. Petrillo informed us that he did not consider the findings of the National Labor Relations Board binding upon his organization, because he charged that NABET is a so-called company dominated union. Mr. Petrillo further alleged that the question of whether or not your Union is an independent union had not been considered by the National Labor Relations Board in its proceedings covering the representation of platter turners. He served notice on the Blue Network that as a result, he expected the network to comply with our agreement of January, 1944, and to employ musicians, rather than engineers, as platter turners.

At this time, Mr. Petrillo told the Blue Network that unless we recognized the jurisdiction of the American Federation of Musicians over platter turners, in accordance with our contract, he would order a series of "wild cat" strikes by withdrawing musicians from Blue Network programs at sporadic intervals. If Mr. Petrillo carries out this threat, it will be impossible for us to broadcast leading programs on the network because of the absence of musicians. We have no adequate legal relief in such situation and over a period of time it would be impossible for us to broadcast our leading programs. The result would be that the operation of the Blue Network would be seriously jeopardized.

For the last month we have been negotiating with you the terms of a new collective bargaining agreement. You have now informed us that you will no longer negotiate unless we accept your Union as the collective bargaining unit for platter turners. In view of the circumstances described above, and particularly Mr. Petrillo's contention that the National Labor Relations Board has not determined the question as to your Union is an independent and non-dominated organization, we find ourselves unable to comply with your request unless and until such time as this issue has been finally and

effectively determined in such a way as to be binding on all parties concerned.

The first obligation of the Blue Network is to the public. Holding a public franchise, we will make every effort to continue the operation of the network, without interruption, and thus maintain our essential public service. I know you will agree that this is particularly important in time of war, when radio is serving as a vital source of public information, both on the progress of the war and on the efforts necessary to enable us to win the war. The public interest and that of the parties accordingly require that the pending dispute be finally determined as promptly as possible and we sincerely hope that your Union and the American Federation of Musicians will cooperate with us to that end.

On January 24, the parties again met. At this meeting the respondents unsuccessfully attempted to induce NABET to waive its jurisdiction over the platter turners. This was the last meeting of the parties.

There were introduced in evidence, letters dated January 27, 1944, and January 28, 1944, from NBC and Blue Network, respectively, to Petrillo advising that on June 1, 1944 (the termination date of NABET's then current contracts), they would employ members of AFM as platter turners. The question was inferently raised at the hearing as to whether these letters represented contracts that would bar consideration of NABET from being certified as the collective bargaining representative of the platter turners.

Reference to the proceedings of the Board which resulted in the certification of NABET under date of November 24, 1944 (59 N.L.R.B., No. 97) discloses that these letters were then before the Board and that the status of platter turners was fully considered. By its Decision and Certification of Representatives of November 24, 1944, the Board has heretofore disposed of any questions presented by the above letters, and in this hearing no showing of new facts concerning the letters has been made. It is therefore found that the foregoing letters are no bar to the obligation of the respondents to bargain collectively with NABET as the representative of the platter turners.

Respondents' defense to the charges of refusal to bargain with NABET is bottomed on the claim that to do so would result in reprisals from the AFM. The Board and Courts have on many occasions, denied the validity of similar urged defenses to charges of unfair labor practices.⁵ The paramount and plain duty of the respondents in this situation was to obey the mandate of the Congress as expressed in the National Labor Relations Act and to bargain with NABET.

The undersigned finds that on January 6, 1945, and at all times thereafter, the respondents, and each of them, refused to bargain collectively with NABET as the exclusive representative of their respective employees in appropriate units with respect to rates of pay, wages, hours of employment, and other conditions of employment, and by such refusal interfered with, restrained, and coerced their respective employees in the exercise of the rights guaranteed in Section 7 of the Act.

IV. The effect of the unfair labor practices upon commerce

The activities of the respondents set forth in Section III, above, occurring in connection with the operations of the respondents described in Section I, above, have a close, intimate, and substantial relation to trade, traffic, and commerce among the several States and tend to lead to labor disputes burdening and obstructing commerce and the free flow of commerce.

V. The remedy

Having found that the respondents have engaged in unfair labor practices, the undersigned will recommend that they cease and desist therefrom and to take certain affirmative action designed to effectuate the policies of the Act. The undersigned has found that the respondents have refused to bargain collectively with NABET as the

representative of the majority of the employees in the appropriate units. The undersigned shall recommend, therefore, that the respondents, and each of them, upon request, bargain collectively with NABET.

Upon the basis of the above findings of fact and upon the entire record in the case, the undersigned makes the following:

Conclusions of Law

1. National Association of Broadcast Engineers and Technicians and American Federation of Musicians, affiliated with the American Federation of Labor, are labor organizations, within the meaning of Section 2 (5) of the Act.

2. All technical employees, wherever located, of the engineering department of American Broadcasting Company, Inc., New York, New York, engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute, and at all times material herein constituted, a unit appropriate for the purposes of collective bargaining, within the meaning of Section 9 (b) of the Act.

3. All technical employees, wherever located, of the engineering department of National Broadcasting Company, Inc., New York, New York, engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute, and at all times material herein constituted, a unit appropriate for the purposes of collective bargaining, within the meaning of Section 9 (b) of the Act.

4. National Association of Broadcast Engineers and Technicians was on November 24, 1944, and at all times thereafter has been, the exclusive representative of all the employees in aforesaid units for the purposes of collective bargaining, within the meaning of Section 9 (a) of the Act.

5. By refusing on January 6, 1945, and at all times thereafter, to bargain collectively with National Association of Broadcast Engineers and Technicians, as the exclusive representative of their respective employees in the appropriate units, the respondents have, and each of them has, engaged and are engaged in unfair labor practices, within the meaning of Section 8 (5) of the Act.

6. By interfering with, restraining, and coercing their respective employees in the exercise of the rights guaranteed in Section 7 of the Act, the respondents have, and each of them has, engaged in and are engaging in unfair labor practices, within the meaning of Section 8 (1) of the Act.

7. The aforesaid unfair labor practices are unfair labor practices affecting commerce, within the meaning of Section 2 (6) and (7) of the Act.

⁵ *N.L.R.B. v. Star Publishing Co.*, 97 F. (2d) 465, (C.C.A. 9).

Recommendations

Upon the basis of the above findings of fact and conclusions of law, the undersigned recommends that the respondents, National Broadcasting Company, Inc., and American Broadcasting Company, Inc., both of New York, New York, their respective officers, agents, successors, and assigns shall:

1. Cease and desist from:

(a) Refusing to bargain collectively with National Association of Engineers and Technicians as the exclusive representative of their respective employees in the units heretofore found appropriate, with respect to rates of pay, wages, hours of employment, and other conditions of employment.

2. Take the following affirmative actions which the undersigned finds will effectuate policies of the Act:

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

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

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

(d) American Broadcasting Company, Inc., shall post in its studios at New York, New York; Chicago, Illinois; San Francisco, California; and Los Angeles, California,

copies of the notice attached hereto, marked "Appendix B." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by a representative of American Broadcasting Company, Inc., be posted by American Broadcasting Company, Inc., immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by National Broadcasting Company, Inc., to insure that said notices are not altered, defaced, or covered by any other material.

(e) Notify the Regional Director for the Second Region in writing within ten (10) days from the date of the receipt of this Intermediate Report what steps the respondents have taken to comply therewith.

It is further recommended that unless on or before ten (10) days from the date of the receipt of this Intermediate Report, the respondents notify said Regional Director in writing that they will comply with the foregoing recommendations, the National Labor Relations Board issue an order requiring the respondents to take the action aforesaid.

As provided in Section 33 of Article II of the Rules and Regulations of the National Labor Relations Board, Series 3, as amended, effective November 26, 1943, any party or counsel for the Board may within fifteen (15) days from the date of the entry of the order transferring the case to the Board, pursuant to Section 32 of Article II of said Rules and Regulations, file with the Board, Rochambeau Building, Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the Intermediate Report or to any other part of the record or proceeding (including rulings upon all motions or objections) as he relies upon together with the original and four copies of a brief in support thereof. Immediately upon the filing of such statement of exceptions and/or brief, the party or counsel for the Board filing the same shall serve a copy thereof upon each of the other parties and shall file a copy with the Regional Director. As further provided in said Section 33, should any party desire permission to argue orally before the Board request therefor must be made in writing to the Board within ten (10) days from the date of the order transferring the case to the Board.

HOWARD MYERS,
Trial Examiner.

Dated: February 3, 1945.

"APPENDIX A"

NOTICE TO ALL EMPLOYEES

PURSUANT TO

THE RECOMMENDATIONS OF A TRIAL EXAMINER

of the National Labor Relations Board, and in order to effectuate the policies of the National Labor Relations Act, we hereby notify our employees that:

WE WILL NOT in any manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection. All our employees are free to become or remain members of this union, or any other labor organization.

WE WILL BARGAIN collectively upon request with the above-named union as the exclusive representative of all employees in the bargaining unit described herein with respect to rates of pay, hours of employment or other conditions of employment, and if an understanding is reached, embody such understanding in a signed agreement. The bargaining unit is:

All technical employees, wherever located, of the Engineering Department of National Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or

conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisor employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action.

.....
(Employer)

Dated..... By
(Representative) (Title)

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

"APPENDIX B"

NOTICE TO ALL EMPLOYEES

PURSUANT TO

THE RECOMMENDATIONS OF A TRIAL EXAMINER

of the National Labor Relations Board, and in order to effectuate the policies of the National Labor Relations Act, we hereby notify our employees that:

WE WILL NOT in any manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection. All our employees are free to become or remain members of this union, or any other labor organization.

WE WILL BARGAIN collectively upon request with the above-named union as the exclusive representative of all employees in the bargaining unit described herein with respect to rates of pay, hours of employment or other conditions of employment, and if an understanding is reached, embody such understanding in a signed agreement. The bargaining unit is:

All technical employees, wherever located, of the Engineering Department of American Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action.

.....
(Employer)

Dated..... By
(Representative) (Title)

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

**Federal Communications
Commission Docket**

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 26. They are subject to change.

Wednesday, February 28

Oral Argument Before the Commission En Banc
Conference Room B of the Departmental Auditorium, Constitution Avenue Between 12th and 14th Streets, N. W.

In the Matter of Frequencies to the Various Classes of Non-governmental Services in the Radio Spectrum from 10 Kilocycles to 30,000,000 Kilocycles.

**Federal Communications
Commission Action**

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted license to cover construction permit which authorized change in frequency to 560 kc., increase in power to 1 KW, and installation of new transmitter and DA for night use. Also authority to determine operating power by direct measurement of antenna power. (B5-L-1852, B5-Z-1655)

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—Granted construction permit to reinstate construction permit (B3-PRE-435) as modified, which authorized a new relay broadcast station to be used with standard station WTOG; frequencies 30820, 33740, 35820 and 37980 kc., 2 watts. (B3-PRE-443)

WAHL—Paducah Broadcasting Co., Inc., area of Paducah, Ky.—Cancelled relay broadcast station license at request of applicant.

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Granted license to cover construction permit which authorized move of transmitter and studio and installation of new antenna and ground system, and authority to determine operating power by direct measurement. (B5-L-1859, B5-Z-1663)

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter, and authority to determine operating power by direct measurement of antenna power. (B4-L-1857, B4-Z-1661)

WEMP—Glenn D. Roberts, et al., d/b as Milwaukee Broadcasting Co. (Assignor); Glenn D. Roberts, et al., d/b as Milwaukee Broadcasting Co. (Assignee); Milwaukee, Wis.—Granted consent to voluntary assignment of license of station WEMP (a partnership composed of 7 members), to a newly formed partnership consisting of ten members including the present 7 with the addition of James Ernest Roe, W. Wade Boardman and Genevieve S. Nesbit. Glenn D. Roberts, who owns a 3/8 interest in the assignor partnership, is selling 2/8 interest (1/8 each to Roe and Boardman for a cash consideration of \$25,000), and Wellwood Nesbit, who owns 1/8 interest in assignor partnership, will transfer 1/16 of such interest to his wife. (B4-AL-471)

KOMA—John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased (Transferors); John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased (Transferees); KOMA, Inc. (Licensee), Oklahoma City, Okla.—Granted involuntary transfer of control of KOMA, Inc., licensee of station KOMA, from J. T. Griffin, deceased, to his executors, John Toole Griffin and Marjorie Griffin Leake. No monetary consideration involved. (B3-TC-428)

Lincoln Deller, Sacramento, Calif.—Granted an extension of 30 days time within which to comply with the procedural conditions of conditional grant for new station.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—Granted construction permit to move experimental broadcast station W3XO from 1219 Wisconsin Avenue, N. W., Washington, D. C., to 3923 Windom Place, N. W. This move is made in order to provide a satisfactory location from which to make proposed allocation and coverage studies in conjunction with developmental broadcast station W3XMB, Baltimore.

DESIGNATED FOR HEARING

Adelaide Lillian Carrell, Wichita, Kans.—Adopted an order designating for hearing, in accordance with the procedure set forth in Public Notice of January 25, 1945, the application for a new station at Wichita, such hearing to be held March 28, 1945, to determine whether the granting of this application would be in conformity with the Commission's Supplemental Statement of Policy of January 16, 1945.

LICENSE RENEWALS

Herbert Kendrick and G. L. Hash, a partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted additional 30-day extension of time within which to comply with the procedural conditions of conditional grant for a new station.

Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif.—Granted 30-day extension of time within which to comply with the procedural requirements of conditional grant for a new station.

KVNU—Cache Valley Broadcasting Co., Logan, Utah—Granted renewal of license for the period ending February 1, 1946.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted renewal of license for main and auxiliary transmitter, for the period ending November 1, 1947.

W9XWT—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted renewal of facsimile broadcast station license for the period ending March 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

W8XUM—WBNS, Inc., Columbus, Ohio—Granted renewal of facsimile broadcast station license for the period ending March 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

MISCELLANEOUS

Granite District Radio Broadcasting Co., Salt Lake City, Utah.—Denied petition of Granite District Radio Broadcasting Company for rehearing, directed against the action of the Commission October 30, 1944, granting without hearing, the application of Abrelia S. Hinckley, George C. Hatch, and Wilda Gene Hatch d/b as Salt Lake City Broadcasting Co., Salt Lake City, Utah, for a construction permit for a new standard broadcast station in that place to operate on **910 kc.**, 1 KW power, unlimited time; to employ a directional antenna day and night, and granted a construction permit to said Salt Lake City Broadcasting Co. pursuant to the Commission's action of October 30, 1944.

WDSU—E. A. Stephens, et al., d/b as Stephens Broadcasting Co., New Orleans, La.—Adopted an order designating Commissioner Norman S. Case to preside at the hearing scheduled for March 21, to determine whether E. A. Stephens, Fred Weber and H. G. Wall, d/b as Stephens Broadcasting Co. (WDSU), New Orleans, have violated Sec. 315 of the Communications Act; and further authorized said Commissioner to change the time and place heretofore fixed for such hearing, and to hear, consider, determine and act upon any and all petitions, motions and other preliminary matters in connection with and pertinent to said proceedings which may arise prior to said hearing.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted motion for continuance of hearing on application for renewal of license now scheduled for February 19, and continued same to March 21, 1945.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Granted modification of construction permit which authorized change in frequency, for extension of completion date to May 8, 1945, subject to the condition that no operation take place under this authorization until station KALB commences operation on **580 kc.**

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

Frank R. Pidcock, Sr., Near Moultrie, Ga.; Indiana Broadcasting Corp., Indianapolis, Ind.

APPLICATIONS FILED AT FCC

590 Kilocycles

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Construction permit to change frequency from **1340 kc.** to **590 kc.**, increase power from 250 watts day and night to 1 KW. day and 250 watts night, and install new transmitter.

620 Kilocycles

WAGE—WAGE, Inc., Syracuse, New York.—License to cover construction permit (B1-P-3516) which authorized installation of an auxiliary transmitter to operate with power of 250 watts using directional antenna at night.

650 Kilocycles

WSM—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of license to WSM, Incorporated.

WSM—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of license to WSM, Incorporated.

1090 Kilocycles

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Extension of special service authorization to permit broadcasting, under the control and direction of the Pacific Coast Maritime Industry Board, as a public service and without charge of information to longshoremen for the period 5-1-45 to 5-1-46.

1240 Kilocycles

WCHV—Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham, Charlottesville, Va.—License to cover construction permit (B2-ML-1162) which authorized change in frequency.

WCHV—Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham, Charlottesville, Va.—Authority to determine operating power by direct measurement of antenna power.

1320 Kilocycles

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Authority to make changes in automatic frequency control unit of the auxiliary transmitter.

1340 Kilocycles

WJPR—John R. Pepper, Greenville, Miss.—Voluntary assignment of license to Thomas Henry Golding, Sr., Thomas Henry Golding, Jr., Emmet Holmes McMurry, Jr., and Frank Wilson Baldwin, a partnership, d/b as Radio Services Company.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, Owner), Rochester, New York.—Modification of construction permit (B1-P-2924 as modified which authorized change in frequency, increase in power, installation of directional antenna for day and night use, new transmitter and move of transmitter) for changes in directional antenna system and extension of completion date.

1400 Kilocycles

WSRR—Stephen R. Rintoul, Stamford, Conn.—Voluntary assignment of license to The Western Connecticut Broadcasting Company.

1450 Kilocycles

WTBO—Associated Broadcasting Corp., Cumberland, Maryland.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis, Ill.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Construction permit for a new high frequency (FM) broadcast station to be operated with coverage of 15,394 square miles; AMENDED to specify frequency of 47700 kc., change coverage to 26,250 square miles, change transmitter site and equipment.

NEW—College of the Pacific, Stockton, Calif.—Construction permit for a new noncommercial educational broadcast station to be operated with power of 1 KW and FM emission.

NEW—Elmira Star-Gazette, Inc., Elmira, New York.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46700 kc., with coverage of 19,600 square miles.

MISCELLANEOUS APPLICATIONS

WBKY—University of Kentucky, Beattyville, Ky.—License to cover construction permit (B2-PED-30 as modified) which authorized move of transmitter, changes in equipment, changes in antenna, increase in power from 100 watts to 500 watts and change emission from A3 to Special.

WNRB-WEOF—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of relay licenses to WSM, Incorporated.

WBPA-WADQ-WADP—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of relay licenses to WSM, Incorporated.

WJOD—American Broadcasting Co., Inc., Washington, D. C.—Modification of license to change transmitter location in accordance with construction permit which authorized move of WEJC.

WEJC—National Broadcasting Co., Inc., Washington, D. C.—License to cover construction permit (B1-PRE-442) which authorized move of transmitter.

Paul Panky & Co.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint issued against Paul M. Pankey, trading as Paul Pankey & Co., 2413 First Ave., N., Birmingham, Ala., engaged in business as both a broker and a direct buyer of food products including canned fish, canned fruits and vegetables, and other commodities. (5282)

Seaforth Chemical Works, et al.—A complaint alleging misrepresentation in connection with the sale of Karpet-Kleen, a product advertised for use in cleaning rugs, has been issued against Kenneth James McKenzie, trading as Seaforth Chemical Works, 1321 South Michigan Ave., Chicago, and American Rug & Carpet Co., 1347 Michigan Blvd., South, Chicago, and its president, J. H. Wallovick. (5283)

Whitney & Co., et al.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned sea food products has been issued against Carl Rubenstein, individually and as agent for his son, Samuel Rubenstein, presently serving in the armed forces; Carl Rubenstein, partnership; Whitney & Company, Puget Sound & Alaska Trading Company, Inc., and James R. O'Brien, all of 3001 Smith Tower Building, Seattle, Wash. The respondents are charged with paying unlawful commissions or brokerage fees, or granting allowances or discounts in lieu thereof, to direct purchasers of their sea food products. (5279)

Youngs Rubber Corporation, 145 Hudson Street, New York, and Julius Schmid, Inc., 423 West 55th Street, New York, Manufacturers and distributors of rubber phophysicals, are charged in complaints issued with violation of Section 3 of the Clayton Act, which prohibits the practice of negotiating exclusive-dealing contracts where the effect may be to substantially lessen competition or tend to create a monopoly in any line of commerce. (5277-5278)

CEASE AND DESIST ORDER

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

Funsten Co., et al.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with interstate sale of sea food products has been issued against James J. Funsten, trading as the Funsten Company, 260 California Street, San Francisco; San Xavier Fish Packing Company, Monterey, California, and Pacific Marine Products Company, Astoria, Oregon. (5131)

STIPULATIONS

During the past week the Commission announced no stipulations.

FTC COMPLAINTS DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Deutsch & Marks, Inc., 15 Maiden Lane, New York, with certain misrepresentations in connection with the sale of jewelry, silverware, luggage and giftware. The complaint was dismissed because the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated by the Commission for the catalog jewelry and giftware industry, and has furnished satisfactory evidence of such intention.

The Commission also has closed without prejudice the case growing out of the complaint it issued against Max L. Kizelstein and Leon Sherman, trading as Kay-Sherman Luggage Co., 3 West 46th Street, New York. The complaint charged respondents with misrepresenting that they are wholesalers and sell luggage to the purchasing public at wholesale prices.

Federal Trade Commission Docket

COMPLAINTS

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

Lilee Products Company, 2017 South Michigan Avenue, Chicago, and Paul Grant, operating the Paul Grant Advertising Agency, 520 North Michigan Avenue, Chicago, are charged in a complaint with disseminating advertisements which represent falsely that the medicinal product designated "Lilee Brand Calcium Pantothenate Tablets" is effective in restoring the original color to gray hair. The complaint alleges that the product will not restore the original color, or any color resembling the original color, to gray hair, and that it cannot be truthfully represented as a gray hair vitamin or an anti-gray hair vitamin, as claimed by the respondents in their newspaper, periodical and other advertising. (5281)



BOARD OF DIRECTORS MEET

The NAB Board met in Washington on Tuesday and Wednesday (February 27-28). All members, with the exception of William B. Way, were present. Mr. Way was detained in Tulsa because of a banquet being given in his honor as retiring president of the Tulsa Club.

Hugh M. Feltis, Director-at-Large for large stations, submitted his resignation. Having accepted the presidency of Broadcast Measurement Bureau, he has severed his connection with KFAB and is, therefore, no longer eligible for membership on the Board. His resignation was accepted with regrets and Leonard Reinsch, WSB, Atlanta, was elected to serve out his term.

Membership and Meetings

A membership report was submitted which disclosed that there are now 654 active members and 37 associate members, or a total of 691. An analysis of the active membership shows that there are 635 AM stations, 16 FM stations, 1 television station, and 2 networks. There has been a gain of 31 active members in the three months since the Board last met in November.

The Board ratified the action of President Ryan in canceling plans for the membership meeting in 1945. They approved the holding of the remainder of the District meetings, consistent with the Government policy regarding outside attendance.

Acting under the By-Laws, which give the Board authority to conduct election of Directors-at-Large by mail ballot and to determine the date upon which the new NAB year shall begin, the Board designated July 1 as the beginning of the new year and the time at which newly elected District Directors and Director-at-Large shall assume their offices.

Pursuant to the By-Laws, the District Director members of the Board constituted a Nominating Committee for the purpose of selecting nominees for Directors-at-Large for the ensuing one-year term. Two Directors in each classification—large stations, medium stations and small stations—are to be elected. Those nominated are:

- Large Stations—W. H. Summerville, WWL, New Orleans, Louisiana
J. Leonard Reinsch, WSB, Atlanta, Georgia
J. O. Maland, WHO, Des Moines, Iowa
Lee B. Wailes, KYW (Westinghouse Stations), Philadelphia, Pa.
Paul W. Morency, WTIC, Hartford, Connecticut
- Medium Stations—G. Richard Shafto, WIS, Columbia, South Carolina
T. A. M. Craven, WOL (Cowles Stations), Washington, D. C.
Robert E. Priebe, KRSC, Seattle, Washington
Clarence T. Hagman, WTCN, Minneapolis, Minnesota
E. E. (Ted) Hill, WTAG, Worcester, Massachusetts

- F. M. Doolittle, WDRC, Hartford, Connecticut
George M. Burbach, KSD, St. Louis, Missouri

- Small Stations—Dietrich Dirks, KTRI, Sioux City, Iowa
Frank King, WMBR, Jacksonville, Florida
Clair R. McCollough, WGAL (Mason-Dixon Group), Lancaster, Pa.
Dale L. Taylor, WENY, Elmira, New York
Matthew H. Bonebrake, KOCY, Oklahoma City, Oklahoma
Marshall Pengra, KRNR, Roseburg, Oregon

These nominations will be officially submitted to the membership on May 15. Under the By-Laws, any ten members acting in concert or individually may submit additional nominations for any classification. Such nominations must be made within 15 days, or in this case by June 1. The voting is then conducted by mail and 20 days is given within which to cast the ballots. The two from among all the nominees in each classification receiving the highest number of votes are declared elected. The Directors so elected under the plan adopted by the Board, will assume their offices on July 1.

Because of the Government restriction on travel, it was necessary to divide the 5th District meeting into two sessions, one at Atlanta for the Georgia and Alabama broadcasters, and one at Jacksonville for the Florida and Puerto Rico broadcasters. An election of a District Director must be held in that District. The Board adopted a resolution providing for the holding of a mail election under the supervision of Ernst and Ernst. This election will be conducted within the next 30 days.

Broadcast Measurement Bureau

President Hugh M. Feltis of the Broadcast Measurement Bureau, reported a very gratifying response as a result of the nine District meetings thus far held. His report showed that a total of 285 stations have thus far subscribed. He expressed confidence that in the 9 District meetings lying ahead the total would be more than doubled. He further reported that the BMB Board is rapidly completing the details of internal organization and he expects to have the Bureau in full operation before April 1.

7th War Loan

Ted Gamble, Director of the War Finance Division of the Treasury Department, was the luncheon speaker on Tuesday and outlined the plans and purposes of the 7th War Loan Drive and the relation of broadcasters thereto. Full information regarding this matter will be sent to all broadcasters well in advance of the opening of the 7th War Loan Campaign. Tom Lane, Director of the Advertising, Press and Radio Section, and Eugene Carr, Assistant to the President of the G. A. Richards' stations (WJR-WGAR-KMPC), loaned to serve in the 7th War Loan, also were guests.

(Continued on page 84)



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

J. H. Ryan, *President*

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

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

BOARD OF DIRECTORS MEET

(Continued from page 83)

Public Relations

John Patt (WGAR), Chairman of the NAB Public Relations Executive Committee, had expected to appear before the Board to present the report and recommendations of that Committee, which held a two-day session in Washington last week. Illness in his family prevented Mr. Patt from attending and the report was received from Willard Egolf, NAB Public Relations Director. Acting upon the suggestion of the NAB Public Relations Committee the Board adopted the following resolution:

WHEREAS the Association of Women Directors of the National Association of Broadcasters has undertaken a national campaign entitled "Women of the United Nations," wherein women broadcasters will make a significant contribution to world unity, and

WHEREAS, this campaign was launched on February 17, 1945, at a conference and luncheon in New York City, in which women representatives of many nations and leaders of women's organizations in the United States, including the wife of the President of the United States, Mrs. Franklin D. Roosevelt, participated, therefore

BE IT RESOLVED, that the Board of Directors of the National Association of Broadcasters commend the Association of Women Directors of NAB, together with Mrs. Dorothy Lewis, NAB Co-ordinator of Listener Activity, on this activity, and

BE IT FURTHER RESOLVED, that copies of this resolution shall be furnished to Mrs. Lewis and the officers and directors of the Association of Women Directors and spread upon the records of the National Association of Broadcasters.

Code Discussed

An interim report of the NAB Code Committee was submitted by Lee B. Wailes, Chairman. A lengthy general discussion of the Code and industry policy was had in order that the Committee might have the benefit of the thinking of the entire Board. At the suggestion of Chairman Wailes the Board Liaison Committee to the Code Committee was increased by two members. This Committee now consists of Kolin Hager, WGY; Don S. Elias, WWNC; F. M. Russell, NBC; Campbell Arnoux, WTAR; and Paul W. Morency, WTIC.

Following the Board meeting Chairman Wailes announced that March 31 and 22 were the dates tentatively set for the Code Committee to meet in New York.

Labor and Sales Departments Report

John Morgan Davis, NAB General Counsel and Labor Relations Director, reported on the work of the Labor Executive Committee in perfecting plans for the enlargement of the employer-employee relations service of NAB. These plans were initiated at a meeting of the Labor

Executive Committee meeting held in Washington in January, and another meeting is to be held in New York next week (March 6-7).

The Board adopted the following resolution recommended by the Sales Managers Executive Committee:

WHEREAS the use of so-called "cow-catcher" and "hitch-hike" announcements militates against the interests of radio listeners generally by tending to create annoyance, confusion, and misunderstanding in the minds of such listeners, now, therefore,

BE IT RESOLVED, that the NAB Board of Directors urges all broadcasters to eliminate so-called "cow-catcher" and "hitch-hike" announcements from network, national spot and local programs at the earliest possible date.

They also adopted another recommendation of the Sales Managers Executive Committee as follows:

WHEREAS it should be the constant aim of radio station management to present programs of varied interest, and to promote such programs to the end that the number of sets in use shall increase, and

WHEREAS, the present practice of network, non-network and local advertisers of calling attention to their programs on competing stations or networks tends only to divide the existing audience, now, therefore,

BE IT RESOLVED, that the Board of Directors urges the broadcasting industry to discourage and ultimately to deny to network, non-network, and local advertisers the privilege of calling attention on one program to another program on a competing station or network.

Nominating Committee Enlarged

The Committee to Select a President to succeed Harold Ryan, whose term expires on July 1 and who has indicated his intention to give up the office at that time, reported progress. That Committee, made up of President Ryan, G. Richard Shafto, and James W. Shouse, was enlarged to include John J. Gillin, Jr., Paul W. Morency and Don S. Elias.

Miscellaneous Actions

A recommendation of the Radio News Committee was endorsed by the Board and ordered sent to all member stations. This report is now being prepared and will be sent out as a separate mailing within the next few days.

Don S. Elias, Chairman of the NAB Legislative Committee, gave an over-all report on legislative matters.

The plan for an Academy of Radio Arts and Sciences was discussed at some length and the matter was referred to the Public Relations Committee for detailed study and recommendation.

Hugh A. L. Halff, who for the past two years has served as District Director for the 13th District (Texas), tendered his resignation due to ill health. The resignation was accepted and Martin Campbell was elected by the Board to fill out Mr. Halff's term, which expires on July 1. At the recent 13th District meeting, Mr. Campbell had been elected for the following two-year term.

The Board voted to hold its next meeting at some time around the middle of May at Omaha, Nebraska.

PETRILLO ASSAILED AS MENACE TO AMERICANS

On George Washington's 213th birthday, James C. Petrillo, president, American Federation of Musicians, was assailed before the House Committee on Interstate and Foreign Commerce during consideration of the Dondero bill (NAB REPORTS, Vol. XIII, page 50) to prevent Petrillo from interfering with non-commercial educational and cultural broadcasts.

Accusations were made to the accompaniment of a children's symphony and were voiced by Joseph E. Maddy, president of the Interlochen, Michigan, music camp, who described Mr. Petrillo as "a despotic dictator" and a "menace to all Americans . . . an arrogant labor leader quarreling with school children."

Paul A. Porter, FCC Chairman, joined in support of the legislation already passed unanimously by the Senate in the Vandenberg bill to which the Dondero bill is a companion. Porter told the House Interstate Commerce Committee that the legislation "represents a desirable objective and merits approval."

Maddy and Porter said that the musicians, headed by Petrillo, had banned the broadcasts by the National High School Symphony Orchestra from Interlochen and subsequently threatened action against union musicians engaged as instructors at the Camp.

In an unusual show for Capitol Hill, Interlochen officials set up a complete motion picture plant, sound and all, in a committee room, and treated the lawmakers with symphony, as played by the Interlochen children.

Porter told the committee that the union's action against Interlochen "results in a severe restriction being imposed upon what may be broadcast" and added:

"We must make sure that no arbitrary restrictions are imposed by private groups concerning material which shall be broadcast.

"It is the commission's constant endeavor to see that the radio industry keeps itself as free as possible of all unreasonable restraint so that the radio stations are in a position to discharge their obligation of operating in the public interest. . . .

"If an organization can prevent radio stations from broadcasting a concert by high school students, a precedent is established whereby broadcast of speeches, forums, conventions, etc., will be prevented."

Representative Dondero told the committee, "Liberty is being assassinated." He said that requests for a Navy band to participate in a soldiers' memorial service in his home town of Royal Oak had been refused "without any definite explanation," and Secretary Forrestal had not replied to his request for an explanation.

"I asked when did a musicians' union become more powerful than the Government of the United States?" said Mr. Dondero. "That question has not been answered yet."

Petrillo did not attend the hearing, nor was he represented. When no one responded for the union, Representative Wolverton (New Jersey) said:

"Can we assume that they are not interested in what this committee does? In my eighteen years of Congressional services I have never seen a situation where a man so directly involved in proposed legislation was not even present or represented when it was up.

Other committee members nodded in approval and Representative Brown of Ohio interjected:

"I don't believe this bill goes as far as desired. Seemingly, Mr. Petrillo is not interested in this committee. Perhaps he is doing the same thing he did toward the President of the United States—taking a defiant attitude. Mr. Petrillo has asked for it, and it is about time Congress let him have it."

Chairman Clarence F. Lea of California said he wanted definite fines and imprisonment penalties written into the legislation, to be applied to any violator. Mr. Lea added:

"Members seem to want broader legislation than we have before us."

Army and Navy officers appeared before the committee and told the members of protests by the union locals against performances by service bands. These, they indicated, were "borderline" cases where the local contended a service band competed with local musicians.

The officers explained that regulations prohibit service men from competing with private arts, trades and professions, and that their bands are permitted to appear at patriotic and non-commercial functions.

One point, often mentioned in the discussions, was emphasized by Representative Brown who said that although

REPRINTS OF HOLLISTER TALK BEFORE NRDGA CONVENTION

There was so much sound advice for retailers and encouragement for broadcasters in the talk delivered by Paul M. Hollister, Vice-President of the Columbia Broadcasting System, before the annual convention of the National Retail Dry Goods Association in New York on January 11, that NAB obtained permission to reprint this address. With this issue of the NAB REPORTS a copy of the reprint is enclosed. A separate mailing of the reprint will be made to radio station commercial managers. Additional copies are available on request.

Petrillo's wings must be clipped there was no desire to interfere with the legitimate functions of a union.

PETRILLO AFTER TELEVISION

In the February issue of "The International Musician," official journal of the American Federation of Musicians, the policy of AFM toward television is high-lighted. In a box on the front page we find the following:

"Re Television: By order of the International Executive Board, members of the American Federation of Musicians are not permitted to play for television in any form until further notice. (signed) James C. Petrillo, President, AFM."

At the AFM meeting in Chicago last summer a report was adopted, the essential features of which are a statement that "television, if not controlled will have the same nefarious effect on the livelihood and future of the members of the American Federation of Musicians as the 'talkies' had when they made their appearance. * * *"

The report empowered the creation of a committee to collaborate with Petrillo in order to enact laws and measures which they deemed beneficial to the AFM membership with respect to television. The above order is the result.

DRASTIC ACTION DEMANDED

The following editorial, entitled "Petrillo and Congress," appeared in a recent issue of *Editor & Publisher*:

James Caesar Petrillo has nothing whatever to do with the newspaper business, except that many newspapers own or are financially interested in radio stations and this gentleman rules the networks with a firmer hand than the heads of those organizations.

However, Petrillo is a symptom of what is wrong with our labor laws which permit a labor leader to wield the sword of Damocles over all employers of men in his union, and also to coerce the individual worker to do his bidding.

Last week we pointed out his refusal to recognize a decision of the NLRB and the rights of other unions and individuals, and his ability to dictate terms to the large broadcasting networks.

This week his action in placing the National Music Camp on the "unfair list" has the effect of ruining any radio station that dares to employ musicians who might have the temerity to work for the Music Camp, and it also ruins any such musician by making it impossible for him to make a living at his profession.

Petrillo now holds the power of life and death over one segment of this nation's business and people, just as surely as Hitler holds it over the entire German people.

Congress can legislate against this man, Petrillo, and deprive him of his arbitrary powers, but that will not solve the evil of which he is the most troublesome symptom.

Not until Congress has the guts to review the entire labor picture and correct the federal laws controlling it will we have any fair and equitable distribution of power between industry and labor. Individuals' rights are alleged to be sacred in this country but they are rapidly being sacrificed to the powerful labor unions who care nothing for such rights, or the rights of management, and most often can't see into the future beyond the ends of their noses.

ALLOCATION ARGUMENTS UNDER WAY

The oral arguments on the allocations findings of the Federal Communications Commission opened in Washington on Wednesday (28th) and are continuing. Wednesday's and Thursday's arguments were devoted largely to the presentation of the views of those representing Frequency Modulation broadcasters.

NAB is closely following the sessions and will have a full transcript of all of the arguments presented. Such portions of these arguments as are deemed of interest to broadcasting will be published in the near future.

CAPPER-JOHNSON BILLS WOULD PROHIBIT ADVERTISING OF ALCOHOLIC BEVERAGES

Senator Arthur Capper (R) of Kansas introduced S. 599—a bill prohibiting the transportation in interstate commerce of advertisements of alcoholic beverages.

This bill would cover advertising by any newspaper, periodicals, news reel, photographic film, or record for mechanical reproduction advertising alcoholic beverages or containing the solicitation of an order for alcoholic beverages.

The bill introduced by Senator Edwin C. Johnson (D) of Colorado, S. 623, provides that no radio station or owner thereof shall receive any payment for the service of broadcasting any advertisement or information concerning any alcoholic beverages if the purpose of such advertising or information is to induce the purchase or use of any alcoholic beverage. Both these acts would subject the licensee to revocation under the Communications Act.

Both bills were referred to the Senate Committee on Interstate Commerce.

NAB CONVENTION ADVOCATED BY EDITOR & PUBLISHER

Suggesting that the *American Society of Newspaper Editors* was "too modest in calling off its [1945] meeting," *Editor & Publisher* comments in its issue of February 10, as follows:

"If any national conventions are justified in spite of the Office of War Mobilization ruling against them, we think it is the annual business sessions of the American Society of Newspaper Editors, the American Newspaper Publishers Association and the National Association of Broadcasters.

"The press and radio of this country have contributed millions of dollars in time and money to the war effort. They have played increasingly important roles in every home front campaign and they have brought the story of the war back from the fronts with a degree of accuracy and speed never before contemplated.

"The annual meetings of these two large communications industries would certainly pass scrutiny as being in the interest of the war effort. But the ASNE, ANPA and NAB have suspended plans for their annual meetings seeking to cooperate with the government in correcting a drastic transportation problem. The directors of these organizations again are to be congratulated on their patriotism."

NAB wishes to express its thanks for this praise. *Editor & Publisher* goes on to say:

"Director of War Mobilization James Byrnes would do well to consider the value of such a meeting . . . not only in keeping the people better informed but in revealing public thinking and attitudes to government executives."

TELEVISION: "INTERNATIONAL LANGUAGE"

New York, February 18—Brigadier General David Sarnoff, President of the Radio Corporation of America, said here today that television would become an "international language, a medium through which nations will see themselves as others see them."

"People everywhere will understand, as never before, how freedom functions in democracies," he said.

General Sarnoff spoke at a dinner given in memory of Wendell L. Willkie. He received an award as "an early believer" in the importance of radio as a cultural and educational agency.

"I OBJECT"—CRANDALL

Answering an editorial, "A Tip to the Networks," which appeared in the January 30th edition of *The Christian Science Monitor*, George Crandall (CBS) does a neat job of countering in his reply which appears in a later edition of the *Monitor* (Feb. 17):

TO THE CHRISTIAN SCIENCE MONITOR:

As the editor of a highly reputable newspaper, what would be your reactions under the following hypothetical circumstances?

You are listening to the radio when, suddenly, a speaker begins lambasting the newspaper business for the lax standards (if any) of its advertising columns. He cites examples of obnoxious newspaper advertising—and there are examples in abundance he could quote if radio would permit such language. He then warns the entire industry to mend its ways or lose its readers to papers that carry no advertising whatever.

Knowing that *The Christian Science Monitor* is guiltless in this matter, what would you . . .? But let me cite an example from the other side of the fence.

In May, 1935, the Columbia Broadcasting System barred from its network all advertising of laxatives, deodorants, and the like. It has a Commercial Editing Division that not only passes on the content of all commercials, but limits them to specified time allotments. It has, in short, an unbroken ten-year record of "leadership in getting rid of obnoxious radio advertising."

Your January 30th editorial—"A Tip to the Networks"—affected me much as I imagine my hypothetical radio speaker would affect you.

GEORGE CRANDALL,
Columbia Broadcasting
System, Inc.

New York

HOME TOWN SHOWS RING THE BELL

"Let's Go to Town" programs, broadcast three times weekly since the start of the year, will be on a six per week schedule as soon as the backlog of completions will warrant it, according to Armed Forces Radio Service, Los Angeles.

Reported response to these programs from overseas personnel is phenomenal. Units of the industry receive letters direct, as well as "thank you" telephone calls and letters from friends and relatives, in the USA, of the men and women who heard the programs 'round the world.

In Rochester

Rochester stations are among those that have learned at first hand how much the programs are liked and appreciated. Says William J. Adams, program director, WHEC:

"We are just now beginning to receive reports from the first 'Let's Go to Town' program produced by the three Rochester radio stations. The reaction in favor of these programs has been so great—phone calls, letters . . . the praise for the word from home is so sincere and out-

spoken that we are wondering if it would be possible for the three stations in Rochester to continue to make similar programs for overseas consumption."

"I Almost Crawled Inside the Radio"

Early in January the Richmond, Virginia, hometown program was broadcast. January 12, Irvin G. Abeloff (WRVA), Task Force Commander for this job, had received the following expression of satisfaction from a Navy listener 5,000 miles from home:

"I was lucky enough this afternoon to turn on the radio and catch the last half, or last fifteen minutes, of the program originating in Richmond—the home town. . . . Unless you have been 5,000 miles from home, as I am right now, somewhere in Brazil, you have no idea what a thrill it is to get such news right from home. *I almost crawled inside the radio.*"

Houston Allocation Doubled

The allocation committee for "Let's Go to Town" programs has authorized the production of two global programs for the Houston area instead of one. Kern Tips, KPRC, is Task Force Commander.

16 More Shows Completed

Since February 16, sixteen additional "Let's Go to Town" programs, from ten districts, have been produced as follows:

DISTRICT I

Boston Harold Fellows, WEEL, *TFC
(1st of 2 shows)

DISTRICT II

New York City-Brooklyn-Queens Arthur H. Hayes,
WABC, *TFC (2 of 6 shows)
Rochester Gunnar Wiig, WHEC, *TFC
(2nd of 3 shows)

DISTRICT III

Baltimore Harold C. Burke, WBAL, *TFC

DISTRICT IV

Raleigh Richard H. Mason, WPTF, *TFC
Washington, D. C. Fred Shawn, WRC, *TFC
(2nd of 2 shows)

DISTRICT VII

Cincinnati R. E. Dunville, WLW, *TFC
Lexington Lindsay Nunn, WLAP, *TFC

DISTRICT VIII

Indianapolis C. Bruce McConnell, WISH, *TFC
(2 of 3 shows)

DISTRICT IX

Milwaukee G. W. Grignon, WISN, *TFC
Racine Messrs. Newcomb & LePoidevan, WRJN, *TFC

DISTRICT XI

Fargo E. C. Reineke, WDAY, *TFC

DISTRICT XIII

El Paso Karl Wyler, KTSM, *TFC

DISTRICT XVII

Seattle W. B. Stuht, KOMO, *TFC

* Task Force Commander.

PROGRAM FIGHTS JUVENILE DELINQUENCY

Kansas City, March 1.—Interest in KMBC's "Big Brother Club," a five-a-week western strip featuring KMBC's singing cowboy, Smokey Parker, and his Palomino mount, "Fire," forced a rush re-order on the giveaways offered to youngsters writing in to join this club of the air.

The club was originated by KMBC as part of a civic movement to curb juvenile delinquency.

Kids get a Big Brother microphone pin and a membership card bearing the Big Brother creed, which ties in with the idea underlying the program.

Framed "distinguished service" certificates, for which non-members are equally eligible, are awarded each Friday, upon recommendations made by local youth leaders in Kansas City.

Club, which is a part of KMBC's educational program, is heard at 5:30, Monday through Friday, under the direction of Dr. Charles F. Church, Jr., the station's educational director. Script is by Tom Eells, recently appointed assistant to Doctor Church.

KMBC is also plugging Radio's 25th Anniversary with some fine brochures.

HUMAN INTEREST PROGRAMS

Word comes from Ironwood, Michigan, that WJMS is stimulating listener interest with programs built around human interest stories of people in the Gogegic Iron Range.

Listeners are encouraged to write, in their own words, stories about someone in the Range. If the story is true, it is rewritten for future radio programs.

Contributors are cautioned to make certain that names and addresses are on all letters sent in to assure proper consideration and credit.

FCC ORDER RE THE CLEAR CHANNEL HEARINGS

Docket No. 6741

In the Matter of

CLEAR CHANNEL BROADCASTING IN THE STANDARD BROADCAST BAND

Order

WHEREAS, this Commission and its predecessor, the Federal Radio Commission, have since November 11, 1928 designated certain channels in the standard broadcast band as "clear channels" the purpose of which is to render service over large areas and to bring service to the rural population of the United States; and

WHEREAS, there are still large areas of the continental United States which have no radio service during the day and no primary radio service at night; and

WHEREAS, the Commission has received many applications requesting authorization for the operation of additional stations and for the use of higher power on the clear channel frequencies; and

WHEREAS, these applications raise issues which can more appropriately be considered in a general hearing than in a hearing limited to particular applications; and

WHEREAS, the North American Regional Broadcasting Agreement expires March 29, 1946, and it is desirable to determine what, if any, changes are necessary in connection with clear channel assignments prior to a renegotiation of the treaty;

NOW, THEREFORE, IT IS ORDERED, this 20th day of February, 1945, that a hearing be held before the Commission en banc commencing at 10:30 A. M. on May 9, 1945, at the offices of the Commission in Washington, D. C., for the purpose of determining:

1. What recommendation concerning the matters covered by this order the Commission should make to the Department of State for changes in provisions of the North American Regional Broadcasting Agreement.

2. Whether the number of clear channels should be increased or decreased and what frequencies in the standard broadcast band shall be designated as 1-A channels and as 1-B channels.

3. What minimum power and what maximum power should be required or authorized for operation on clear channels.

4. Whether and to what extent the authorization of power for clear channel stations in excess of 50,000 watts would unfavorably affect the economic ability of other stations to operate in the public interest.

5. Whether the present geographical distribution of clear channel stations and the areas they serve represent an optimum distribution of radio service or whether the fair, efficient, and equitable distribution of radio service among the several states and communities specified in Section 307(b) of the Communications Act requires a geographical redistribution at this time.

6. Whether it is economically feasible to relocate clear channel stations so as to serve those areas which do not presently receive service.

7. What new rules or regulations, if any, should be promulgated to govern the power or hours of operation of Class II stations operating on clear channels.

8. What changes the Commission should order with respect to geographical location, frequency, authorized power or hours of operation of any presently licensed clear channel station.

9. Whether and to what extent the clear channel stations render a program service particularly suited to the needs of listeners in rural areas.

10. The extent to which the service areas of clear channel stations overlap and the extent to which this involves a duplication of program service.

11. What recommendations, if any, the Commission should make to the Congress for the enactment of additional legislation on the matters covered by this order.

IT IS FURTHER ORDERED, that persons or organizations desiring to appear and testify shall notify the Commission of such intention on or before April 2, 1945, stating the names of all witnesses who will appear, the topic each will discuss and the time expected to be required for the testimony.

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE, *Secretary*.

945 STANDARD BROADCAST STATIONS

During the month of January 1945, the FCC granted two new construction permits, and licensed two stations to operate. A comparative table of the number of standard broadcast stations by months, follows:

	1944												1945		
	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Jan. 1	Feb. 1
Operating	910	909	909	909	910	912	913	912	914	916	919	919	921	919	921
Construction	4	8	9	11	13	12	13	16	15	15	18	24	24	4	2
	914	917	918	920	923	924	926	928	929	931	937	943	945		

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, March 5. It is subject to change.

Monday, March 5

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

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Federal Communications Commission Action

APPLICATIONS GRANTED

KPDN—R. C. Hoiles (assignor), C. H., Harry and Jane Hoiles, a partnership, doing business as Radio Station KPDN (assignee), Pampa, Texas.—Granted consent to voluntary assignment of license of Station KPDN from R. C. Hoiles to C. H., Harry and Jane Hoiles, a partnership, doing business as Radio Station KPDN; monetary consideration is \$1.00. (B3-AL-468)

KQV—KQV Broadcasting Co. (assignor), Allegheny Broadcasting Corp. (assignee), Pittsburgh, Pa.—Granted consent to assignment of license of Station KQV from KQV Broadcasting Co. to Allegheny Broadcasting Corp.; no monetary consideration involved, the assignee owning all the capital stock of the assignor. (B2-AL-466)

KTUC—Tucson Broadcasting Co. (transferor), Burrige D. Butler (transferee), Tucson, Arizona.—Granted consent to acquisition of control of Station KTUC from the present stockholders, collectively, by Burrige D. Butler, who now owns over 49 per cent of outstanding stock, by the purchase of 23 shares of Treasury stock for a consideration of \$2,300. (B5-TC-424)

KFFA—The Helena Broadcasting Co., J. Q. Floyd, et al., Helena, Ark.—Adopted order granting petition for rehearing filed by A. L. Chilton and Lenore H. Chilton, a partnership, d/b as KGIH Broadcasting Service (KGIH), Little Rock, Ark., directed against the Commission's grant without hearing on January 16, 1945, of the application of Helena Broadcasting Co. (KFFA), for construction permit to change frequency from 1490 to 1230 kc.; set aside said grant; and designated the application for hearing. (B3-P-3724)

WKBZ—Ashbacker Radio Corp., Muskegon, Michigan.—Adopted order denying petition filed by WKBZ for a review by a quorum of the Commission on a ruling February 7, 1945, by the Presiding Officer of the Motions Docket denying the motion filed by WKBZ to amend issue No. 3 of the Commission's Notice of Hearing in re application of WKBZ for construction permit (Docket No. 6628); and sustained the action of the Presiding Officer of Motions Docket.

WJEF—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—Adopted decision and order denying petition filed by Ashbacker Radio Corp. (WKBZ) for hearing, rehearing and other relief, directed against the action of the Commission February 8, 1945, granting without hearing the application of WJEF for license. (B2-L-1855)

DESIGNATED FOR HEARING

Copper City Broadcasting Corp., Rome, N. Y.—Designated for hearing application for construction permit for a new standard broadcast station to operate on 1450 kc., 250 watts, unlimited time; hearing to be on issue of Supplemental Statement of Policy of January 16, 1945. (B1-P-3851)

LICENSE RENEWALS

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Granted further extension of license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1945. (B3-S-458)

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Granted authority to make changes in automatic frequency control unit of auxiliary transmitter. (B4-F-285)

WINS—Hearst Radio, Inc., New York City.—Granted license to use formerly licensed main transmitter as an auxiliary transmitter, with power of 1 KW, employing DA day and night. (B1-L-1860)

WJOD—American Broadcasting Co., Inc., Washington, D. C.—Granted modification of relay broadcast station license to move transmitter to 11th and Penna. Ave. N.W. (B1-MLRE-117)

WEJC—National Broadcasting Co., Inc., Washington, D. C.—
Granted license to cover construction permit which authorized move of relay station transmitter to 11th and Penna. Ave. N.W. (B1-LRE-439)

MISCELLANEOUS APPLICATIONS

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

The Ohio Broadcasting Co., Marion, Ohio; S. E. Adcock, Knoxville, Tenn.; Elmira Star-Gazette, Inc., Elmira, N. Y.; Lehigh Valley Broadcasting Co., Allentown, Pa.; Brownsville Herald Pub. Co., Brownsville, Texas; Valley Evening Monitor, Inc., McAllen, Texas; Beckley Newspapers Corp., Beckley, W. Va.; The Valley Publishing Co., Harlingen, Texas; Great Trails Broadcasting Corp., Dayton, Ohio; Dubuque Broadcasting Co., Dubuque, Iowa.

The following FM amended applications were retained in the pending files pursuant to policy adopted February 23, 1943:

E. Anthony & Sons, Inc., New Bedford, Mass.; Plaza Court Broadcasting Co., Oklahoma City, Okla.

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

Raytheon Mfg. Co., New York City; Debs Memorial Radio Fund, Inc., New York City.

Amended application of Hearst Radio, Inc., Baltimore, Md., was returned in the pending files in accordance with Commission's policy of February 23, 1943.

College of the Pacific, Stockton, Calif.—Placed in the pending files application for new noncommercial educational broadcast station.

APPLICATIONS FILED AT FCC

580 Kilocycles

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—
License to cover construction permit (B3-P-3062) as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter and studio.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—
Authority to determine operating power by direct measurement of antenna power.

610 Kilocycles

WHKC—United Broadcasting Co., Columbus, Ohio.—License to cover construction permit (B2-P-3657) which authorized change in frequency, increase in power and hours of operation, and installation of directional antenna for night use.

WHKC—United Broadcasting Co., Columbus, Ohio.—Authority to determine operating power by direct measurement of antenna power.

640 Kilocycles

WHKK—United Broadcasting Co., Akron, Ohio.—License to cover construction permit (B2-P-3566) as modified, which authorized change in frequency, increase in power, change in hours of operation, installation of directional antenna for day and night use, and move of transmitter and studio.

WHKK—United Broadcasting Co., Akron, Ohio.—Authority to determine operating power by direct measurement of antenna power.

990 Kilocycles

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—
License to cover construction permit (B2-P-3721) which authorized move of old main transmitter to present site to be operated as an auxiliary, with power of 1 KW, employing directional antenna day and night.

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—
Authority to determine operating power by direct measurement of antenna power.

1160 Kilocycles

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah.—
Extension of special service authorization to operate with

two Federal telegraph tubes in last radio stage for the period 5-1-45 to 5-1-48.

1240 Kilocycles

WOMT—Francis M. Kadow, Manitowoc, Wis.—License to cover construction permit (B4-P-3718) which authorized increase in power and changes in transmitting equipment.

1340 Kilocycles

KCKN—The KCKN Broadcasting Co., Kansas City, Kans.—
Authority to determine operating power by direct measurement of antenna power.

WDAK—L. J. Duncan, Leila A. Duncan, Josephine A. (Keith) Rawls and Effie H. Allen, d/b as Valley Broadcasting Co., Columbus, Ga.—Voluntary assignment of license to L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall, and Margaret A. Pill, d/b as Valley Broadcasting Company.

1370 Kilocycles

WFEA—New Hampshire Broadcasting Company, Manchester, N. H.—Voluntary assignment of license to H. M. Bitner.

1480 Kilocycles

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—
Modification of license to change corporate name to Atlantic Broadcasting Company, Inc.

MISCELLANEOUS

NEW—S. E. Adcock, Knoxville, Tenn.—Construction permit for a new developmental broadcast station to be operated on 12,862.5, 6,425 kc., or other frequencies as the Commission may assign, power of 200 watts and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

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

Parrott & Company, 320 California St., San Francisco, and Superior Fisheries, Inc., 1709 West Eighth St., Los Angeles, are charged in a complaint with violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of food products, including canned fish, canned fruits and canned vegetables, and other commodities. Parrott & Company owns all of the capital stock of Superior Fisheries, Inc., and maintains branch offices in Seattle and Spokane, Wash., Portland, Oreg., and Los Angeles. (5284)

South Coast Fisheries, Inc., 820 Ways St., Terminal Island, Calif., is charged with violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of sea food products, including canned tuna, canned mackerel and canned sardines. (5285)

CEASE AND DESIST ORDER

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

Durakote Paint Corp., 1775 Broadway, New York, and its officers, individually and as officers of the corporation, have been ordered to cease and desist from certain misrepresentations in connection with the interstate sale of paint sold under the brand name "Durakote." The respondent officers are Philip H. Eisgrau, president; Cele Eisgrau, vice president; Nathan Pashman, secretary; and Theodore Shapiro, treasurer. (5018)

STIPULATIONS

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

Acquin Pharmacal Co., et al.—A stipulation to discontinue misrepresentation of the therapeutic properties of a medicinal preparation designated "Acquin" has been entered into by Gottlieb Bass, trading as Acquin Pharmacal Co., 8005 Alabama Ave., St. Louis, and Clark F. Ross, trading as Ross Advertising Service, 1031 Big Bend Blvd., St. Louis. Ross prepares and disseminates advertising for the product, which is sold and distributed by Bass. They agree to cease and desist from representing that the preparation will overcome fatigue, cure headaches or relieve congestion due to headaches or head colds, or that it is prescribed by doctors for the relief of minor aches or pains. Bass also stipulates that he will cease representing that the product is formulated from a doctor's prescription or that it is safe for use. (03253)

Battle Creek Dietetic Supply Co., Battle Creek, Mich., entered into two stipulations to discontinue certain misrepresentations in connection with the sale of Health House Brand health foods and of a vitamin preparation advertised as being capable of restoring the natural color to hair. (03248-03251)

Irene Blake Cosmetics, Inc., 101 West 15th St., New York, stipulated that it will cease representing, through the use of the word "Chinese," through the use of Chinese words or characters or picturizations indicative of Chinese origin, or in any other manner, that cosmetics which are made or compounded in the United States are made or compounded in China or in any other foreign country. The stipulation provides, however, that if any of the ingredients of the cosmetics are produced in a foreign country, the country of origin may be stated if it is immediately accompanied in equally conspicuous type by a statement that the cosmetics are made or compounded in this country. (3976)

Brockway Glass Company, Inc., Brockway, Pa., manufacturer of glass containers including nursery bottles, stipulated that it will cease representing, by means of guarantee agreements, or otherwise, that any of its products are guaranteed "forever" or for any greater extent of time than that during which, by reasonable estimate, it will be capable of complying with the provisions contained in such agreement; and representing, by use of the word "guaranteed" or other words of like meaning, that a product is guaranteed unless clear and unequivocal disclosure be made in direct connection therewith of exactly what is offered by the way of security, as, for example, replacement or refund. (3978)

Campbell's Foods, 712 Locust St., Des Moines, Iowa, and E. M. Meneough, trading as Meneough Advertising Agency, 720 Grand Ave., Des Moines, entered into a stipulation to discontinue misrepresenting the properties of a vitamin preparation designated "Calcipan," advertised as being capable of restoring the natural color to hair and preventing gray hair. Campbell is engaged in the sale and distribution of the preparation, the advertisements for which are prepared and disseminated by Meneough. (03250)

Cupples Company—A stipulation to discontinue misrepresenting the therapeutic properties of a preparation designated "Kent Vitamins A B₁ D" has been entered into by Cupples Company, Cupples Station, St. Louis. (3982)

Dave Minor Company, 230 East Ohio St., Chicago, engaged in the sale of a set of piano lessons entitled "Music Is Fun for Everyone—the Ear Way" and a collection of songs entitled "Dave Minor's Famous Play by Ear Song Book," entered into a stipulation to cease and desist. (3977)

Meat Industries Laboratory, Inc., 366 West 15th Street, New York, engaged in the sale of meat-curing and seasoning compounds, has entered into a stipulation to discontinue the use in its corporate or trade name, or in any other manner, of the word "Laboratory" or any similar term or designation which may imply that it owns and operates a laboratory equipped for the compounding and testing of products and for research in connection therewith. (3981)

Old Town Ribbon & Carbon Company, Inc., 750 Pacific Street, Brooklyn, entered into a stipulation to cease representing that it was the "first in the field" to manufacture or sell the product known as black spirit carbon paper. (3984)

N. B. Remedy Co., 412C East St. John St., Seattle, stipulated that in connection with the sale of N. B. Remedy, they will discontinue representing that the preparation is of value in the prevention, treatment or cure of mastitis or in the treatment of cow-pox; or that the quality or quantity of the cow's milk will increase after the preparation has been given for mastitis. (03249)

Save Electric Corp., 615 Front St., Toledo, Ohio, have entered into a stipulation to cease and desist from certain misrepresentations in connection with the interstate sale of electric light bulbs designated "Verd-A-Ray." (3980)

Soi Jus Co., 1 North Western Ave., Chicago, entered into a stipulation to cease and desist from misrepresentation in connection with the sale of a food preparation designated "Golden Brand Soi Jus." He agrees to stop representing that the preparation contains vitamin D or a vitamin recognized as vitamin F, or that it contains a substance of benefit to the hair, nerves or skin; that it is nonfattening or incapable of increasing body weight; or that brands of soya oil other than Golden Brand Soi Jus are produced through a process which destroys or removes any significant amount of the nutritional properties of soya oil. (03252)

20th Century Hat Co., Inc., 65 East South Water St., Chicago, entered into a stipulation to discontinue representing in any manner that women's hats made in whole or in part from old, used or secondhand materials are new or composed of new materials. (3979)

Washington's Haberdashery, Inc., 1104 F St., N. W., Washington, D. C., also trading as Marilyn Bootery, stipulated that it will discontinue misrepresenting the fiber content of women's hosiery. The corporation, which operates two retail stores in Washington, agrees to cease and desist from use of the word "Chiffon" to describe merchandise not made from fabric composed of fibers of silk, and from use of the same word or any other silk-connoting term or representation in referring to such merchandise so as to imply that the merchandise is silk. (3975)

FTC CLOSES CASE

A stipulation to cease and desist from certain misrepresentations in connection with the sale of "Granidur" memorial monuments has been entered into with the Federal Trade Commission by William Reinhard, Carl Reinhard and Robert Reinhard, copartners trading as Economy Monument Co., 4145 West Kinzie St., Chicago, and Nelson Friis, who at one time was sales manager for the copartnership.

After accepting the stipulation, the Commission closed without prejudice the case growing out of the complaint it had issued

against the respondents on February 9, 1945, charging them with misrepresenting the durability, quality and composition of their monuments. Under the stipulation the respondents agree to cease and desist from:

(1) Use of the words "manufactured granite," "genuine Granidur," or "solid Granidur" to designate monuments not composed of natural granite rock;

(2) Describing such monuments as "genuine" or "solid" Granidur or as "granite" or "manufactured granite," or as having been "executed by skilled craftsmen in a time tested material," or in any other manner representing that the monuments are composed of or actually carved from natural granite rock;

(3) Use of statements or terms such as "enduring," "lasting," "retaining its high polish and original appearance, regardless of climatic conditions," or any similar expression having the tendency or capacity to mislead or deceive purchasers with respect to the durability of such monuments or their capacity to withstand the elements;

(4) Representing, as by use of the statement "comparable to the more costly monuments," that such products are of a quality or value or possess lasting properties in excess of what is actually a fact.

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1ST DISTRICT MEETING, BOSTON

First Day

Although he urged the broadcasters present to vote for a new Director from the First District, Paul W. Morency of WTIC, who has served the industry untiringly in trade association activities, was re-elected unanimously to serve another two-year term at the closing session of the two-day meeting in Boston on March 5 and 6.

In his opening remarks, District Director Morency reviewed many of the problems with which the industry is faced, and urged the station executives to resolve these problems in their discussions to avoid arbitrary rules or regulations that may limit their freedom of action.

Urging broadcasters to fight ceaselessly for freedom of speech and freedom of the press, Maurice J. Tobin, Governor of the Commonwealth of Massachusetts, was the principal speaker at luncheon on the opening day. His forceful defense of the right of free speech and a free press brought enthusiastic and prolonged applause from the radio stations executives attending the luncheon meeting.

Following a presentation of industry problems and opportunities by J. Harold Ryan, NAB President, at the opening session, Walter Hackett of the Office of War Information thanked the broadcasters for their continued support of the government programs of war information, and urged them to redouble their efforts to inform the American public that a long, hard and bloody fight lies ahead before peace can return to the United Nations.

The first morning session was highlighted by an unusually clean and concise exposition of the part that women are playing in broadcasting by Mrs. Nell Daugherty of WSRR. Prominent in the activities of the Association of Women Directors, Mrs. Dougherty brought a new concept of the role of women in broadcasting to the station executives present.

BMB Hits New Peak

Most of the afternoon session on the opening day was devoted to an exposition of the Broadcast Measurement Bureau by Hugh M. Feltis, BMB President. His presentation was supported with talks by Miss Linnea Nelson of J. Walter Thompson Company and Dr. Robert Elder of Lever Brothers Company. At the conclusion of the two-day conference, the First District had set a record for subscriptions to BMB with 43 out of 47 stations signed up for a new high total of stations and percentage of subscriptions. (See coming *BMB Bulletin No. 10*.)

After the BMB presentation, Miss Mildred P. Stanton of WORC, District Chairman of the Public Relations Committee, presented the report for that group and was followed by Wayne H. Latham of WSPR, District Chairman of the Program Managers Committee, who detailed the activities of that organization.

At the close of the business session on Monday afternoon, radio stations WBZ, WCOP, WEEI, WMEX, WNAC and WORL of Boston with WTIC of Hartford played hosts to the broadcasters at a reception and cocktail party.

Second Day

The meeting on the second day opened with the small market stations panel which was presided over by Robert T. Mason of WMRN, Marion, Ohio, Chairman of the NAB Small Market Stations Committee, who attended the First District Meeting to present the findings of the group and to gain the opinions and ideas of small market stations in New England.

The second morning meeting closed with the sales managers clinic which had Kingsley F. Horton of WEEI, District Chairman of the sales managers committee, as chairman. Lewis H. Avery presented a new set of graphs and charts embodying the up-to-date statistics of radio and reviewed the proposed revisions of the NAB-AAAA Standard Contract for Spot Broadcasting. He also introduced Miss Helen A. Cornelius, who outlined the opportunities and problems of retail radio advertising. She also reviewed the steps taken in setting up the clinical test of broadcast advertising by Joske's of Texas in San Antonio.

Following luncheon on the second day, Howard S. Frazier, NAB Director of Engineering, and Italo A. Martino of WDRC, District Chairman of the Engineering Committee, reviewed the recent allocations proposals and other technical problems. The meeting closed with a review of labor relations by John Morgan Davis, NAB General Counsel.

At the conclusion of the formal program, there was a general round-table discussion of industry problems and a review of pending legislation and regulations that will affect broadcasting.

2d District meeting was held in New York yesterday and today (Thursday and Friday, 9th, 10th). Complete story on this meeting will be carried in next week's *REPORTS*, and in *BMB Bulletin Ten*.

PAPERS SEE JOHN L. LEWIS FOLLOWING IN PETRILLO'S FOOTSTEPS

The *Washington Star*, the *New York Times*, and the *United States News*, see John L. Lewis as one who is following in the footsteps of James C. Petrillo on "The Royalty Issue," as it is termed by the *Star*.

Editorial from the *Washington Star*, March 5:

The Royalty Issue

"There is doubt in the minds of some that John L. Lewis is wholly serious in his attempt to levy what is in effect a private tax of ten cents on each ton of coal mined, the proceeds to be paid into a union fund which unquestionably would be controlled by him. Mr. Lewis seems to be serious enough. He has served notice that the coal operators must 'accede' the miners the 'right to live'—which in his estimation means yielding to his demands. 'If you don't accede it,' he says, 'we will take it anyhow.' Furthermore, Mr. Lewis has a perfectly valid precedent in the Government's weak surrender to James C. Petrillo, head of the American Federation of Musicians, who demanded

(Continued on page 94)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

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

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

PAPERS SEE JOHN L. LEWIS FOLLOWING PETRILLO'S FOOTSTEPS

(Continued from page 93)

and secured the right to levy a union tax on the manufacture of phonograph records. If the consuming public can be taxed for the benefit of the musicians, Mr. Lewis might ask, why cannot the consumers be taxed for the benefit of the miners?

"Events will show whether the mine union head intends to make a fight on this point. But the fact that he has made the demand, coupled with Mr. Petrillo's earlier success in the same field, should be sufficient to impress any one with the seriousness of the issue which has been raised.

"There is a distinction to be made between the Lewis methods and his stated objectives. Mr. Lewis says that the \$60,000,000 a year which would be raised by the ten-cent royalty would be used to provide the miners with such things as medical service, hospitalization and health insurance, and for their 'economic protection.' That the miners, not to mention millions of other workers, need better health facilities is hardly debatable. And they will get them, in one way or another. But it does not follow that the public should submit to a private tax by Mr. Lewis to that end.

"His inclusion of the 'economic protection' objective raises immediate doubts. That could mean anything he wanted it to mean, including, in peacetime, political contributions. But this is an issue which goes deeper than doubt as to the validity of one of Mr. Lewis' objectives. It involves a principle of primary importance.

"If a union has the right to levy a private tax for a desirable purpose, it has the right to levy a tax for any purpose not specifically forbidden by law. And, except in wartime, the law puts virtually no restraint on unions in this respect. Furthermore, if it is right to levy a ten-cent tax on the production of a ton of coal, what assurance is there that the tax will not be boosted to a dollar a few years hence? And if it is right for unions to tax the production or sale of coal and phonograph records, there is not the slightest reason why they should not levy similar taxes on the production of automobiles or washing machines or clothing or even a loaf of bread.

"Since these taxes ultimately would be paid to the unions by the consuming public, and since the public would have no effective control over the union officials levying the taxes, it seems obvious that a serious question of public policy is involved. In that sense, this is not a dispute between Mr. Lewis and the coal operators, but rather a dispute to which the consumers of every union-made product are actual or potential parties."

The *New York Times*, March 2, says:

"The demand of John L. Lewis, president of the United Mine Workers of America, for a royalty on every ton of bituminous coal mined in the United States for a welfare fund for his union parallels that made by James C. Petrillo, president of the American Federation of Musicians, whose union is now receiving royalties on recordings made in this country for the benefit of its 'employment fund.'

"Mr. Petrillo decreed in 1942 that all recording and transcribing music companies would thereafter have to agree to flat royalty payments to the union fund as part of the contract by which his union supplied musicians for the making of master recordings. The Decca Company, maker of about one-third of the records sold in 1943, signed the agreement, as did more than sixty small companies.

"The record subsidiaries of the Radio Corporation of America and the Columbia Broadcasting System made a two-year fight against the Petrillo decree, only to lose out in the end. The case went before the War Labor Board in 1943. After a ten-month delay, the two companies protested jointly on June 8, 1944, to WLB, declaring that the union and its president 'are notable examples of labor representatives who openly violate, and pride themselves on violating, the ordinary requirements of collective bargaining and who boast of their consistent practice of laying down the terms of unilateral licenses without regard to the obligations of collective bargaining.'

"The board's delay in deciding this case,' the companies told the board, 'is putting a premium on Mr. Petrillo's tactics.'

"The WPB ordered Mr. Petrillo to end the ban on June 15, 1944, but told the union and the companies to agree by direct conference on the royalty plan. The latter part of the ruling reversed a panel recommendation that opposed the payments. Mr. Petrillo, on Aug. 17, refused to obey the WLB or to appear before it. Two months later President Roosevelt appealed to the union leader to end the ban, but the latter wired back that the companies must first comply with his terms."

In its issue of March 9, *United States News* makes the following comment on this situation:

"... From James C. Petrillo's experience in getting a royalty for his musicians from phonograph records, Mr. Lewis gets the idea of demanding a royalty from soft coal operations of 10¢ on every ton. . . . Mr. Petrillo thought up the royalty idea in 1943, and later induced record and transcription companies to pay a royalty on records into the unemployment fund of his AFL musicians union. The War Labor Board did not pass directly on this phase of the contract, but government stabilizers did nothing to prevent the royalty payments. Now Mr. Lewis demands a 10¢ a ton royalty on all soft coal mined. . . ."

PROGRAM MEN TO HOLD WAR ACTIVITIES CONFERENCE

(As released by NAB News Bureau)

Radio's war job brings station and network program men to Washington, March 14, 15, 16. Chairmen of programming activities from all seventeen NAB districts will meet with the executive committee on industry programming and government officials for the three-day session.

The second day of the meeting will be devoted entirely to plans for the Seventh War Loan Drive. Treasury officials will address the group and conduct a clinic on program methods to make the most effective use of the broadcast medium. Officials of the Office of Censorship and the Office of War Information will also participate in the sessions, which will cover all phases of radio's war activities, accentuated by the industry's observance of its twenty-fifth anniversary year throughout 1945, which has been "Pledged to Victory!"

The following broadcasters are expected: Harold Fair, WHO, Des Moines, Iowa, chairman of the executive committee; Irvin G. Abeloff, WRVA, Richmond, Va.; Henry W. Slavick, WMC, Memphis, Tenn.; Eugene Carr, WJR, Detroit, Mich. (temporarily with the Treasury Department, Washington, D. C.); Ray Shannon, WHAS, Louisville, Ky.; Clarence L. Menser, NBC, New York, N. Y.; Douglas Coulter, CBS, New York, N. Y.; Roy Langham, CBS, New York, N. Y.; William J. Adams, WHEC, Rochester, N. Y.; Robert Evans, WSPD, Toledo, Ohio;

George Sutherland, WOL, Washington, D. C.; Wayne H. Latham, WSPR, Springfield, Mass.; Elliott Stewart, WIBX, Utica, N. Y.; J. C. Tully, WJAC, Johnstown, Pa.; Robert L. Fidler, WIOD, Miami, Fla.; Robert Atherton, WMC, Memphis, Tenn.; Howard Chamberlain, WLW, Cincinnati, Ohio; Carl Vandagriff, WOWO, Ft. Wayne, Ind.; Maurice P. Owens, WROK, Rockford, Ill.; Richard Day, WDGY, Minneapolis, Minn.; Bill Bryan, KOMA, Oklahoma City, Okla.; Ed Lally, WBAP, Ft. Worth, Texas; Ralph W. Hardy, KSL, Salt Lake City, Utah; Robert H. Wesson, KGO, San Francisco, Calif.; W. L. Gleeson, KPRO, Riverside, Calif., and Homer Welch, KEX, Portland, Oregon.

Preparations for the meeting are being handled by Willard D. Egolf, NAB director of public relations.

6 MORE PROGRAMS FOR ARMED FORCES

This week's honors for shipment of "Let's Go to Town" transcriptions to Armed Forces Radio Service go to perimeter states. For the first time since broadcasters have been making GI home town recordings no interior state is represented in the list. Starting with Vermont, on the Canadian border, states making shipment touched the Atlantic, the Gulf and the Pacific. Here is the record of shipments for the current week:

DISTRICT I

Burlington.....C. P. Hasbrock, WCAX, *TFC

DISTRICT II

Atlantic City.....Monroe Mendelsohn, WBAB, *TFC

DISTRICT III

Frederick.....William E. Hardy, WFMD, *TFC

DISTRICT V

Jacksonville.....Robert R. Feagin, WPDQ, *TFC

DISTRICT XIII

Houston-Galveston.....Kern Tips, KPRC, *TFC
(1 of 2)

DISTRICT XVI

Los Angeles.....Don McNamara, KFI, *TFC
(3 of 3)

* Task Force Commander.

Hear "Let's Go To Town" on Iwo Jima

The Marines, busily engaged in going to town with a vengeance on Iwo, are having the old home town carried right up into the front line foxholes.

Punctuated by the roar of actual battle, "Let's Go to Town" programs are picked up on the island from ships standing offshore, according to Col. E. M. Kirby, former NAB director of public relations, now chief of the Radio Section of the War Department's Public Relations Bureau.

RADIO NEWS COMMITTEE RECOMMENDATIONS

"Radio News Recommendations," prepared by the Radio News Committee, and endorsed by the Board of Directors, February 28, are being distributed to the membership with today's "REPORTS."

Part one is concerned with "Handling Sponsored Radio News Programs." Its four subdivisions are "Acceptable Sponsorship of News Programs"; "Commercial Copy and Length of Commercials"; "Identification of Sponsor's Message" and "Placement of Commercials in News Programs."

"Proper Identification of Men and News Sources" is discussed in part two. There are two sections: "Commentators and News Analysts" and "Identification of Radio News Sources."

"Radio News Editor Must Be Sole Judge of Content" is part three and "Expansion of Radio News Service Indicated," part four.

The NAB Radio News Committee consists of: Karl Koerber, KMBC, Kansas City, chairman; William Brooks, National Broadcasting Co.; H. K. Carpenter, WHK, Cleveland; Rex G. Howell, KFXJ, Grand Junction; L. Spencer Mitchell, WDAE, Tampa; E. R. Vadeboncoeur, WSYR, Syracuse, and Paul White, Columbia Broadcasting System.

7TH "E" BOND QUOTA AT NEW HIGH

Quota of "E" bond purchases during the 7th War Loan, May 14-June 30, has been set at 4 bns. with 7 bns. the quota of individual purchases. Total quota for all war bonds is 14 bns. According to present plans there will be one additional campaign in 1945, the 8th.

Though not the largest campaign in history, the 7th will hold top rank so far as "E" bonds are concerned.

"WAR MISSION OF RADIO"

The duty of radio management to bring to listeners things they don't want to hear was included in an address to the Board of Trade, Washington, D. C., March 5, by Col. E. M. Kirby, Chief, Radio Branch, WDOPR. His subject was, "The War Mission of Radio." Col. Kirby was formerly NAB Director of Public Relations.

"Perhaps," said Col. Kirby, "some people don't want to hear that many men are coming home from the wars without arms and limbs and that many are not coming home at all. But, until each of us knows the price we must pay, until each of us feels a sense of personal responsibility to the man at the front and in the hospital and under the white cross, we are going to fall a long way short of winning total peace through total war."

Radio to Troops

What American radio means to American soldiers, at home and abroad, was pointed up by Col. Kirby's assertion: "from a morale point of view, radio is the next best thing to a letter from home."

Radio and Allied Accord

"What American radio means to the development of Allied accord, and, later, to international goodwill and understanding, is almost beyond comprehension," he said. Col. Kirby characterized music as "the common denominator of this generation on both sides of the Atlantic," and gave innumerable examples to illustrate this viewpoint.

Radio to the Home Front

Reason for radio correspondents and radio equipment going along with first assault waves is to implement the War Department's position that the "American people are entitled to the facts of war as covered by a free press and radio."

Besides the daily network broadcasts from the various theatres of operation, domestic broadcast stations are now receiving transcribed localized, hometown interviews and programs made overseas. During the last three weeks, Col. Kirby said, the Army delivered, from France, over 750 such programs to 345 domestic stations. Before the Luzon landing domestic stations received from 40 to 60 hometown recordings per week from the Southwest Pacific.

Credit for this accomplishment was attributed to overseas Army public relations men, "99 per cent of whom worked in somebody's radio station before working for Uncle Sam."

In addition to all this, from 850 to 900 local programs are broadcast weekly from Army posts and hospitals.

Col. Kirby pointed to the Army Hour as an "outstanding example of wartime cooperation between the radio industry and the War Department." This service, a "military operation of the War Department," he explained, costs the tax payers nothing, since the entire cost for lines, facilities, overseas circuits, orchestra and chorus were underwritten by the National Broadcasting Co. as a public service.

"VICTORY THROUGH AIR POWER"—25TH ANNIVERSARY BULLETIN 6

Special 25th Anniversary Bulletin 6 is on its way to you, carrying an address made by Colonel Thomas H. A. Lewis, Commanding Officer of the Armed Forces Radio Service.

This address was delivered before the Advertising Club of Los Angeles commemorating radio's 25th Anniversary.

It isn't necessary to tell you to be sure to read the whole story—just *start* reading. Your eyes won't leave this finest of stories on radio's part in anticipating its *Pledged to Victory Theme* from the very outset of the war.

BROADCASTERS ACTIVE IN RED CROSS DRIVE

John J. Dixon, commercial manager, WROK, Rockford, is general chairman of the Red Cross war fund drive in Winnebago County. William R. Traum, WROK promotion director, is chairman of the campaign's advertising and publicity committee.

Karl Koerper, vice president, KMBC, is general chairman of the Red Cross war fund campaign in Kansas City and Jackson County.

THEY COULD USE SOME OF YOUR HELP

Here's a chance to help the kids who deliver your newspapers . . . youngsters who are also regular listeners of your programs. According to Treasury these boys are out to sell 48,150,000 ten cent war stamps between now and May 12. The \$4,815,000 which the sale will produce is to buy 1,000 water weasels, "swamp going jeeps," specially designed for jungle warfare against the Japs.

After checking to make sure the campaign is operative in your area, why not schedule some announcements in behalf of the newsboy listeners? Why not spot some of the boys, for a minute, here and there, on some of your shows?

This direct sales activity on the part of these young business men will also serve to "prime" buyers for the forthcoming Seventh War Loan.

ANGEL OF BATAAN ON WHIO

Dayton, Ohio, March 1.—Almost as soon as Lt. Helen Gardner, one of the "Angels of Bataan," arrived in Dayton, WHIO had her on the air. This nurse, who had been interned in the Santo Tomas camp at Manila, was interviewed Wednesday, February 28, at 5:30 p. m.

FIRE MOVES WOPI INTO TEMPORARY QUARTERS

Bristol, Tenn.—Station WOPI, Bristol, Tenn., is occupying temporary offices in the Union Trust Building at 410 State Street, Bristol.

WOPI's equipment was almost entirely destroyed in a recent fire which ravished the building in which the station was formerly located.

"ALL'S WELL THAT ENDS WELL"

Mahlon Aldridge, KXOK news editor, recently worked until small hours of the morning greeting Bataan nurses at Lambert Airport, recording interviews, then rebroad-

casting them twice. He next rushed to make a train for Jefferson City, where his wife presented him with a new heir, a bouncing boy.

INMAN DISTRIBUTES MONTAGE OF CLIPS

Don E. Inman, vice president, WNAX, Yankton, has given wide distribution to a 13½ x 20 montage of newspaper clippings which followed the trip to Washington, D. C., of the "typical Midwest farm family," late January.

"Even a Hollywood glamour star would raise an envious eyebrow at the avalanche of articles that appeared in newspapers throughout the nation," says Don.

While in Washington, the Ettesvold family were guests at a dinner at the Statler, tendered by the Cowles stations.

MIDLAND SCHOOLS SOLD BY KMBC

Stock in Midland Radio & Television Schools, Inc., all of which was owned by KMBC, has been acquired by G. L. Taylor, president and active head of the schools. Under the new ownership the school name will be changed to Central Radio & Television Schools, Inc., the Midland name being retained by the Midland Broadcasting Company, owners and operators of KMBC.

Coincident with the school changes, the appointment of Robin D. Compton was announced as technical director of Midland Broadcasting Company.

Much of Mr. Compton's time will be occupied with FM, television, facsimile, and other developmental and technical research projects.

PROGRAM MATERIAL

Returning veterans are big news to the home town folks these days.

NAB is anxious to hear from you about programs built around this subject.

Just a few lines on this and other programs that you feel are a little unusual, or have an unusual angle.

VICTOR H. HANSON, WSGN OWNER, DIES

Birmingham, Ala., Mar. 7.—Victor H. Hanson, 69, owner of WSGN, Birmingham, and chairman of the board of the Birmingham *News* and *Age-Herald*, died today after a brief illness at his home here.

Mr. Hanson suffered a heart attack two weeks ago at Miami Beach, Fla., and had been confined to his home since his return last Friday.

GEORGE HENRY PAYNE DIES

George Henry Payne, FCC Commissioner from 1934 to 1943, died March 3 of a heart ailment at the home of his daughter, Mrs. Virginia Payne Ahrens, in Hollis, L. I. His age was 68. After leaving the FCC, he became vice president and director of the Finch Telecommunications Company of New York.

PLATTERS TO YANK PRISONERS

American prisoners of war in Germany are to receive recordings of American radio programs, War Prisoners Aid of the Young Men's Christian Association has announced. Through special arrangements made with sponsors as well as with the American Federation of Musicians and the American Federation of Radio Artists, the programs are to be recorded on twelve inch discs, with all commercials deleted. They will be shipped to German prison camps where Americans are interned, through War Prisoners Aid of the Y.M.C.A. whose function is to furnish edu-

ational, recreational and religious materials to prisoners of war.

SPECIAL A. F. OF L. BULLETIN

This bulletin, containing a letter from the Hon. Clarence F. Lea, Chairman of the House Committee on Interstate and Foreign Commerce, went out to you on March 5.

NAB urges that you give this bulletin careful consideration.

SET DATES FOR EDUCATION WEEK

The 1945 American Education Week will be held November 11-17, inclusive, according to announcements from the four sponsoring organizations, National Education Association, American Legion, U. S. Office of Education and National Congress of Parents and Teachers.

The list of daily topics as supplied by Lyle W. Ashby, National Education Association, will be: Emphasizing Spiritual Values, November 11; Finishing the War, 12; Securing the Peace, 13; Improving Economic Well-being, 14; Strengthening Home Life, 15; Developing Good Citizens, 16; Building Sound Health, 17.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 12. They are subject to change.

Monday, March 12

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Renewal of license; 1230 kc., 100 watts night, 250 watts day, unlimited.

Thursday, March 15

Consolidated Hearing

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

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

Federal Communications Commission Action

APPLICATIONS GRANTED

KENO—Nevada Broadcasting Co. (assignor), Maxwell Kelch and Laura Bell Kelch, d/b as Nevada Broadcasting Co. (assignee), Las Vegas, Nevada.—Granted consent to voluntary assignment of license of station KENO from Nevada Broadcasting Company to Maxwell Kelch and Laura Bell Kelch, d/b as Nevada Broadcasting Co.; no monetary consideration involved; reason for assignment is to change the form of licensee from a corporation to a partnership. (B5-AL-472)

WMFF—Edward H. Bragg and Leslie F. Bragg (transferor), George F. Bissell (transferee), Plattsburg Broadcasting Corp. (licensee), Plattsburg, N. Y.—Granted consent to transfer of control of Plattsburg Broadcasting Corp., licensee of station WMFF from Edward H. Bragg and Leslie F. Bragg,

to George F. Bissell through purchase of 169 shares, or 51.9 percent, of outstanding capital stock for a consideration of \$24,000. (B1-TC-422)

WJJD—Marshall Field (transferor), Field Enterprises, Inc. (transferee), WJJD, Inc. (licensee), Chicago, Ill.—Granted consent to transfer of control of WJJD, Inc., licensee of WJJD, from Marshall Field to Field Enterprises, Inc., by issuance to transferor of 6,926 shares (par value \$692,600) of transferee's 6 percent non-cumulative voting preferred stock; for 15,000 shares, 100 percent of the outstanding no par common stock of the licensee. (B4-TC-426)

WSAI—Marshall Field (assignor), Buckeye Broadcasting Co. (assignee), Cincinnati, Ohio.—Granted consent to voluntary assignment of license of station WSAI from Marshall Field to Buckeye Broadcasting Co., by issuance to assignor of 5,834 shares of 6 percent non-cumulative preferred stock (par value \$583,400) of Field Enterprises, Inc., for the issuance to it of all the authorized capital stock (1,000 shares of common stock) of the assignee, Buckeye Broadcasting Co. (B2-AL-463)

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted modification of construction permit (B1-P-2924 as modified) for changes in directional antenna system and extension of completion date to 60 days after grant hereof. (B1-MP-1801)

W1XMR—Matheson Radio Co., Inc., Boston, Mass.—Granted modification of construction permit for approval of transmitter site. This grant is upon an experimental basis only and upon the express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing, if in the discretion of the Commission the need for such action arises. Nothing contained herein shall be construed as a finding by the Comm. that the operation of this station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof.

LICENSE RENEWALS

WAGE—WAGE, Inc., Syracuse, N. Y.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter to operate with 250 watts power, employing DA at night. (B1-L-1862)

WCHV—Barham & Barham, Charlottesville, Va.—Granted license to cover construction permit which authorized change in frequency to 1240 kc. Also granted authority to determine operating power by direct measurement of antenna power.

WBKY—University of Kentucky, Lexington, Ky.—Granted license to cover construction permit for new noncommercial educational broadcast station; 42900 kc., 500 watts.

DESIGNATED FOR HEARING

The Brockway Company, Massena, N. Y.—Designated for hearing application for construction permit for a new standard broadcast station to operate on 1340 kc., 250 watts, unlimited time; hearing to be upon issues relating to Supplemental Statement of Policy and interference to existing station. (Commissioner Durr voting for a grant.) (B1-P-3734)

Birney Imes, Jr., Corinth, Miss.—Designated for hearing application for construction permit for new standard broadcast station to operate on 1230 kc., 250 watts, unlimited time, transmitter site to be determined; hearing to be upon Supplemental Statement of Policy and other stated issues. (B3-P-3850)

MISCELLANEOUS

Adelaide Lillian Carrell, Wichita, Kansas—Adopted Order granting petition insofar as it requested dismissal without prejudice of application for construction permit for new standard broadcast station. (Docket No. 6742, B4-P-3852)

Harvey Radio Laboratories, Inc., Cambridge, Mass.—Granted construction permit for new developmental broadcast station; frequencies to be assigned by Commission's Chief Engineer from time to time; 250 watts, A0, A4 and special emission for frequency modulation; unlimited time. (B1-PEX-60)

Robert W. Rounsaville, Cleveland, Tenn.—Adopted Memorandum Opinion ordering issuance of construction permit to Robert W. Rounsaville pursuant to Commission's action of January

16, 1945, grant application for a new station to operate on 1340 kc., 250 watts, unlimited time.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted motion for continuance of hearing on application for renewal of license now scheduled for March 5, to April 9.

The Press Co., Inc.—Granted request to participate in Oral Argument on application for renewal of license of WOKO, Albany, N. Y., now scheduled for March 28.

Ernest E. Forbes, Jr., tr/as Magic City, B/c Co., Birmingham, Ala.; Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson B/c Service, Birmingham, Ala.; Thomas N. Beach, Birmingham, Ala.—Granted joint motion for extension of time, a period of 30 days from March 5, for filing Proposed Findings in re applications for a new station in Birmingham.

Bernard Fein, New York City—Placed in the pending file in accordance with Commission's policy of February 23, 1943, application for FM broadcast station.

Sacramento Valley Broadcasters (a partnership), Marysville, Calif.—Placed in the pending file in accordance with Commission's policy of February 23, 1943, application for FM broadcast station.

KOMO-KJR—Fisher's Blend Station, Inc., Seattle, Wash.—On the Commission's own motion, ordered that the hearing on the applications for renewal of licenses of (main and auxiliary) stations KOMO and KJR be continued from March 15 to April 16, 1945. (Dockets 6614 and 6644)

WOKO—WOKO, Inc., Albany, N. Y.—Granted request on behalf of WOKO, Inc., for advancement of oral argument in the matter of the application for renewal of license of station WOKO, now scheduled for March 28, and advanced the oral argument to March 14, 1945. (Docket 6486)

APPLICATIONS FILED AT FCC

590 Kilocycles

KTBC—State Capital Broadcasting Assn., Inc., Austin, Texas—Voluntary assignment of license to Claudia T. Johnson.

970 Kilocycles

KOIN—KOIN, Incorporated, Portland, Ore.—License to cover construction permit (B5-P-3845) which authorized changes in transmitting equipment.

1060 Kilocycles

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Construction permit to install new directional antenna system.

1230 Kilocycles

WJNO—WJNO, Incorporated, West Palm Beach, Fla.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

KVSO—John F. Easley, Ardmore, Okla.—Modification of license to increase night power from 100 watts to 250 watts.

WOCB—E. Anthony & Sons, Inc., near Hyannis, Mass.—Voluntary assignment of license to Bristol Broadcasting Company, Inc.

1340 Kilocycles

WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Voluntary assignment of license to Bristol Broadcasting Company, Inc.

1400 Kilocycles

WRDO—WRDO, Incorporated, Augusta, Maine—Authority to determine operating power by direct measurement of antenna power.

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wis.—License to cover construction permit (B3-P-3676) which authorized increase in power and change in type of transmitter.

1460 Kilocycles

KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of construction permit (B-P-3622, which authorized increase in

power, installation of new transmitter, and changes in antenna) for extension of completion date from 3-11-45 to 6-11-45.

1490 Kilocycles

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 100 watts, and unlimited hours of operation.

FM APPLICATION

NEW—Rock Island Broadcasting Co., Rock Island, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc. with coverage of 3,000 square miles. AMENDED to change type of transmitter, change antenna system and change coverage from 3,000 square miles to 21,250 square miles.

TELEVISION APPLICATIONS

W8XGZ—Gus Zaharis, S. Charleston, W. Va.—Modification of construction permit (B2-PVG-103, which authorized a new experimental television broadcast station) for extension of completion date from 4-1-45 to 10-1-45.

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-40, as modified, which authorized a new experimental television broadcast station) for extension of completion date from 3-31-45 to 6-30-45.

MISCELLANEOUS APPLICATIONS

W8XFM—The Crosley Corp., Cincinnati, Ohio—Modification of license to change class of service from temporary class 2 experimental high frequency broadcast to developmental broadcast.

KETJ—National Broadcasting Co., Inc., San Francisco, Calif.—License to cover construction permit (B5-PRY-298) which authorized a new relay broadcast station.

Federal Trade Commission Docket

COMPLAINTS

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

Anti-Co-Rode Laboratories, 5858 Delmar Blvd., St. Louis, is charged in a complaint with misrepresenting the properties of a product designated "Anti-Co-Rode," which he advertises and sells as an effective treatment or conditioner for automotive storage batteries. (5286)

Hawthorne Candy Co., 1664 West Division St., Chicago, is charged in a complaint with the use of lottery methods in the sale of candy and other merchandise to the consuming public. (5287)

Frank L. Singer Fur Co.—A complaint has been issued charging Frank L. Singer, trading as Frank L. Singer Fur Co., Peekskill, N. Y., with misrepresentation in connection with his business of purchasing and selling raw furs. (5288)

CEASE AND DESIST ORDERS

No cease or desist orders were issued by the Commission last week.

STIPULATIONS

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

Marshall Drug Company, Inc., 213 West 34th Street, New York, has stipulated that it will discontinue misrepresenting the properties and results to be obtained from the use of a vitamin preparation designated "Dr. Brown's Calcium Pantothenate," advertised as being capable of restoring the natural color to hair and preventing gray hair. (03254)

H. H. Robertson Co.—Under an amendment to a stipulation entered into H. H. Robertson Company, Farmers Bank Building, Pittsburgh, engaged in the manufacture and sale of a monolithic floor surfacing designated "Robertson Hubbellite", agrees to cease and desist from representing that the organism causing athlete's foot cannot survive contact with such material; or otherwise representing that the material will kill such organism or under usual conditions will prevent the spread of skin infections or athlete's foot. (3734)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Roebling Luggage Corporation, 121 Liberty Street, New York, with certain misrepresentations in connection with the sale of luggage, leather goods and novelties.

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



2ND DISTRICT MEETING

Broadcasters of the 2nd District, New York and New Jersey, met at the Roosevelt Hotel, New York, on Thursday and Friday (8-9). Kolin Hager, WGY, District Director, presided. A representative group of broadcasters was present but the attendance was curtailed materially by the Government request to limit travel. J. H. Ryan, NAB President, outlined industry activities and objectives, and John Morgan Davis, NAB General Counsel and Labor Relations Director, discussed the plans which are now in process of development for the enlargement of the labor relations activities of NAB.

The afternoon session of the first day, Hugh Feltis, Broadcast Measurement Bureau President, presented the plan of that Bureau. A full report of the results of this meeting was given in Broadcast Measurement Bureau Bulletin No. 10. John A. Bacon, Commercial Manager of WGR, and Sales Managers Chairman for the 2nd District, presided over the sales managers' session which was held on the morning of the second day. Lewis H. Avery, NAB Director of Broadcast Advertising, and Helen Cornelius, Director of Retail Radio Advertising, detailed the work which they are carrying on in their respective fields.

Robert T. Mason, WMRN, Chairman of the NAB Small Market Stations Committee, presided over a session devoted to a discussion of small market stations problems. Earle Godfrey of WBAB, 2nd District Chairman of the Engineering Committee, and Howard Frazier, NAB Engineering Director, discussed technical problems and engineering developments.

Dorothy Lewis, NAB Coordinator of Listener Activities, combined with Michael R. Hanna of WHCU, NAB 2nd District Public Relations Chairman, in conducting a public relations discussion.

4TH DISTRICT MEETING (VIRGINIA, WEST VIRGINIA AND DISTRICT OF COLUMBIA SECTION)

Broadcasters of Virginia, West Virginia and the District of Columbia section of the 4th NAB District, met in Washington on Monday and Tuesday (12-13). A split meeting in this district was necessitated in order to comply with the Government request to hold outside attendance to less than 50. District Director Campbell Arnoux, WTAR, presided over the two-day session.

J. H. Ryan, NAB President, reported upon the progress and the objectives of the industry. Mr. Arnoux, as Chairman of the NAB Music Committee, reported upon the progress which had been made in bringing about a solution of some of the problems arising under ASCAP per program contracts. Roy Harlow of BMI outlined the work which BMI is carrying on and the contribution which it is making to the solution of the broadcasters' problem. He urged a more intelligent supervision of music by station managers and warned broadcasters that the selection of music was not a matter that could be left in the hands of any but a very well trained and understanding employee.

WPB TO CERTIFY DEFERMENT REQUESTS

The War Production Board (WPB) has been designated as the certifying agency for the entire communications industry, including domestic and international radio broadcasting.

Now in course of preparation is NAB Selective Service Supplement No. 28. This Supplement will contain detailed information with reference to procedures, a complete list of all WPB District Managers, and other information essential to broadcasters in seeking deferments of necessary men.

Every broadcaster should read every word of this Supplement if he desires to avail himself of his rights under selective service procedure. This new Supplement (No. 28) deals with WPB regulations and should be used in conjunction with Selective Service Supplement No. 27 (issued March 2), which deals with the corresponding Selective Service regulations. The two Supplements bring up to date all information with respect to the methods to be used by broadcasters in seeking occupational deferments.

Hugh Feltis, President of the Broadcast Measurement Bureau, presented that plan to the afternoon session and 87% of the stations present signed contracts pledging their support. John Morgan Davis, NAB General Counsel and Labor Relations Director, spoke on labor problems. He urged cooperation on the part of the stations in supplying NAB with information about contracts which they have with labor unions and also in supplying data in response to the wage and hour questionnaire.

Small market stations problems, radio broadcast advertising matters and retail radio sales relationships were presented by Lewis H. Avery, NAB Director of Broadcast Advertising, and Helen Cornelius, his assistant in charge of retail radio advertising. Irvin Abeloff, WRVA, Chairman of the 4th District Program Directors Committee and a member of the Executive Committee, discussed programming in the public interest.

James H. Moore, WSLs, District Chairman of the Public Relations Committee, Willard D. Egolf, NAB Director of Public Relations, and Dorothy Lewis, NAB Coordinator of Listener Activities, conducted a discussion on public relations at the afternoon session of the second day. Particular stress was placed upon the use by the stations of the book, "Management in the Public Interest," now being compiled and in the printers' hands and available for station distribution. A preview of this book was made

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J. H. Ryan, *President*

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

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

4TH DISTRICT MEETING (VIRGINIA, WEST VIRGINIA AND DISTRICT OF COLUMBIA SECTION)

(Continued from page 101)

in the form of exhibits which surrounded the room. Many expressions of commendation were heard.

Howard Frazier, NAB Engineering Director, and T. A. M. Craven, a member of the NAB Board and Chairman of the Board Liaison Committee to the Engineering Committee, discussed engineering problems with particular reference to the recent allocation hearings.

The North Carolina and South Carolina section of the NAB 4th District will meet in Charlotte on Thursday and Friday (15-16).

DENNY NOMINATED TO FCC

President Roosevelt on Wednesday (14) nominated Charles R. Denny, Jr., as a member of the Federal Communications Commission to succeed T. A. M. Craven who resigned June 30, 1944.

Mr. Denny was at one time Assistant General Counsel and is now Counsel of the Commission. He was born in Baltimore, April 11, 1912, the son of Charles R. and Beulah Denny.

Graduated from Amherst College in 1933 with an LL.B., he also attended Harvard. In 1937 he married Betty Marie Woolsey and has two children, Alison Byrd and Christine. He was admitted to the District of Columbia bar in 1936 and practiced with the firm of Covington, Burling, Rublee, Acheson and Shorb, from 1936 to 1938. From 1938 through 1941 he was an attorney at the Department of Justice and in 1941 and 1942 he was special assistant to the Attorney General.

PORTER ADDRESSES BROADCASTERS

In connection with the meeting of the Virginia, West Virginia and District of Columbia section of the 4th NAB District, a dinner honoring Paul A. Porter who recently assumed the post of Chairman of the Federal Communications Commission, was held at the Hotel Statler.

Campbell Arnoux, NAB 4th District Director, presided and introduced NAB President J. H. Ryan, who in turn presented Mr. Porter as the speaker of the evening. Others seated at the head table were Speaker Sam Rayburn of the House of Representatives, Senators Clyde M. Reed of Kansas, and James M. Tunnell of Delaware, both members of the Senate Interstate Commerce Committee; Chairman Clarence F. Lea of the Interstate and Foreign Commerce Committee of the House; FCC Commissioners Norman S. Case, C. J. Durr, Paul A. Walker and E. K. Jett and Eliot C. Lovett, President of the Federal Communications Bar Association.

The entire membership of the Senate Interstate Com-

merce Committee and the House Committee on Interstate and Foreign Commerce was invited and a considerable number were present. In addition the administrative staff of the FCC was in attendance. All told there were some 180 people at the dinner. Chairman Porter's remarks follow in full:

"I first want to assure both broadcasters and their guests that I am completely aware of the obvious fact that sudden appointment to important public office does not of itself contribute to the wisdom of the appointee. To the contrary some of you no doubt believe—and I have had some expression of that point of view—that the acceptance of this particular job at this particular time, far from constituting any evidence of infallibility or competent judgment, is proof positive of the exact opposite. Three months' tenure would incline me to support that view and, I am assured day by day, that the worst is yet to come.

"These preliminary observations are made solely for the purpose of seeking to avoid creating the impression that I think I know the answers. I haven't yet caught up with the questions. One thing I wish to emphasize: in spite of some pretty general doubts as to the sanity of anyone assuming these duties, I have attempted to bring to the job a sense of public responsibility, a deep feeling as to the importance and scope of the problems ahead and some understanding of the life and habits of broadcasters.

"I am appreciative of the many expressions of confidence and good will that I have received from broadcasters. I hope to deserve your continuing confidence and further, I hope relationships between the Commission and the industry always will be based upon the solid ground of mutual understanding that will permit the Commission to discharge its functions competently and honestly and the industry to perform its important public responsibilities, in an atmosphere free from suspicion or mistrust either on the part of the regulatory agency or on the part of those affected by its rules and policies.

"I do not want to give the impression that I am predicting an era of tranquillity or the dawn of a new age of sweetness and light. There just aren't enough frequencies to go around for that—or maybe in the not too distant future there will be too many frequencies. What I am trying to say is that the Commission and its members should feel free as public officials to express frankly and openly their views and opinions upon problems of mutual concern without being subject to the charge of attempting to preach, reform or to abolish the American system of broadcasting. There are a number of problems, of which we are all conscious, that can only be met rationally by free and open discussion and for my part I propose to do just that when I conceive it to be my responsibility to express an opinion or to advocate some policy, although it is my aim to do as little talking as possible. Tonight seems an appropriate occasion to talk candidly about a few of the problems we face together.

"Again, in all humility, I emphasize that my views insofar as they may have matured upon the questions I propose to discuss are worth listening to only because I happen to occupy this position at a time when the communication industry is on the threshold of such vast and significant developments.

"I have tried and will continue to strive, insofar as my own responsibilities are concerned, to maintain an open mind, to decide questions or policies, insofar as I can influence them, only after accumulating all the facts I can absorb and to act on specific matters only in concert with my colleagues on the Commission whose public responsibilities are identical to mine.

"I have never thought there was any back-door to this Commission. But if there ever was I want to assert that as far as I am concerned that door is locked and the key thrown away. The front door is wide open to all who have business before the agency and your views and advice are solicited and welcomed in assisting us in the discharge of our duties.

"I consented tonight to talk about 'Broadcasting of Tomorrow.' The topic is not a limited one even if I felt competent to discuss it. It involves prophecy of the sort that I would not like to undertake. It's dangerous business as well. There is the stern voice of experience to prove

just how far wrong can be those who essay to stake out the future. For example, not too many years ago, as time is measured, one oracle spoke thus about the future of broadcasting:

'It is inconceivable that we should allow so great a possibility for service, for news, for entertainment, for education and for vital commercial purposes to be drowned in advertising chatter. . . .'

"These were not the words of an irresponsible crackpot or reckless reformer. This was an utterance of Herbert Hoover at the first radio conference in 1922. Two years later at the conference in 1924, the distinguished Secretary of Commerce and future President had another try at predicting the future of this dynamic industry when he said:

'I believe that the quickest way to kill broadcasting would be to use it for direct advertising.'

"Please don't misunderstand me. The only point I am trying to make is that prophecy is really a dangerous undertaking. But Mr. Hoover, as is well known, is a very persistent individual. Again in 1925 he made a final fling at this pastime of prophecy when he said:

' . . . Advertising in the intrusive sense will dull the interest of the listener and will thus defeat the industry. Furthermore it can bring disaster to the very purpose of advertising if it creates resentment to the advertiser.'

And this particular prophecy was made, you understand, before the days of the singing commercial.

"Now I hope I do not subject myself to the charge that I have made an attack on advertising, free enterprise or private initiative, because I have quoted Herbert Hoover. His early forecasts on the future pattern of broadcasting as he saw it 20 years ago have not come to pass.

"Today, however, many influential broadcasters have expressed to me deep concern over what they themselves describe as an alarming trend toward 'excessive commercialism.' They see, as do many of us who have studied the great progress of this industry, developments which unless checked may lead to real difficulty in the future. I have been told, as I am sure many of you have, that somehow there must be a determination as to whether broadcasting is simply going to operate as an advertising and entertainment media or whether it will continue to perform in increasing measure public service functions in addition. I want broadcasters themselves to provide the answer to that question. The cloud on the horizon is bigger than a man's hand and I know that responsible broadcasters see it and are concerned about it.

"Naturally you are asking yourselves the question as to what extent the Commission may propose to inject itself into this particular field. I wish I could tell you the answer to that one but I can't because I don't know. I am familiar with all the arguments about the government keeping its rude, bureaucratic hands off of anything that smacks of program control and I am in agreement with most of those arguments. I am likewise conscious of the limitations imposed by Congress in the statute with respect to matters involving censorship and am fully aware of the dangers of any government agency, legislative or administrative, toying with standards of program content.

"But under present circumstances one of the issues involved has taken a different form and it has been laid right on the Commission's door-step. Briefly the facts are these: an applicant seeks a construction permit for a new station and in his application makes the usual representations as to the type of service he proposes. These representations include specific pledges that time will be made available for civic, educational, agricultural and other public service programs. The station is constructed and begins operations. Subsequently the licensee asks for a three year renewal and the record clearly shows that he has not fulfilled the promises made to the Commission when he received the original grant. The Commission in the past has, for a variety of reasons, including limitations of staff, automatically renewed these licenses even in cases where there is a vast disparity between promises and performance.

"We have under consideration at the present time, however, a procedure whereby promises will be compared with performances. I think the industry is entitled to know of our concern in this matter and should be informed that there is pending before the Commission staff proposals which are designed to strengthen renewal procedures and give the Commission a more definite picture of the station's overall operation when licenses come up for renewal.

"I have no present views as to what further steps should be taken when it appears from the record in a specific case that an applicant has completely disregarded the representations upon which he obtained his original grant. Obviously no one would advocate that the representations made in the original application constitute a rigid blueprint for the future. Experience will dictate new and superior methods of performing public service. But in cases where commercial opportunities cause a complete abandonment of other services which he has agreed to perform a different question is raised. I am not charging that broadcasting generally has tossed public service out of the window. We all know that is not true. What I am saying is that there seems to be a growing body of responsible opinion that believes that the public functions of broadcasting are becoming submerged by commercialism.

"Under these conditions, I submit to you that in a case such as I have described, the Commission is confronted with a real problem. Are we of the Commission to assume that the statutory standard of public interest becomes a mere negative presumption and that so long as the licensee violates none of the specific prohibitions against obscenity, lotteries and the like, the regulatory authority is not to inquire further into the licensee's general performance? I do not believe Congress so intended—or at least some individual members of the present Congress are looking to the Commission for some clarification of policy in this respect.

"We all recognize the important part played by broadcasting in the war program. None should seek to detract from vast contributions which have been made by the networks and a great majority of the individual stations. Perhaps I have become sensitive to what seems to be an increasingly critical atmosphere because I have only recently become exposed to it. Believing as I do in the great potentials of this industry, it is my personal view that broadcasting can never be content to become merely adequate. It can and must continue to seek new and more engaging methods to win and maintain public approval. And in evaluating public approval, it seems to me, the tastes and interests of minorities must be taken into account. Above all, it seems to me that it does no good to merely resent criticism. The nature of broadcasting is such that most listeners feel a proprietary interest in its operations and, I recognize too, that it is often true that the sins of a few are charged against the industry as a whole. But the obvious course is to seek to remove the cause of justifiable criticism.

"It is my personal position, as I have indicated, that it is far better for broadcasters themselves to take whatever actions may be necessary to eliminate the causes of general public dissatisfaction. I would view with great reluctance attempts to legislate more detailed standards in the field of the public service obligations of broadcasting. I have grave doubts not only as to the propriety but as to the practicability of spelling out by mathematical formula or some other device the general methods which broadcasters should follow in discharging their public service functions.

"The question of freedom of broadcasting is involved and those of us who feel deeply about this subject want broadcasting to remain free because it deserves to and not simply because it may under our system be entitled to claim some kind of immunity from enforced standards of conduct.

"What I have said lacks specificity. And I have been general on purpose. But I think responsible broadcasters are aware of the nature of the problems to which I have alluded. I have attempted to call attention to considerations which I know are of concern to you, to increasing segments of public opinion, to the Congress and the Commission. I have no suggestions as to any general remedy for the problem. I think the answer rests primarily with the broadcasting industry and it is my hope that there will be honest public discussion on the basic questions

of policies and procedures and that action will follow which will make it apparent to all that broadcasting can and will perform those functions which Congress intended it to perform and which its licenses require of it.

"I do not believe that there is a broadcaster in the sound of my voice who does not agree with me that if public clamor against certain practices continues, there is a very real danger that the solutions which might be proposed would be more severe than the realities of the situation require. Broadcasting of the past has been a great and growing force in America; broadcasting of today is making notable contributions to public welfare; broadcasting of tomorrow—my formal subject this evening—will be what you as individual broadcasters make it.

"There are a few other problems which I would like to mention that lie down the road not too distant. The Commission will soon be required to consider definite licensing policies with respect to television, FM and other new services. Certain contours of these policies have already been developed, with particular emphasis on avoidance of monopoly or centralization of control or whatever term you may wish to apply. With these principles I am in complete accord and I think you are, too.

"There is one basic conception I would like to emphasize. Broadcasting has come of age. I think you gentlemen as leaders of the industry know that it can stand on its own feet now and need not rely upon heavy aggregations of outside capital for future development. Those of you now in this field, plus independent newcomers who propose to bring to broadcasting their skills and talents rather than merely their accumulated funds, can I think carry broadcasting to the new heights which the engineers and technicians have mapped out.

"To be more specific, sound public policy would, in my judgment, oppose large sums of Wall Street money or any other funds coming into broadcasting as a purely speculative venture. A new empire of the ether—the spectrum space for FM and Television—is about to open up. The way applicants are lining up at the barrier waiting to go is somewhat reminiscent of the Oklahoma Territory at noon April 12, 1889. I do not know when the signal gun will be fired. It will be soon, I hope. But for the proper development of this valuable new empire, I think we want to exclude the speculators, the high pressure promoters and others who are looking merely for a quick turnover. A sound licensing policy will welcome the true homesteader and should offer grants only to those who want to take up permanent residence in this new empire, cultivate it and improve it and generally operate it in the public interest. And as far as I am concerned, I am looking to broadcasters—the proven pioneers—as the ones who will take the lead in the great developments that lie ahead. And I conceive it to be the duty of the Commission to provide every encouragement to that end.

"The reasons of public policy against purely speculative raids on broadcasting from any source are clear. Congress when it wrote the Communications Act of 1934, was concerned with diversification of control over a great new instrument for moulding the thoughts and habits of the nation. Congress didn't want control in the hands of any federal agency, and it didn't want control concentrated in the hands of any private monopoly. So it wrote anti-monopoly provisions throughout the Act and those provisions are still in force and effect. You are familiar with the present requirements as to multiple ownership of FM and Television stations, and are aware of the past efforts of the Commission to create competitive conditions in a field limited by physical facts of allocation. This protection against monopoly, it seems to me, while primarily for the benefit of the public, also protects the independent broadcast station operators who compose the chief membership of this association and who have contributed so much to the development of standard broadcasting as we know it today. There is a corresponding responsibility, accordingly, on the present broadcasters, to move forward with the advance of the art and to bring to the public the fullest possible service on the new bands which will soon be opened up for FM, television, facsimile, and the other new services.

"I don't mean to suggest, of course, that existing broadcasters are to be protected against all newcomers in FM, television, or other new fields, and I don't think broad-

casters want any such protection. The proposal of the FM Broadcasters that the FM band be widened to 80 or 100 channels and that educational broadcasting be provided for is a clear indication that the basic philosophy of the free competitive field in broadcasting is not only the policy of Congress and of the Commission, but of forward-looking broadcasters as well.

"The basic principles of diversification of control and individual-licensee responsibility are now so well understood and widely accepted that we have the opportunity to build FM and television soundly from the beginning if we have the wisdom to profit by experience.

"In the early days of standard broadcasting, these principles were not as well understood; and so various concentrations of control arose which, as you know, have been eliminated only with some difficulty. Unscrambling that situation has been—and is—no easy matter, as the industry, the Commission, the Congress and the Supreme Court know.

"Fortunately, both for the Commission and for the industry, we have today a Congress which is perhaps better informed with respect to broadcasting than its predecessors were. A long succession of hearings, first on the White Resolution and then on the Sanders Bill and then on the Wheeler-White Bill and then the Select Committee to investigate the FCC, interspersed with annual hearings before the House and Senate Appropriations Committees and the perennial Petrillo hearings—these sessions have certainly made the Congress expert in the problems which we face together. It is accordingly not too much to hope that, during the critical period of planning which lies ahead, the industry, the Commission and the Congress can each in its own sphere work towards a sound broadcasting structure for the future.

"I mentioned how much harder it is to undo the mistakes of the past than to build right from the beginning. An example is the hearings which the Commission has announced on the clear channels for May of this year. The need for this hearing can be clearly stated. According to the best data currently available to the Commission, approximately 38.5 percent of the area of the continental United States lies outside the daytime service area of any standard broadcast station; in this area live more than 10,000,000 people who are thus without daytime radio service. At night nearly 57 percent of the area of the country lies outside the *primary* service area of any standard broadcast station; and hence the 21,000,000 people residing in these regions must rely on a relatively inferior secondary service. This is an intolerable situation for a country with our great resources and technical capacity. The condition is particularly aggravated when you consider that the millions who have no service or only inferior service are precisely those isolated rural families which of necessity must rely the most on radio for their contact with the outside world. I want to emphasize that the decision to reopen the clear-channel issues, with special attention to the Congressional mandate to insure a *nation-wide* radio service was a unanimous decision. I know of no one in the Commission who does not recognize the need for a reappraisal of this problem.

"If we were starting from the beginning in standard broadcasting, as we are in television, for example, the Commission's engineers and the industry engineers could sit down and draw a master plan of allocation which would theoretically meet the service requirements of the entire country, both rural and urban. But of course we all recognize the difference between starting *de novo* and doing the best we can within the limits set by the existing situation. Just because an engineer's chart might show that wider coverage could be obtained by moving a clear channel station located on the coast to an inland site, does not mean that all things considered public interest would require such a shift. But I hope we will have the opportunity to look at many possibilities and I want to assure you that the Commission is determined to consider all relevant factors—social, economic, day and night coverage, rural and urban coverage, considerations of an equitable distribution of facilities and the like—before it reaches even tentative conclusions.

"What I am asking is full and complete cooperation of all interested elements in building a record from which sound conclusions can be drawn. The allocation hearings

just closed were a magnificent example of the way in which industry and government can pull together in reaching an agreement at least on the facts upon which conclusions must be based. There were, of course, some exceptions in the allocations hearings—a few problems too tough to achieve agreement even on the facts. But, in reviewing the spectrum from 10 kilocycles to 30,000,000 kilocycles, the amount of agreement reached is astonishing—thanks principally to industry cooperation in building the record. NBC and CBS both applauded the television allocation, for example. So the day of miracles is not past. I am hopeful that similar cooperative efforts will characterize the clear-channel hearings and from the way we are started I think that will be the case.

"I want to say to you further and with all earnestness that the Commission faces the clear channel problem with no advance conclusions or commitments. So far as I know, we are completely open-minded. We want first of all to determine what the nation-wide service picture really is. The latest survey on that subject is already seven years old and was challenged as inadequate when it was made. We want a picture of what is technically possible from an engineering point of view. And we want all the other facts in addition to engineering data which bear upon the subject. With such a record, it should be possible for the Commission to reach conclusions which would bring service to the underserved millions without doing violence to the American system of broadcasting or the legitimate interests of any particular broadcaster.

"The clear-channel group of broadcasters, the four networks and all other interested parties who have something to contribute can be of genuine help by coming in with really constructive proposals for improving the present situation. Such proposals might involve the relocating of some facilities, changes in power upward or downward, duplicate operation on clear channels, changes in antenna design or any other proposals directed toward the objective of obtaining a really nationwide service. It is my belief that we'll come out with a much sounder solution if we have constructive proposals from the industry to consider, rather than having a record filled with attempts to explain why so many of the channels which were cleared with such difficulty in the late 1920's are now rendering their primary service to the residents of fully-served urban centers.

"I've been asked why there was no FM issue written into our clear-channel order. The answer, in part at least, is that it's still too early to determine the effect of FM on AM broadcasting. In the highly unlikely event that FM supplants AM altogether in the next few years, the problem solves itself. No one, of course, seriously believes that's what will happen—certainly not the people who have been buying standard broadcast stations lately. In the somewhat more likely event that after a period of years enough city broadcasters have established themselves so firmly in FM that they just don't seek renewal of their standard broadcast licenses, it may be possible to solve the clear-channel problem by creating some more clear channels in the holes that are left open. But even that solution is conjectural and lies in the indefinite future. It's little comfort to the underserved millions today to tell them that some day FM may solve all the problems of standard broadcasting. That's why we're opening the clear-channel problem now, and leaving the effect of FM on clear channels for the future. I need not remind this group that, under the legislation which Congress enacted in 1927 and re-enacted in 1934, a radio channel is public domain, not private property. Congress could hardly have stated that fact more explicitly when it provided—and I quote the Congressional language—for "the use of channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right beyond the terms, conditions, and periods of the license." The Commission, in setting the terms and conditions, must under the law seek to establish a satisfactory service for the entire country, and that is our basic aim in the clear-channel hearing.

"In conclusion, I have a final point. The opportunity presented by presence of members of Congress is too tempting to refrain from a little lobbying. I want to lobby quite frankly and openly for a bigger and better

FCC appropriation. And I am optimistic enough to hope that the broadcasting industry, which is alleged to have had some experience in this activity, might offer some assistance. Because I think I can prove to you that it is to our mutual advantage that the regulatory and licensing facilities of the Commission be expanded and improved.

"I hasten to point out to the gentlemen of Congress that I have read Section 201 of Title 18 of the United States Code which makes it a penal offense to use appropriations to pay for personal services to influence members of Congress to favor or oppose legislation and I have a legal opinion that since I am doing this on NAB time and at their expense, the statute does not apply.

"My purposes in seeking a larger appropriation for regular activities—not just a slightly larger but a much larger appropriation—do not arise from the pride of a bureaucrat who wants a bigger staff or more luxurious assistance, but stems from an honest conviction that the better the job the Commission does, the better not only the public but the industries which the Commission regulates will be served. Let's take a few examples.

"The Commission urgently needs more personnel to process broadcasting applications. On the very day the War Production Board gives the green light for civilian station construction, the Commission will be besieged for prompt action on some 500 applications for new FM stations (more than 350 of which are now on file), almost 100 television applications now on file and many more to come in these and other services. We estimate that when manpower and materials become available our licensing work will be increased at least ten-fold over the rate that prevailed before the war.

"Even if procedures are drastically revised and every effort made to simplify and stream-line, the administrative burden of discharging our statutory functions in determining the legal, technical, financial and other qualifications of applicants will be enormously increased.

"Many of you broadcasters have applications pending and there are many others in the industry who have been waiting for a termination of the war in order to improve existing facilities or build new stations. Considerable sums have been invested in preliminary engineering and legal work, money has been expended on sites and other preparatory and development expenses have been incurred. After months of waiting and planning you and other broadcasters will want and expect and deserve prompt service from the Commission.

"Frankly, you are not going to get it unless the Commission has the opportunity to expand its facilities and personnel to give this service. All of you are familiar with the amount of work necessary to bring even an uncontested application to final decision. This is not the place to debate whether all the procedures in effect are essential but I think there will be agreement at least upon the necessity of the Commission making an adequate review of the proposals it receives. Then consider the 350 FM and 100 television applications, with many more to come when the green light flashes. Then I will ask you to make a mental estimate of the number of engineers we now have on hand to process them. The Non-standard Broadcast Section of our Engineering Department is responsible for processing these applications. But, in addition to television and FM, this section also has responsibility for international broadcasting, facsimile, studio-transmitter link and some miscellaneous categories. And the section which has all these duties is composed of at present of precisely three engineers.

"We are reviewing our work-load, present and anticipated, with a view of asking Congress for a supplemental appropriation in order that those who have post-war plans about communications, including broadcasting, will not be held up by the Commission. Our goal in broadcast matters is to give the industry and the public a 30-day speed of service on all applications which can be granted without a hearing and a 90-day speed of service where a hearing is necessary. If we achieve this goal, the development for post-war broadcasting will be expedited, employment opportunities created for returning veterans and others and when final victory over our enemies is achieved we should be ready to move forward without undue delay.

It is a source of embarrassment to those of us at the Commission to have to explain to members of Congress

and applicants why the matters in which they are interested have been pending for months without action. Frankly, we all have gotten a little weary of having to apologize. We are now going to estimate our work as accurately as we can and submit a plan to the Budget Bureau and Congress which will be designed to achieve the goals we have set for ourselves. And I have every confidence that Congress will view our requirements sympathetically.

"Speed of service is only one aspect of the problem in which broadcasters should be interested. There is also the question of quality of service. FM, for example, is being widely advertised to the public as an interference-free service. It is also being urged as the final solution to all the alleged ills of broadcasting, all the way from the need for more free speech to the question of what to do about clear channels. I hope it fulfills all these expectations and I believe it has a real chance to do it. But the achieving of these or any other ends will depend in good measure upon soundness of the Commission's FM rules, its Standards of Good Engineering Practice and the proper application of these technical rules and standards in particular cases. The standard broadcast band today is an eloquent example of how badly such problems were handled 20 years ago. An effort must be made to get the technical rules and standards as near right as possible the first time rather than to try to unscramble the omelet at some future date.

"Accordingly, as soon as the allocations are out of the way, the Commission's technical staff will get into the job of developing the soundest possible technical rules and standards to match. Of course, we want to do the best job possible. That means more engineers—and the best engineers to be had. It means also a strengthening of the legal and accounting departments.

"When we submit revised estimates for these important purposes we may try to get a little more money for research. I am not talking about the kind of research that is performed in the great laboratories of this industry. But rather a sufficient staff of competent experts to coordinate the results of private research wherever it is important for the industry as a whole and applicable to the functions of the regulatory agency. Those of you who sat through the allocations hearings know how frequently an important issue turned upon the answer to a particular question—and nobody knew the answer. As Major Armstrong put it at one point, the Commission was in a position of having to predict or guess what was going to happen at the height of the next 11-year sunspot cycle. There were many other examples where intelligent research would have been vastly superior to argument in answering difficult questions.

"In the Technical Information Division of the Commission, where research of this general character is centered, we find again only three engineers.

"There are other important fields of non-technical research that could be explored. Questions of social and economic policy are too often based upon the predilections of the individuals rather than upon facts. (My earlier remarks this evening may be cited by some as an evidence of that conclusion.) But back in 1938, Senator Wheeler introduced a bill to establish a Director of Research within the Commission and so I take no credit for the idea. However, I am of the firm opinion that every dollar spent upon the proper kind of research in communications will be returned many times in terms of better service to the public, a more informed attitude by the regulatory authority and perhaps result in a more stable foundation for the industries involved.

"Finally, an increased appropriation is only one phase of getting us ready to do our job properly and promptly; finding the right men to fill the jobs is another. Today, of course, all the money in the world wouldn't get the engineering talent we need. Radio engineers are largely in the armed forces or engaged in vital war communications work. But as these men are released the Commission will want and need the services of some of them. I am hopeful, indeed, that the Commission at the proper time can sit down with the Army Signal Corps and the Office of Naval Communications and work out an arrangement whereby our employment needs will be geared into their demobilization policies. In that way a qualified

veteran could walk into the Commission the day he was discharged from the armed forces and find a desk ready and his work laid out.

"Time does not permit discussion or exploration of other problems which lie ahead. I can only say that we have our work cut out for us. In addition to winding up the frequency allocations above 25,000 kilocycles and bringing out a proposed allocation below 25,000 kilocycles, and devising rules and standards of good engineering practice for the new services involved, we also have the clear channel hearing in prospect. Moreover there is the complex question of international communications and the proposals for a consolidation or merger of these carriers. If that completed the agenda for the immediate future, it would be enough. But there's the question of what to do about international broadcasting when OWI is no longer in the field and we must consider that. Added to that is the question of what new communications legislation should be recommended to Congress. And, of course meantime, we must help prepare for the Inter-American Radio Conference at Rio de Janeiro in June and perhaps a world telecommunications conference thereafter. And always right ahead of us are the hundreds—and perhaps thousands—of broadcast applications staring us in the eye demanding attention when the freeze is thawed.

"It looks like a busy Spring ahead!"

PORTER TO ADDRESS MORSE TELEGRAPH CLUB

Paul A. Porter will be the principal speaker at a dinner to be given by the Baltimore chapter of the Morse Telegraph Club of America in that city on April 27. This announcement was made by Captain John Logan, President of the Chapter. The dinner will honor the 154th anniversary of the birth of Samuel F. B. Morse, the inventor of the telegraph. Commemorative dinners will be held at the same time in other cities throughout the country.

SENATE COMMITTEE ON APPROPRIATIONS APPROVES FCC NATIONAL DEFENSE FUND

The Senate Committee on Appropriations in reporting out the Independent Offices bill for 1946 included provision of a \$2,430,000 fund for National Defense activities of the Federal Communications Commission. This provision was in the bill as passed by the House.

The Senate Committee stipulated that the funds allocated for expenditure in the European area will cease to be available for obligation 60 days after the cessation of hostilities with Germany.



WPAR GROOVES XXV INTO FLOOD NEWS PROGRAMS

WPAR, Parkersburg, W. Va., gave its listeners a series of programs in the public interest with complete news coverage on the recent floods which swept through Parkersburg and the Ohio River Valley.

Frequent mention of radio's 25th Anniversary was grooved in with announcements that: *Radio, observing its 25th Anniversary, brings you another program in the public interest—up-to-the-minute news on the flood.*

George H. Clinton, WPAR manager, announces that

these flood programs were heard on all stations in the West Virginia network, which in turn cooperated with WLW, Cincinnati, to give listeners adequate coverage on the critical flood area.

PAPER DRIVE GETS UNEXPECTED RESULTS

Another fine old proverb has just been busted wide open. If Al Johnson, manager of Radio Station KOY, could have "counted his chickens before they were hatched," he probably would have been saved a lot of grief.

It all happened when the Phoenix station offered school children a free movie ticket for turning in ten pounds of scrap paper. Plans were made to have one theater, seating capacity 1600, honor the tickets at a special Saturday morning show.

As 210,000 pounds of paper piled up in school yards, more than 13,000 children demanded tickets to the show. After much hustling and a lot of worrying, Manager Johnson solved the problem by enlisting five theaters and running the show two consecutive Saturdays.

PROGRAM COMMITTEE MEETS IN WASHINGTON

The NAB Program Managers Committee opened a scheduled three-day meeting Wednesday (14) at the Statler Hotel, Washington, D. C.

All members of the Program Managers Executive Committee were present, as were all District Chairmen with the exception of J. C. Tully, WJAC.

First day of the meeting opened at 10 a. m. with a brief review of the origin and objectives of NAB Program Managers Committee, Chairman Harold Fair, WHO, speaking.

Afternoon of the first day was devoted to a session under the direction of George P. Ludlam, Chief, Domestic Radio Bureau, OWI. Mr. Ludlam, ably assisted by other members of the OWI staff, discussed at length problems arising from personnel and other shortages imposed by wartime operation.

Second day (15) opened with Eugene Carr (WJR), Director, Radio Section, War Finance Division of the Treasury Department, acting as Chairman for the day. Seventh War Loan was the topic of the day, with discussions on former War Loan drives. A luncheon followed at the Treasury Department where guests saw an uncensored war film. After the afternoon session at the Statler a reception concluded activities of the second day. Present were: Program Managers, Government officials, civil and military, and representatives of the Trade Press.

Friday, March 16, third and final day, will open with a discussion on *Radio's 25th Anniversary*, with later sessions devoted to discussions by Office of Censorship and Treasury Department officials. John Fetzer (WKZO), Assistant Director in Charge of Broadcasting, OWI, and Ted R. Gamble, National Director, War Finance Division, Treasury Department, are to be featured speakers.

TREASURY CONFIRMS 7TH WAR LOAN DATES

At the request of the Treasury Department, NAB is reiterating the fact that dates of the 7th War Loan are May 14-June 30, inclusive, as printed in last week's REPORTS.

Treasury Radio Chief Gene Carr says some confusion exists in the field because persons participating in the payroll deduction plan are to be solicited from April 9 on. Mr. Carr says in explanation:

"Radiowise, we plan to do nothing which will detract from the big radio 'kick-off' shows of May 13 and from all the 7th War Loan shows which follow. However, we do feel that we can help the payroll savings people get the boys in the factories to sign on the dotted line early in

April so we are putting some radio 'push' behind the advance payroll savings drive. All of the SALUTES which are to be run from April 9 to May 12 will have payroll savings announcements on them, will tell the workers to 'stash away some of that money now to help reach the goal of the Mighty Seventh.'

"OWI allocations during this same period will feature 'upping the ante' on payroll deductions. We would appreciate anything you can do locally to help the plants and factories. I am sure the local War Finance committee people will be very glad to cooperate with you in developing some shows of this type. They have been thoroughly informed as to copy policy and know all the angles to be promoted in the preliminaries to the Mighty Seventh.

"But don't forget the dates for the Seventh are *still* May 14 through June 30. That's when we give them both barrels in the way of radio promotion."

HELP FOR VETERANS

The number of Government agencies having to do with aid to the returned veteran and the larger number of other organizations, large and small, which may have helped, and which give evidence of wanting to help, have created a confused situation throughout the industry. Many letters and wires have been received from broadcasters asking for information.

NAB reproduces below an analytical letter solicited from George P. Ludlam, chief, Domestic Radio Bureau, OWI.

What Mr. Ludlam's appraisal says is that the situation is well in hand; don't rock the boat. It suggests that broadcasters use the time between now and the end of the war to make sure that there are created strong local Veteran Service Committees.

The suggestion for such committees, outlined in the book, "Veterans' Information Program" (which has been mailed to all stations), undoubtedly came from the Baruch report.

Section 6, part III (page 32), of this report reads: "That there be in each community, only one place to which returning service men and service women need to go to learn *ALL* their rights and how to get them."

Mr. Ludlam's Letter

Mr. Ludlam's letter is as follows:

"In answer to your inquiry of March 14, I can say very definitely that the affairs and problems of the returned veterans are considered an official 'war information program'—in other words, part of the regular pattern of war programs handled on a regular scheduled basis on facilities made available to the Radio Bureau of the Office of War Information.

"These facilities, as you know, have been set up to provide with the cooperation of all networks and every station in the country for a complete coverage of all problems having to do with the prosecution of the war or arising immediately from it on both a national and local basis. This means, in practical terms, that whenever it is necessary to transmit official information on the subject of veterans, more than adequate facilities are available and can immediately be employed by government agencies both nationally and locally through contact with OWI national and regional offices.

"At the moment, therefore, there would appear to be no urgent reason for additional coverage over and above what can be provided by present Radio Bureau schedules. Through these schedules, in which all radio stations participate, are transmitted all currently pertinent and authoritative information, as outlined in the 'Veterans Information Program' book published February, 1945. This is particularly true in view of the fact that the Veterans Program today is of minor dimensions compared to what it will be when demobilization begins in earnest. Stations may justifiably feel that their best promotional efforts and ideas should be held back until the situation calls for them more urgently, especially since an overwhelming majority of their listeners, whose men are still fighting,

are probably less concerned today with the program of the veteran than with the life of the soldier.

"It is fair to say, I think, that existing arrangements for radio coverage will take care of the problem adequately while present Radio Bureau operating schedules are in effect, and as long as no coordinated and generally accepted local activity is in existence in any given community. It is the hope of the government, however, as outlined on page 5 of the 'Veterans Information Program' book, that such local activity will be coordinated as soon as possible through the cooperation of community and federal agencies as well as local business, fraternal and patriotic groups. Where this has been achieved or is being achieved the local radio station will undoubtedly find it most desirable to cooperate—indeed to be a leader in the community effort.

"Where such centralization has not yet occurred, stations which are approached by individual organizations eager to be of assistance to the veteran may reasonably suggest that radio cooperation should be made available to a coordinated community undertaking rather than to any single group."

SOLDIERS LIKE HARTFORD "HOME TOWN" SHOW 3 MORE COMPLETIONS, 2 MORE ALLOCATIONS

General "Ike" Eisenhower knew what he was talking about when he made his request to the broadcast industry for a series of "hometown" broadcasts. Response from Connecticut servicemen and women on the various fronts who heard Hartford's "Let's Go to Town" program proves it. Each letter tells of the lift it gave them. Some of the more than 300 communications come from men at the front, some from men in hospitals, others from men who heard the program at sea—all plainly thrilled to hear familiar voices talking of familiar places, all testifying to the fact that the program was an outstanding morale builder.

The format of the Hartford program was that of a make-believe 30 minute leave for Hartford's men and women in the Armed Forces. They were met at the railroad station, taken to various familiar places—including Bushnell Memorial, night clubs, restaurants, a theater, a jaunt up Main Street, etc. "Radio-leave" terminated at the airport from which the service men and women returned to their posts by plane. Short talks by Gov. Raymond E. Baldwin and Mayor William H. Mortensen were featured in addition to talks by well-known local personalities.

Hartford's four radio stations—WTIC, WDRC, WTHT and WHTD—cooperated in organizing the program, with Bernard Mullins, chief announcer of WTIC, in charge of production. Mullins also wrote most of the script. Authenticity was the keyword in the production, and many remote pickups direct from the places mentioned on the "tour" were necessary to achieve the desired effect.

Altogether fourteen "scenes" were made in various places and combined in the half-hour program, in such a way that only the initiated could tell where one "scene" ended and the next one began. The program was auditioned by Paul W. Morency, NAB 1st District Director, and Leonard J. Patricelli, Task Force Commander, and, after thirty days in production, Hartford's contribution to the "Let's Go to Town" series was on its way to our Armed Forces.

Because the first letters of response were received from the Pacific area, it is believed that the program was heard in the Pacific before it was released in the European Theater of Operations. According to George Monaghan, formerly of WTHT in Hartford, and now an announcer for the Armed Forces Radio in England, Hartford's program was first of the series to be heard in Europe. (Note: the Hartford show went air transport to ETO sometime in the period Dec. 28-Jan. 3 and to short wave, same date.)

As for the reaction to the broadcast, quotes from a few of the letters which have been received speak for themselves.

Soldier Reactions

Sgt. Fred Cook of Hartford, who heard the program in Belgium, writes: "That program is what we over here, so many thousands of miles from home, like to hear. My hat is off to the person or persons who thought of this."

Cpl. Arnold Singer, Hartford, writes from "somewhere in Germany": "I can assure you that this program was the finest morale builder we have had in a long time. Midst the shells and strain of combat in this remote land of the enemy, this radio program came as 'the pause that refreshes' to those of us from our fair city. When I heard the first few words of the program and the mention of the magic word, 'Hartford,' I called out to a couple of other Hartfordites near me and the three of us sat with a far-away look in our eyes and our ears glued to the radio for the entire period of the program. As the various familiar names were mentioned of people and places, you could see our faces light up and a trace of a smile of some pleasant memory would be noticeable to others here. Yes, it did our hearts good to hear those word pictures again and we are most grateful to whom it may concern."

Pvt. Barney C. Plevokas, East Hartford, now "somewhere in France" says: "I heard the 'Let's Go to Town' program, and my main reason for writing is to let you people back home know that I'm grateful to learn that the State has worked out a plan for this war's veterans. To be frank, I was a bit worried about my post-war security, but I'm not any more, thanks to the people of Connecticut. During the course of the program Governor Baldwin mentioned the fact that all that was needed to put the plan into motion was for the boys and women to come back. I can't exactly say how I felt when I heard the program about Hartford, my home town, but I can assure you that I feel much better now than I did before the broadcast."

Sgt. Abbott, Hartford, writes from a hospital in France: "I'll be back at the front in a few days and am grateful to you and the rest of those responsible for the program for granting me the chance to carry some choice memories back with me. It gives me something else to look forward to. Thanks again, and we'll all be seeing you soon."

Cpl. Wolcott C. Hamblin, Hartford, writes from Belgium: "It was truly a furlough by proxy."

These few excerpts are typical of the many, many letters that have been sent to Hartford.

3 More Completions

Three more "home town" shows have been finished since last week;

DISTRICT 7

Youngstown.....J. L. Bowden, WKBN, *TFC

DISTRICT 8

Detroit.....Harry Bannister, WWJ, *TFC

DISTRICT 17

Tacoma.....Verne E. Sawyer, KMO, *TFC

2 New Allocations

1. A second "Let's Go to Town" program from Milwaukee is in production. R. G. Winnie, WTMJ, is Task Force Commander.

2. A second "Let's Go to Town" program has been allocated to Waterbury, Conn. Task Force Commander is E. J. Frey, WBRY.

* Task Force Commander.

WHAS AND PAPERS GET LEGION AWARD

For promoting and sponsoring the "Phone Home Fund" which provided a "pot" slightly in excess of \$40,000 for wounded soldiers at Nichols General Hospital and Bowman

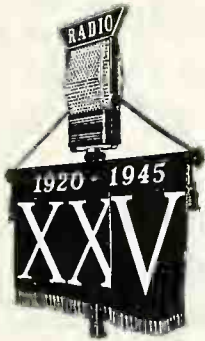
Field A.A.F. Hospital, radio station WHAS, Louisville, *The Courier Journal* and *The Louisville Times* received a certificate of distinguished service from the American Legion, Department of Kentucky. So far the fund has met the cost of more than 2500 fifteen-minute calls made by wounded soldiers to their homes.

The first calls were made at Nichols General Hospital on Armistice Day, 1944, and at the Air Force Convalescent Hospital on Christmas Eve. The fund is expected to give every wounded soldier in these two hospitals a free call during all of 1945. J. Mac Wynn, promotion director for the newspapers and WHAS, received the citation.

ADDITIONAL COPIES RADIO NEWS RECOMMENDATIONS AVAILABLE

A number of stations have written for extra copies of "Radio News Recommendations," copies of which were mailed with last week's REPORTS.

Requests will be filled promptly. A supply has been earmarked for this purpose.



MOTOROLA RADIO OBSERVES RADIO'S 25TH ANNIVERSARY

In cooperation with NAB the Galvin Manufacturing (Motorola Radio) Corporation will adopt the recommended theme "1945—Radio's Twenty-Fifth Anniversary—Pledged to Victory" for appropriate inclusion in all Motorola Radio advertising.

Means are also being considered to publicize further Radio's Twenty-Fifth Anniversary by using Motorola Radio painted bulletin boards in metropolitan centers and Motorola Radio highway signs from coast to coast.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 19. They are subject to change.

Monday, March 19

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

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

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

Wednesday, March 21

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

Before Norman S. Case, Commissioner

WDSU—In the matter of hearing to determine whether E. A. Stephens, Fred Weber, and H. G. Wall, doing business as Stephens Broadcasting Company (WDSU), New Orleans, Louisiana, have violated Section 315 of the Communications Act.

Thursday, March 22

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license, 1020 kc., 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license, 1110 kc., 10 KW, unlimited, DA-night and day.

Federal Communications Commission Action

APPLICATIONS GRANTED

KINY—Edwin A. Kraft, Juneau, Alaska.—Granted modification of construction permit which authorized increase in power, etc., for extension of completion date to June 11, 1945, subject to the express condition that the permittee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation. (B-MP-1802)

WTMV—Mississippi Valley Broadcasting Co., Inc., E. St. Louis, Ill.—Granted authority to determine operating power by direct measurement. (B4-Z-1666)

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted authority to determine operating power by direct measurement of antenna power, upon the express condition that the licensee shall install a new antenna and ground system which will comply with the Standards of Good Engineering Practice whenever materials become available without need for priority assistance. (B1-Z-1665)

WRDO—WRDO, Inc., Augusta, Maine.—Granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1673)

WBIR—American Broadcasting Co. (Assignor), Radio Station WBIR, Inc. (Assignee), Knoxville, Tenn.—Granted consent to voluntary assignment of license of station WBIR from American Broadcasting Co. (a Ky. Corp.) to Radio Station WBIR, Inc. (a Tenn. Corp., same stockholders), for a total of \$185,751, representing notes of assignee to assignor of \$111,222; assumption by assignee of notes payable of \$71,150, and current liabilities of approximately \$3,379. (B3-AL-467)

KTUL—J. T. Griffin, deceased, (Transferor), John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased (Transferees), Tulsa Broadcasting Co., Inc. (Licensee), Tulsa, Okla.—Granted consent to involuntary transfer of control of Tulsa Broadcasting Co., Inc., licensee of KTUL, from J. T. Griffin, deceased, to John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased. No monetary consideration involved. (B3-TC-427)

WIAC—Enrique Abarca Sanfeliz, deceased (Transferor), Mrs. Enrique Abarca Sanfeliz, Executrix of estate of Enrique Abarca Sanfeliz, deceased (Transferee), Radio Station WIAC, Inc. (Licensee), San Juan, Puerto Rico.—Granted consent to involuntary transfer of control of radio station WIAC, Inc., licensee of station WIAC, from Enrique Abarca Sanfeliz, deceased, to his wife as executrix of the estate. No monetary consideration involved. (B-TC-425)

WHBG—Herbert Kendrick and G. L. Hash, a Partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted modification of construction permit, pursuant to Commission action of November 9, 1944, authorizing a new station to operate on frequency of 1400 kc., with 250 watts unlimited time, for approval of antenna and transmitter and studio location. (B2-MP-1792) In its Memorandum Opinion granting the above, the Commission also ordered that a construction permit, as modified, should be issued.

DESIGNATED FOR HEARING

KJR—Fisher's Blend Station, Inc. (Assignor), Birt F. Fisher (Assignee), Seattle, Wash.—Designated for hearing application for consent to voluntary assignment of license of Station KJR and relay, from Fisher's Blend Station, Inc., to Birt F. Fisher. (B5-AL-460 and B5-ALRE-35)

LICENSES GRANTED

KONP—Evening News Press, Inc., Port Angeles, Wash.—Granted license to cover construction permit which authorized a new station to operate on **1450 k.c.**, 250 watts, unlimited time; also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a Triplett 1696A modulation monitor will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B5-L-1858)

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted license to cover construction permit which authorized move of old main transmitter to present site to be operated as an auxiliary transmitter; also granted authority to determine operating power by direct measurement. (B2-L-1863; B2-Z-1667)

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wisc.—Granted license to cover construction permit which authorized increase in power to 250 watts and change in type of transmitter. (B4-L-1869)

WAJR—West Virginia Radio Corp., Morgantown, W. Va.—Granted application for renewal of license for regular period.

WSKB—McComb Broadcasting Corp., McComb, Miss.—Granted extension of license on a temporary basis for a period of three months.

WFTC—Jonas Weiland, Kinston, N. C.—Granted extension of license on a temporary basis for a period of three months.

WIND—Great Trails Broadcasting Corp., Dayton, Ohio.—Granted extension of license on a temporary basis for a period of six months.

W9XMB—The Moody Bible Institute of Chicago, Ill.—Granted renewal of ST broadcast station license for the period ending April 1, 1946. (B4-RST-6)

W8XFM—The Crosley Corp., Cincinnati, Ohio.—Granted renewal of temporary class 2 experimental high frequency broadcast station license for the period ending not later than April 1, 1946. (B2-REB-3)

WNEX—Macon Broadcasting Co., Macon, Ga.—Adopted Memorandum Opinion granting modification of construction permit (pursuant to Commission's action of November 28, 1944, authorizing a new station to operate on **1400 kc.**, 250 watts, unlimited power, subject to the condition that E. M. Lowe and Alfred Lowe divest themselves of any connection with the Middle Georgia Broadcasting Co., licensee of station WBML at Macon) for approval of antenna, transmitter site, and to specify studio location; further ordered that a construction permit, as thus modified be issued subject to condition stated above. (B3-MP-1794)

Lincoln Dellar, Sacramento, Calif.—Adopted Memorandum Opinion ordering issuance of a construction permit pursuant to Commission's action of November 9, 1944, authorizing a new station to operate on **1490 kc.**, 250 watts, unlimited time.

Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif.—Adopted Memorandum Opinion ordering issuance of a construction permit pursuant to Commission's action of November 9, 1944, authorizing a new station to operate on **1340 kc.**, 250 watts, unlimited time.

Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Granted request for a 30-day extension of time within which to comply with the procedural conditions attached to conditional grant for a new station made on November 21, 1944.

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Notified station to discontinue its operation prior to local sunrise pursuant to Section 3.87 of the Commission's Rules. Station WPIC is licensed to operate on **790 kc.**, 1 KW daytime only, but, under Section 3.87 it has operated between the hours of 4 a.m. and local sunrise, subject to the proviso that

any station operating during such hours receiving notice from the Commission that undue interference is caused shall refrain from such operation during such hours pending further notice from the Commission. Station WTAR, Norfolk, Va., has petitioned the Commission to order WPIC to refrain from operating prior to sunrise because of interference to WTAR also operating on **790 kc.**

MISCELLANEOUS

KSUI—The State University of Iowa, Iowa City, Ia.—Granted modification of construction permit which authorized a new non-commercial educational broadcast station, for extension of completion date to July 16, 1945. (B4-MPED-19).

WATB—Indianapolis Broadcasting Co., Indianapolis, Ind.—Granted renewal of relay broadcast station license.

The Ohio Broadcasting Co., E. Liverpool, Ohio.—Placed in the pending files in accordance with Commission's policy of February 23, 1943, application for new FM broadcast station.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted petition for continuance for hearing on applications for renewal of licenses now scheduled for March 19 and continued same to April 18, 1945.

KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses now scheduled for March 19 and continued same to April 18, 1945.

Utica Observer-Dispatch, Inc., Utica, N. Y.—Granted petition to intervene in the hearing on application of Copper City Broadcasting Corp., for a new station at Rome, N. Y., now scheduled for April 11, 1945.

WEW—The St. Louis University, St. Louis, Mo.—Denied request for special service authorization to operate on **770 kc.**, with power of 1 KW day and 250 watts night, unlimited time, for the period ending November 1, 1946. (B4-SSA-122)

KECA—Blue Network Company, Inc., Los Angeles, Calif.—Denied request for special service authorization to operate on **770 kc.**, with power of 5 KW, unlimited time, pending completion of construction contemplated in pending application. (B5-SSA-119)

APPLICATIONS FILED AT FCC

750 Kilocycles

KXL—KXL Broadcasters, Portland, Ore.—Modification of license to change hours of operation from limited time to unlimited time.

770 Kilocycles

KXA—American Radio Telephone Co., Seattle, Wash.—Special service authorization to operate unlimited time for the period ending 11-1-46.

1230 Kilocycles

WOLS—The Florence Broadcasting Co., Inc., Florence, S. C.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—License to cover construction permit (B2-ML-1169) which authorized change in frequency and hours of operation.

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—Authority to determine operating power by direct measurement of antenna power.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—License to cover construction permit (B3-P-3596) as modified, which authorized change in frequency.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Authority to determine operating power by direct measurement of antenna power.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Voluntary transfer of control of licensee corporation from Charles T. Stuart and James Stuart to Stuart Investment Co.—100%.

1320 Kilocycles

WJHP—The Metropolis Co., Jacksonville, Fla.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

- NEW—Scripps-Howard Radio, Inc., Cleveland, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 46300 kc. with coverage of 8,500 square miles.
- NEW—News-Press Publishing Co., Santa Barbara, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44300 kc. with coverage of 17,273 square miles.
- NEW—Kokomo Broadcasting Corp., Kokomo, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45700 kc. with coverage of 6,900 square miles.

TELEVISION APPLICATIONS

- NEW—Scripps-Howard Radio, Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60000-66000 kc.), with ESR of 1720.
- NEW—Philadelphia Daily News, Inc., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #9 (180000-186000 kc.) with ESR of 770.7.
- NEW—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (66000-72000 kc.) with ESR of 1227 and 1062.
- NEW—The Crosley Corp., Dayton, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78000-84000 kc.) with ESR of 1920.
- W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100, which authorized a new experimental television broadcast station) for extension of completion date from 4-1-45 to 6-30-45.

MISCELLANEOUS APPLICATIONS

- NEW—Raytheon Manufacturing Co., New York, N. Y.—Construction permit for a new developmental broadcast station to be operated on 470000-472000 kc., power of 5 KW and special emission.
- NEW—Sacramento City Unified School District, Sacramento, Calif.—Construction permit for a new non-commercial educational broadcast station to be operated on 42300 kc., power of 250 watts, and A3 emission.
- NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and #14 (230000-242000 kc.), A5 and A3 emission, power of watts (peak) for visual and 40 watts for aural.
- NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-121 as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of District of Columbia to area of central and N.E. Maryland, S.E. Pennsylvania and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days from date of grant and 180 days thereafter, respectively.
- NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-117 as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Havre de Grace, Md., to area of Central and N.E. Maryland, S.E. Pennsylvania, and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days from date of grant and 180 days thereafter, respectively.
- NEW—Philco Radio & Television Corp., area of Central and

- N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-118, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Havre de Grace, Md., to area of Central and N.E. Maryland, S. E. Pennsylvania, and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after date of grant and 180 days thereafter respectively.
- NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B2-PVB-119, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Honey Brook, Pa., to area of Central and N.E. Maryland, S. E. Pennsylvania, and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after grant and 180 days thereafter respectively.
- NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B2-PVB-120, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of S.E. Pennsylvania to area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after date of grant and 180 days thereafter respectively.
- NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-122, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Sapington, Md., to Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after date of grant and 180 days thereafter, respectively.

Federal Trade Commission Docket

COMPLAINTS

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

Charles of the Ritz Distributors Corporation, 9 University Place, New York, engaged in the sale and distribution of cosmetics, is charged in a complaint with disseminating advertisements which represent falsely that the product designated "Charles of the Ritz Throat Cream" will keep the throat smooth, firm and young looking. (5293)

Charles A. Gearing—A complaint has been issued charging Charles A. Gearing, 311 S. 22nd Avenue, Belwood, Ill., with misrepresentation in connection with the interstate sale of church flags and banners. (5292)

Nix Cosmetics Company, 162 Madison Avenue, Memphis, Tenn., is charged in a complaint with disseminating advertisements in which it represents falsely that the product it sells under the name "Nanette Cosmect Cream," when applied as directed, will develop and increase the size of a woman's breasts which lack normal growth in size because of insufficient estrogenic substances. (5291)

Truscon Laboratories, Inc.—Misrepresentation of the properties and effectiveness of waterproofing compounds advertised for treating stone, brick and cement structures is alleged in a complaint issued against The Truscon Laboratories, Inc., Detroit. The products sold by the respondent company are designated Truscon Zilicon Waterproofing Paste, Truscon Super-Por-Seal, Truscon Por-Lox, Truscon Caulking Compound and Truscon Mortite. (5290)

United Advertising Companies, Inc., 205 No. Michigan Avenue, Chicago, and Nelson J. McMahon, who is the corporation's president and trades as Tally Soap Company, are charged in a complaint with disseminating false advertisements concerning the therapeutic properties of medicated Tally soap. (5289)

CEASE AND DESIST ORDERS

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

Chick Bed Co., 96 B Ave., N. E., Cedar Rapids, Iowa, have been ordered to cease and desist from disseminating false advertisements concerning a litter or floor covering for poultry and brooder houses designated "Chick Bed." (5181)

Victory Coal Saver Mfg. Co., 32 North Pearl St., Albany, N. Y., has been ordered to cease and desist from representing that the chemical preparation he sells under the name "Victory Coal Saver" will effect a saving in coal consumption. According to the findings, the product was composed of approximately 90% common salt and small percentages of potassium permanganate and other substances, and was wholly incapable of producing any of the results claimed for it. (5076)

Vitamin Products Co., 2023 West Wisconsin Ave., Milwaukee, has been ordered to cease and desist from disseminating false advertisements concerning the nutritional and therapeutic properties of medicinal preparations, including various vitamin products. (4733)

Webster University—An order to cease and desist from misrepresentation in connection with the interstate sale of correspondence courses of instruction has been issued against Webster University, 121½ Luckie St., Atlanta, Ga. (5171)

STIPULATIONS

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

Beauty Utilities Co., 35 West 126th St., New York, have stipulated that in connection with the sale of a coal tar hair dye designated "B.U. Hair Dye" they will cease and desist. (03855)

Daison Manufacturing Corp., 1327 Fairmont Ave., Philadelphia, and Wayman Cole and Nell Cole Graves, copartners trading as J. B. Cole's Pottery Co., Steeds, N. C., engaged in the sale of glazed pottery cooking utensils, entered into a stipulation to cease and desist from advertising, labeling, invoicing or selling such utensils unless there be glued or otherwise securely affixed thereto labels bearing an unequivocal statement in clear and legible type to the effect that the use of such utensils as cooking vessels or in connection with food is potentially dangerous, due to the lead or other deleterious ingredients of the glaze, and unless all advertisements, labels, invoices or sales promotional literature also contain statements to such effect. (3986)

Four Star Products—A stipulation to discontinue certain misrepresentations in connection with the sale of a hair remover and a facial preparation has been entered into by Samuel J. Wegman, trading as Four Star Products Co., 6513 Hollywood Blvd., Hollywood. (3988)

Alice K. Rothrock, R.F.D., Lyndon, Kansas, who also trades under the name "Kay," entered into a stipulation to cease and desist from misrepresentation in connection with the sale of recipes or formulas for the treatment of certain poultry diseases and for the care of poultry. (3985)

Spry Farms, 6180 Belmar Blvd., St. Louis, has entered into a stipulation in which he agrees that in connection with the interstate sale of chicks he will discontinue using:

1. The word "Farms" in his trade name, or the same word or any other word of like meaning which connotes that he actually owns and operates or directly and absolutely controls a farm on which are produced the chicks offered for sale under such representation.

2. The terms or statements "U. S. Approved" or "ROP sired" as designation for his chicks; or any representations that they are U.S.R.O.P. chicks, that they are properly identified as having been sired by U.S.R.O.P. males, or that he participates in the National Poultry Improvement Plan.

3. The phrase "U.S. . . . double blood tested" as descriptive of his chicks, or the words "double blood tested" or other words connoting that chicks have been blood tested, when such is not a fact. (3987)

FTC CLOSES CASE

The Federal Trade Commission has closed without prejudice the case growing out of its complaint in which it charged Bissell Carpet Sweeper Co., Grand Rapids, Mich., with discriminating in price between different purchasers of its carpet sweepers of like grade and quality, in violation of Section 2 (a) of the Robinson-Patman Act.

The order states that the Commission closed the case "after further consideration of the competitive effect of respondent's quantity discount schedule of prices and respondent's justification therefor on the basis of different service costs for the different classes of purchasers paying the different prices, . . ."



Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 12, March 23, 1945

4TH DISTRICT MEETING NORTH AND SOUTH CAROLINA SECTION

North and South Carolina section of the NAB 4th District held a two-day meeting under the chairmanship of Campbell Arnoux of WTAR, District Director, at the Charlotte Hotel, Charlotte, N. C., on Thursday and Friday, March 15 and 16. The sessions were characterized by approval of the work of NAB under the direction of J. Harold Ryan, President, and enthusiasm for the newly formed Broadcast Measurement Bureau which is headed by Hugh Feltis.

At the opening session, President Ryan outlined NAB activities and objectives, stressing the many unsolved problems with which the industry is faced. G. Richard Shafto of WIS, who has been a member of the Legislative Committee since the organization of the group, presented an unusually lucid and concise report of its activities and the present status of proposed legislation.

In a similarly brief and clear report, District Director Arnoux recounted the plans of the Music Committee, which he has long served as Chairman. President Ryan returned to the floor to report on labor matters.

Following luncheon on the opening day, BMB President Feltis presented the plan for a uniform measurement of station coverage or circulation. (Full details are reported in BMB Bulletin No. 11.)

At the conclusion of the first day's sessions, the broadcasters of North and South Carolina were guests of the Charlotte radio stations—WAYS, WBT and WSOC—at a reception. These stations also furnished varied and enthusiastically received entertainment at the dinner following the reception.

As the principal speaker at the dinner, His Honor, H. H. Baxter, Mayor of the City of Charlotte, lauded the part that broadcasting has played in the conduct of the war and in the dissemination of government programs of war information. Praising both radio and press for their coverage of the actions on all of the war fronts, Mayor Baxter urged the broadcasting industry to fight unremittingly to keep press and radio free.

Following the Small Market Stations Panel at the opening of the second day's sessions, Roland Weeks of WCSC, District Chairman of the Sales Managers Committee, took the chair to preside at the Sales Managers Clinic. Lewis H. Avery presented graphs and charts tracing the growth of broadcast advertising from 1928 through 1944, while Helen A. Cornelius reviewed the possibilities and problems of retail radio advertising, concluding with a brief report of the clinical test of broadcast advertising set up by Joske's of Texas in San Antonio. The discussion of this comprehensive plan for the use of broadcast advertising by the leading department store in Texas and a review of the proposed changes in the NAB-AAAA Standard Contract for Spot Broadcasting carried through the luncheon.

The afternoon session opened with the engineering report by Philip Hedrick, Technical Director of WSJS and WMIT (FM) and District Chairman of the Engineering Committee. The report took the form of an unusual

demonstration of Frequency Modulation, during which Paul Dillon, Chief Engineer of WMIT, spoke over FM from the Winston-Salem studios of the station. During the presentation, instrumental and vocal selections were transmitted to the broadcasters over FM from the Winston-Salem studios while a transcribed selection of unusually wide range was played from the transmitter atop Mt. Mitchell.

The closing report of the afternoon session was presented by Jim Moore of WSLS, District Chairman of the Public Relations Committee, who repeated his comprehensive analysis of public service, originally delivered before the District of Columbia, Virginia and West Virginia section meeting in Washington on Monday and Tuesday, March 12 and 13.

Following these reports, the broadcasters adopted unanimously the following resolutions:

RESOLVED that the North and South Carolina section of the Fourth District of the NAB expresses its genuine appreciation of the cordial hospitality and entertainment afforded its meeting by the radio stations of Charlotte, North Carolina.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB extends its thanks to the management and staff of the Charlotte Hotel for the service and accommodations provided the membership of the section during its meeting.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB expresses its appreciation of the courtesy extended by His Honor Mayor H. H. Baxter of the City of Charlotte by honoring us with his presence at dinner and his worthwhile contribution to the evening's program.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB extends its thanks to the AAAA for honoring this meeting by sending its representative, Miss Linnea Nelson, whose authoritative and comprehensive message contributed substantially to the agenda.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB hereby wholeheartedly endorses the BMB, and expresses its admiration of the unusually capable presentation of the Bureau's functions by Mr. Hugh Feltis. Be it

FURTHER RESOLVED that the section urges the prompt subscription to the BMB by each and every station as a means of establishing a necessary uniform and accepted measurement which will enable a scientific evaluation of individual station coverage.

ALABAMA-GEORGIA SECTION OF NAB 5TH DISTRICT MEETS

Two-day meeting of the Alabama-Georgia section of the NAB 5th District was opened in Atlanta at 10:30 A.M. on Monday, March 19, with District Director John C. Bell of WBRC presiding. At the outset of the meeting, Director Bell explained that the election of a District Director, for the two-year term starting later this year, will be held by mail under an arrangement to be worked out by C. E. Arney, Jr., NAB Secretary-Treasurer, with Ernst and

(Continued on page 114)

J. H. Ryan, *President*

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

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

ALABAMA-GEORGIA SECTION OF NAB 5TH DISTRICT MEETS

(Continued from page 113)

Ernst. This technique has been dictated by the inability to hold a single meeting of all the radio stations in the NAB 5th District. (The Florida radio stations are meeting in Jacksonville on Thursday and Friday, March 22 and 23.)

Most of the first morning of the Atlanta session was devoted to a comprehensive review of NAB activities and objectives by J. Harold Ryan, NAB President, who touched upon the work of each NAB standing committee and each department of the association.

Following luncheon, Hugh Feltis, BMB President, presented in detail the plan of the Broadcast Measurement Bureau for a uniform method of determining station coverage or circulation. His presentation was enthusiastically seconded by Frank Crowther (Red Cross) of WMAZ, who claimed that his station was the first in the Alabama-Georgia section of the NAB 5th District to subscribe to the project. (Full details on the BMB session will be given in a separate BMB Bulletin.)

Second morning (March 20) opened with a lengthy discussion of labor policies and problems, led by John Morgan Davis, NAB General Counsel. He reviewed recent decisions of the National Labor Relations Board and the War Labor Board and pointed out probable trends in labor relations.

Following this discussion, the Small Market Stations Panel was held, during which the transcribed presentation, "Getting the Most Out of Local Broadcasting," was played. This pointed demonstration of the opportunity and obligation of small market stations evoked considerable comment from the broadcasters present at the meeting.

District Director Bell then introduced Mr. Crowther, who presided at the Sales Managers Clinic. This discussion, which continued after luncheon, included talks by Lewis H. Avery and Miss Helen A. Cornelius, Director and Assistant Director of Broadcast Advertising for NAB, and covered the proposed revisions of the NAB-AAAA Standard Contract for Spot Broadcasting.

Afternoon session on the second day closed with a talk on BMI by Ralph Wentworth and the adoption of the following resolutions:

WHEREAS the NAB Fifth District Meeting here assembled considers the matter of minimum standards for receiver set manufacture to be of utmost importance to the radio industry, therefore,

BE IT RESOLVED that this meeting recommends to the National Association of Broadcasters that necessary steps be taken toward encouraging adoption of minimum standards by the manufacturers of home receivers, and that these suggested minimum standards be compiled by a technical committee appointed within the National Association of Broadcasters.

WHEREAS the Alabama and Georgia broadcasters of the NAB Fifth District Meeting assembled consider certain

actions on the part of station owners having access to other forms of public expression or other media to be detrimental to the best interests of radio broadcasting, and WHEREAS the methods being used by these station owners to exploit a private policy or opinion, however sincere, have been used to the disadvantage of radio broadcasting as an industry, therefore,

BE IT RESOLVED that such methods are decried, and the attention of the Board of Directors of the National Association of Broadcasters be directed to the proper protection of broadcasting from individual opinions or policies.

WHEREAS it is the consensus of opinion of the NAB Fifth District broadcasters here assembled that there has been a long-felt need for a standard formula for measurement of radio circulation, therefore,

BE IT RESOLVED that the broadcasters of the NAB Fifth District, comprising the States of Alabama and Georgia, do hereby commend the NAB Research Committee, Mr. Hugh Feltis, Miss Linnea Nelson, and others, for their leadership in providing the industry with a proposed standard yardstick of circulation measurements for radio. BE IT RESOLVED that this Fifth District Meeting of the NAB goes on record as recognizing the effective efforts of Lewis H. Avery, Miss Helen Cornelius and their associates in the work of the NAB Department of Broadcast Advertising.

BE IT FURTHER RESOLVED that this meeting extends its sincere thanks to the Atlanta stations for making the necessary arrangements for the District Meeting in Atlanta.

NAB NEWS BUREAU LETTER GETS RESULTS

Word comes to NAB from Radio Correspondents' Association that splendid results were achieved through the letter sent out from NAB News Bureau advising broadcasters that Radio Correspondents' Association would handle the accrediting of radio newsmen who wished to cover the San Francisco Conference.

More than one-third of the newsmen who asked for accommodations mentioned the NAB letter as their source of information. In addition, several requests came to NAB direct, and arrangements were accordingly made by the News Bureau.

Thirty-six stations and four networks have requested reservations and D. Harold McGrath, superintendent of the Senate Radio Press Gallery, headquarters for Radio Correspondents' Association, announces that the results were very pleasing.

BAILEY BILL WOULD BAN ROYALTY PAYMENT TO UNIONS

Senator Josiah W. Bailey (D) of North Carolina has introduced a bill (S. 754) which has been referred to the Senate Committee on the Judiciary, which would make it unlawful for any employer to make payment of funds to any representative of his employees or for any employees' representative to accept payment of such funds from the employer, other than as specified in the bill. The bill would specifically exempt any amount deducted from the compensation of any employee and paid to a labor organization by an employer in payment of dues or other similar fees payable by such employee to such labor organization. The bill follows in full:

"A BILL

"To protect commerce from certain harmful and disruptive practices, and for other purposes.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

"(b) It shall be unlawful for any representative or agent of any employees who are engaged in commerce or

in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value, for the use of such representative or in trust or otherwise.

"(c) The provisions of this section shall not be applicable with respect to any money or other thing of value payable by an employer to an employee or former employee as compensation for, or by reason of, his services as an employee of such employer, and shall not be applicable with respect to any amounts deducted from the compensation of any employee and paid to a labor organization by an employer in payment of dues or other similar fees payable by such employee to such labor organization.

"SEC. 2. (a) Any person who willfully violates any of the provisions of this Act shall upon conviction thereof be subject to a fine of not more than \$10,000 or to imprisonment for not more than six months, or both.

"(b) The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of section 20 (relating to notice to opposite party) of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U. S. C., 1940 edition, title 28, sec. 381), to restrain violations of this Act.

"SEC. 3. As used in this Act—

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

"(b) 'Goods' means goods, wares, products, commodities, merchandise, or articles or subjects of commerce of any character, or any part or ingredient thereof.

"(c) 'Produced' means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this Act an employee shall be deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any process or occupation necessary to the production thereof, in any State.

"(d) 'Representative' means any individual who or organization which is authorized or purports to be authorized to deal with an employer, on behalf of two or more of his employees, concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

LISTENERS AND READERS LIKE NEWS OF GLOBAL SHOWS 3 MORE PROGRAMS

"Let's Go to Town" programs are being mentioned in many radio programs these days. They are being featured by many newspaper radio editors.

Letters to stations from overseas, and messages received by telephone and letter from relatives and friends of men and women, overseas, are conclusive evidence of the pleasure the programs give. When stations receive such messages they are urged to supply NAB with details.

WABC Tells Story

WABC, New York, told the story on the Margaret Arlen show, 8:45-9:00 a. m., March 6; and, on the previous Sunday, Virginia Fravesi, radio editor, the Springfield (Mass.) *Republican*, told the story in a 14-inch feature article.

Of the sixteen-page Arlen script, six were devoted to the "Let's Go to Town" programs produced and being produced by New York City stations. Miss Arlen quickly set the stage for the series in this fashion:

Arlen: "Harry, do you remember how back in November and December most of us got pretty optimistic about when the war would end in Europe?"

Marble: "Sure, and the boys over there did too . . . but that was before the Battle of the Bulge.

Arlen: "Uhhmm. It was, and many a man's hopes for going home soon were thrown off schedule. Well, General 'Ike' Eisenhower sensed this disappointment in his troops . . . so he made a suggestion to the Armed Forces Radio Services which distribute recordings to battle areas all over the world. His thought was that since the men could not go home, the next best thing was to bring home to them . . . in the form of radio transcriptions made in a couple of hundred home-towns across the United States.

Marble: "I've heard something about that project; although I didn't know that it stemmed from General Eisenhower himself.

Arlen: "Yes, it did. And all down the line, the idea has caught on like wildfire. First the Armed Forces Radio Service turned to the National Association of Broadcasters. They in turn enlisted the cooperation of local radio stations throughout the country."

Then Miss Arlen takes her listeners to Brooklyn where that show was being recorded.

"I had a rare opportunity the other night," she said, "when a friend from one of the radio stations invited me to go over to the studio where the program on Brooklyn was being recorded."

She handled the matter of industry sponsorship like this:

Marble: "Say, who directed that show . . . uh . . . was it . . .?"

Arlen: "Shush, Harry. Don't say it. Mustn't mention any names."

Marble (surprised): "Heh? Why not?"

Arlen: "Because making this series of home town radio shows . . . it's called 'Let's Go to Town' by the way . . . is strictly a cooperative enterprise in which all effort is donated . . . done entirely without pay . . ."

And then toward the last of the script she really turned on the heat to indicate how the home town atmosphere was the dominant characteristic of the shows:

Arlen: "Yes, and I was much impressed at the real home-town atmosphere created in the show. The sound men had actually gone out to Brooklyn and recorded the actual sound of a subway, the 4th Avenue local, pulling into DeKalb Avenue, of a Flatbush trolley car clanging its bell; and a wonderful sequence of the choir boys rehearsing a hymn at St. Brigid's church. Then they even went to Coney Island and had them run a roller coaster. Ebbet's Field which the narrator described as 'Heaven with Four Bases' . . . adding 'where else in the world can you get freedom of speech as when the Dodgers play the Giants.'"

Marble: "Sounds swell."

Arlen: "Oh, it was swell! And I got a warm feeling around my heart as the whole studio waited tensely for the director's cue to give them the sign that the actual recording of the show was to begin. An actress in a sequined blouse pulled her fur coat close around her because the studio was chilly . . . the sound man watched for the cue . . . and the orchestra leader had his baton raised. The cue came, the down beat was given . . . and that crowd of actors, musicians, engineers swung into the show with all their hearts . . . to help weld from voices, sound effects and music an auditory picture of Brooklyn . . . a picture that will make many an overseas man's heart skip a bit with thoughts of the Fulton street and all the other familiar haunts back home."

The Springfield Story

The first two paragraphs of the Springfield *Republican* story read:

"Recordings of Springfield's own 'Let's Go to Town,' especially requested by Gen. Eisenhower, of radio in the United States, have gone overseas to be shortwaved to fighting men. Countless men from this area will hear the 30-minute program which will bring them local talent, hometown news and familiar voices.

"Springfield's share in this war effort combined the active participation of local radio stations that worked together under Wayne Henry Latham of WSPR, war program director in this district. Stations WMAS and WBZA contributed talent from their program personnel."

Complete 3 More Global Shows

Receipt of three more "Let's Go to Town" programs is acknowledged by Armed Forces Radio Service, Los Angeles:

DISTRICT IV

Lynchburg-Danville, Va...James H. Moore, WSLs, Roanoke, *TFC

DISTRICT IX

Chicago.....Fran Coughlan, WGN, *TFC

DISTRICT X

Omaha.....Harold Hughes, KOIL, *TFC

New Philadelphia Allocation

An additional "Let's Go to Town" allocation is announced for the Philadelphia area. The program will be produced by Edward Wallis, program director, WIP.

* Task Force Commander.

PEABODY SELECTIONS ANNOUNCED

Peabody Award selections for 1944 were announced in New York this week. These awards perpetuate the memory of George Foster Peabody, New York Banker and Philanthropist, and are administered by the Henry W. Grady School of Journalism, University of Georgia, Athens, Ga.

Selections were as follows: *Outstanding News Commentary*—Raymond Gram Swing (Blue Network—American Broadcasting Co.); *Outstanding Reporting of News*—WLW, Cincinnati; *Outstanding Entertainment in Drama*—a double award: "Cavalcade of America" (National Broadcasting Co.), and Fred Allen (Columbia Broadcasting System), for comedy unexcelled over a period of twelve years; *Outstanding Entertainment in Music*—"Telephone Hour" (National Broadcasting Co.); *Outstanding Educational Program*—"Human Adventure" (Mutual Broadcasting System); *Outstanding Program for Youth*—"Philharmonic Young Artists Series," KFI, Los Angeles, for outstanding development of young musicians; *Special Award* to Col. Edward M. Kirby, Chief, Radio Branch, War Department, Washington, D. C., for his brilliant adaptation of radio to the requirements of the armed forces and the home front—American ingenuity on a global scale; *Public Service By a Regional Station (more than 1,000 watts)*: "Worcester and the World," WTAG, Worcester, Mass.; *Public Service By a Local Station (1,000 watts or less)*: a double award—first, to Station WNYC, New York City, and Mayor Fiorello LaGuardia; secondly, to Station WIBX, Utica, N. Y., for its program, "Cross-Roads," dedicated to the returned veterans.

In addition to these major awards, in recognition of which medals will be given at a dinner in New York Tuesday evening, April 10, 1945, special citations were voted to the following regional programs: "Song of the Columbia," KOIN, Portland, Oregon; "Syracuse On Trial," WFBL, Syracuse, N. Y.; "Southwest Forum," KVOO, Tulsa, Oklahoma; "St. Louis Speaks," KMOX, St. Louis, Mo.

SPECIAL PROGRAM MANAGER'S BULLETIN NO. 5

Special Program Manager's Bulletin No. 5 headed "Recommendation re: Local Copy on Treasury Salutes" accompanies this issue of NAB REPORTS.

NAB PROGRAM CHAIRMEN APPOINTED WAR LOAN FIELD COMMITTEE

NAB's 17 District Program Chairmen were appointed a special radio field committee for the Seventh War Loan by Ted R. Gamble, national director, War Finance Division, Treasury Dept., at a Friday luncheon held during the Program Managers Committee meeting, Hotel Statler, March 14-15-16.

Following is a list of the District Program Chairmen:

District Program Managers

- District 1—Wayne Henry Latham, WSPR, Springfield, Mass.
 2—Elliott Stewart, WIBX, Utica.
 3—J. C. Tully, WJAC, Johnstown.
 4—Irvin G. Abeloff, WRVA, Richmond.
 5—Robert L. Fidler, WIOD, Miami.
 6—Robert Atherton, WMC, Memphis.
 7—Howard Chamberlain, WLW, Cincinnati.
 8—Carl Vandagriff, WOWO, Ft. Wayne.
 9—Maurice P. Owens, WROK, Rockford.
 10—Harold Fair, WHO, Des Moines.
 11—Richard Day, WDGY, Minneapolis.
 12—Bill Bryan, KOMA, Oklahoma City.
 13—Ed Lally, WBAP, Fort Worth.
 14—Ralph W. Hardy, KSL, Salt Lake City.
 15—Robert H. Wesson, KGO, San Francisco.
 16—W. L. Gleeson, KPRO, Riverside.
 17—Homer Welch, KGW, Portland, Ore.

TREASURY DEPARTMENT, OFFICE OF WAR INFORMATION, PRAISE PROGRAM MANAGERS

Eugene Carr, Chief, Radio Section, War Finance Division, Treasury Department, and George P. Ludlam, Chief, Domestic Radio Bureau, Office of War Information, have expressed special appreciation of the assistance rendered by the NAB Program Managers Committee during its war activities meeting in Washington, D. C., March 14-15-16.

The Committee, consisting of the Executive Committee of ten and seventeen District Program Chairmen, met with Ludlam and OWI officials on the afternoon of March 14. The entire day and evening of March 15 were devoted to the Treasury Department and discussions of the Seventh War Loan.

In letters to Willard Egolf, NAB Director of Public Relations, who arranged the Washington meeting, Carr and Ludlam voice extraordinarily fine reactions, as follows:

"I want you to know that the War Finance Division of the Treasury Department is extremely grateful for the opportunity which you afforded us last Thursday, March 15, when we sat for the day in meetings with the Program Directors' Committee of the NAB and discussed plans for the 7th War Loan Drive.

"This one day with representative Program Directors from throughout the country served both to guide us in our thinking and stimulate us in our efforts beyond anything which I have experienced since my connection with War Bond promotion. In this feeling I am joined by each and every member of the staff of the Radio Section of the War Finance Division.

"I am convinced that no group throughout the country is more wholeheartedly willing than the broadcasters to cooperate in the tremendous task which faces us in the 7th War Loan. It remains for us in the Radio Section to give the brand of service which this wholehearted cooperation so richly deserves. This is our ambition, and once we achieve this ambition, there cannot be the slightest doubt that the Radio Industry will come through one-hundred percent. Past experience in all phases of public service bears out this contention."

EUGENE CARR,
 Chief, Radio Section.

"The Radio Bureau of the Office of War Information is deeply indebted to the National Association of Broadcasters for the recent valuable meeting with the Program Managers Committee. In addition to this somewhat formal expression of appreciation, I want to thank you personally for your courtesy in making such a get-together possible. As representative of program operations in every NAB District, it was extremely helpful for the Government to have the give-and-take of the broadcasters' point of view regarding war effort broadcasting by individual stations.

"Station program managers perform an extremely important war job. Were it not for the continuous cooperation of their departments in American radio stations, it would be difficult if not impossible for the Government to keep the home front fully informed. They interpret the national need to the community, and without such local translation complete national support would fall short of meeting the demanding necessities of modern warfare.

"It was stimulating to find them so well informed and so sincerely interested in the various campaigns and programs that make up the whole war job on the information front. We appreciated the kind words they said about the value of OWI to the broadcasters as the channelling agency for all Government departments and services, but we were even more appreciative of the opportunity to exchange ideas with the men who are responsible for delivery of the 'end product' in station operations.

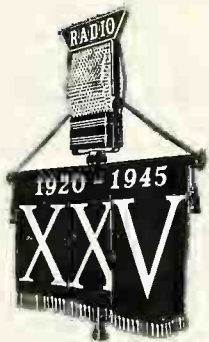
"Again, thanks to NAB and to you personally for bringing it about."

GEORGE P. LUDLAM,
Chief, Domestic Radio Bureau.

NAB CODE COMMITTEE MEETS

The Code Committee of the National Association of Broadcasters met in New York City on Wednesday and Thursday of this week, March 21-22. The meeting was an executive session to give further study to what, if any, suggested revision may be necessary in the industry's standards of practice.

The conclusions of the Committee will be submitted to the NAB Board at its next meeting.



OHIO STATE RADIO STATION OBSERVES 25TH BIRTHDAY

Columbus, O., March 23.—Ohio State University's broadcasting station, WOSU, celebrates its silver anniversary today, and most of this week will be devoted to special programs appropriate to the occasion.

It was on March 23, 1920, that the university received its first experimental license authorizing it to operate for one year on either 200 or 375 meters with a power of 1.8 kilowatts and the call letters of 8 XI. The first broadcast was on April 20.

Today WOSU is on the air an average of 72 hours a week, with a wide variety of broadcasts—music, drama, news, farm information, lectures from university classrooms, a regular Sunday afternoon forum.

Two major activities of the university station are the

"Ohio School of the Air," broadcasting programs for classroom use in the schools of the state, and the "Radio College," broadcasting courses in languages, social sciences, music appreciation, and other subjects for adults.

Ohio State's electrical engineering department began to experiment in wireless telegraphy around the turn of the century. By 1913 the university had a good station which, during the flood of that year, was one of the few ways Columbus had of keeping in touch with the outside world.

The Ohio State broadcast of April 20, 1920, was the first to be made from central Ohio, and it was heard over a radius of 120 miles—exceeding all expectations.

Dr. William Oxley Thompson, president of the university, was the speaker. He said in part:

"We are starting tonight the first of a series of programs of entertainment and instruction for the citizens of central Ohio. . . . These programs will be of the highest type, including music, science, and other subjects of popular interest. . . .

"Happily, Columbus' first radio program is being broadcast from Ohio State University. Educational institutions always have shown a strong interest in applied modern science. . . .

"I congratulate you on the prospects before you as the result of this marvelous development."

The program that night also included news—results of all games played that day in the National and American Leagues and the American Association, and the report of a \$10,000 fire in Columbus.

In June, 1922, the station received its permanent license and the call letters WEAO. The designation was changed to WOSU in September, 1933.

ELEVEN STATIONS, COAST-TO-COAST, SALUTE KFRO ON TENTH ANNIVERSARY

Station KFRO, Longview, Texas, recently completed ten years of service to its listeners.

An elaborate program was worked out to commemorate the event by James R. Curtis, President. Letters were sent to broadcasters the country over inviting them to join KFRO in observing this tenth birthday; information was enclosed on KFRO, Longview, and East Texas. Stations were asked to make a program "advertising your station and territory, salute KFRO on the transcribed program, and send it on to KFRO and we will be glad to give you this complimentary program as a part of our Tenth Anniversary. Programs may be as long as 30 minutes in duration."

Stations which responded with transcribed salutes were:

KMOX, St. Louis	30 min.
WAIT, Chicago	30 min.
WWL, New Orleans	15 min.
KELA, Centralia, Ore.	15 min.
WSPR, Springfield, Mass.	3 min.
WCAR, Pontiac	3 min.
WEBC, Duluth-Superior	15 min.
KGW, Portland, Ore.	5 min.
KTSA, San Antonio	15 min.
WIBW, Topeka	15 min.
WBAP, Ft. Worth	15 min.

KFRO went on the air in 1935 as a 100 watt daytime station. In 1940 it became a full time 1000 station with a new transmitter located on a ten acre plot just east of Longview. James R. Curtis was the original founder of the station and remains as its president.

RADIO BACKED FOUNDATION EXPANDS

With broadcasting the backbone of the fund raising activities of the National Foundation for Infantile Paralysis, broadcasters will be glad to know that \$1,267,600 has just been appropriated by the Foundation for the training of qualified physical therapists.

In announcing the appropriation President Basil O'Connor explained that present day medical treatment of patients with infantile paralysis demands more and more physical therapy. "A physical therapist," said Mr. O'Connor, "is a technician who uses physical agents such as heat, electricity, light, exercise, rest, muscle training and similar methods in contrast to the use of drugs, biological and surgical technics."

Dr. Irvin Abell, Louisville, Kentucky, chairman of the Board of Regents of the American College of Surgeons, is chairman of a special committee to assist in the development of the new program.

WLS ACCOUNTS FOR CHRISTMAS FUNDS

Christmas Neighbors Club, sponsored by Prairie Farmer and radio station WLS, Chicago, has disbursed \$85,318.89, donated by listeners and readers, since its founding in 1935. A 48-page illustrated financial report of the club has just been distributed to 13,000 persons. In 1944, according to the report, \$26,880.56 was contributed against \$3,377.04 in 1935.

The 1944 funds have already provided 140 inhalators, 118 wheel chairs, 111 infant incubators and 68 orthopedic walkers for 238 hospitals and child care institutions. Two hundred or more additional gifts will be purchased and distributed during the next few weeks.

NEW WBTM CHURCH POLICY SUCCEEDS

Since January 1, 1945, radio station WBTM, Danville, Virginia, has been operating on a policy of not selling time to religious groups. According to R. Sanford Guyer, manager, the policy continues to meet with originally anticipated success.

Change in policy was made known locally on December 16, 1944, when the cooperation of the Ministerial Association of Danville was secured. The 11-12 o'clock church hour on Sunday is given to all of the churches without charge. The station cooperates further with the Ministerial Association by scheduling a daily morning devotional period of 15 minutes. Additional time is provided the Association when it is deemed "necessary in furthering its work in Danville and vicinity."

WFA COMPLIMENTS WOMEN BROADCASTERS

Radio Round-Up, a publication issued by the War Food Administration, pays warm tribute to women broadcasters in its February 22 issue, reporting a special transcription which was prepared by the WFA and played by representatives of that government agency for listeners at the AWD-NAB "Women of the United Nations" meeting at the Hotel Roosevelt, New York City, February 17. (See NAB REPORTS, Volume XIII, page 66.)

The text of the transcription as taken from *Radio Round-Up*:

"Since the war began, every woman broadcaster has been saddled with extra responsibility . . . selling war bonds . . . recruiting women for the services and carrying other government messages into the homes of America. The War Food Administration takes this opportunity to pay tribute to the women directors for the outstanding job they have done in helping homemakers understand the swiftly changing food picture. As a group, women broadcasters have diverted attention from shortages and have helped to merchandise the plentiful foods. They have done a great deal to teach women nutrition, food conservation, food preservation, and better buying habits. These women, sitting before their microphones day after day, week after week, are a real power, in guiding homemakers through the adjustments of wartime living.

"It's easy to visualize this power when you realize the Association of Women Directors of NAB numbers its membership around 700. This pioneer organization of women was created less than six months after we entered the war. There was a real need for cooperation to promote projects affecting women listeners . . . a real need for a clearing house for ideas and techniques. And so AWD was born . . . in May 1942.

"It was no accident that the first issue of the War Food Administration's *Radio Round-Up* hit the desks of the women commentators a month later . . . in June 1942. As a matter of fact, many of the women broadcasters who helped get AWD under way were the first to ask for current factual information on the ever changing food situation. As the result of these requests WFA launched *Radio Round-Up on Food*, the weekly service sheet for women directors.

"To give you some idea how the hundreds of women broadcasters all over the country use this important information in their various shows, we are bringing you the voices of seven members of AWD . . . [the following broadcasters previously had made transcriptions of War Food messages used on their shows, and at this point their voices were dubbed in on the recorder: Ruth Chilton, WCAU, Philadelphia; Ann Holden, KGO, San Francisco; Mildred Bailey, WTAG, Worcester, Mass.; Darragh Aldrich, WCCO, Minneapolis; Ruth Crane, WMAL, Washington, D. C.; and Elizabeth Hart, WMAQ, Chicago. The platter then continues:]

"Without the help of friendly voices such as you've just heard, it would be impossible to reach every homemaker. The women broadcasters of this country are making and will continue to make a great contribution to the war effort . . . and to better living in the years to come. The War Food Administration says, most sincerely . . . thank you."

WKOK HOSPITAL BROADCASTS WELL RECEIVED

B. A. Beck, general manager of WKOK, Sunbury, Pa., informs NAB that he has had many favorable comments on a recent series of six broadcasts outlining the four-fold responsibility of the typical American hospital to the community it serves.

The series was put on the air through the cooperation of the Sunbury Community Hospital and the Sunbury Chamber of Commerce.

NATIONAL BOYS AND GIRLS WEEK APRIL 28-MAY 5

National Boys and Girls Week, a 25-year-old institution will be observed throughout the nation April 28 to May 5.

A manual giving complete information concerning Boys and Girls Week celebrations, and extensive suggestions for daily programs, may be secured without charge by writing the National Boys and Girls Week Committee, Room 950, 35 E. Wacker Drive, Chicago 1, Illinois.

Suggestions may be adapted as required to suit the needs of individual celebrations and communities.

Stated objectives of programs are:

1. To focus public attention upon boys and girls, their potentialities, and their problems, to the end that increasing numbers of adults may be awakened to the joys and opportunities of youth service and inspired to participate.
2. To give impetus to year-round programs of character building activities for the general welfare of boys and girls; and to acquaint the public with the agencies which are serving this purpose.
3. To emphasize the importance of a sound body, a trained mind, and spiritual growth in the complete development of the boy and girl; and to emphasize the important functions of the home, the church, and the school in such developments.
4. To emphasize the need for instilling in boys and girls the love of country and respect for its laws and established institutions and of bringing to each the realization of his duties and responsibilities as a citizen.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 26.

Federal Communications Commission Action

APPLICATIONS GRANTED

- WHOM**—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted modification of license to change corporate name to Atlantic Broadcasting Company, Inc. (B1-ML-1210)
- WJNO**—WJNO, Inc., West Palm Beach, Fla.—Granted authority to determine operating power by direct measurement of antenna power.
- KETJ**—National Broadcasting Co., Inc., San Francisco, Calif.—Granted license to cover construction permit for new relay broadcast station; frequencies **1606, 2074, 2102 and 2758 kc.**, 100 watts. To be used with KPO.
- W8XGZ**—Guz Zaharis, South Charleston, W. Va.—Granted modification of construction permit authorizing new experimental television broadcast station, for extension of completion date from 4-1-45 to 10-1-45.
- W2XMT**—Metropolitan Television, Inc., New York City—Granted modification of construction permit which authorized new experimental television broadcast station, for extension of completion date only, from 5-31-45 to 6-30-45. The CP is granted upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises. Nothing contained herein is to be construed as a finding by the Commission that the operation of this station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof. (B1-MPVB-117)
- KGHI**—A. L. Chilton & Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service (Assignor), A. L. Chilton, Leonore H. Chilton and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service (Assignee), Little Rock, Ark.—Granted consent to voluntary assignment of license of station KGHI, from A. L. Chilton and Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service, to A. L. Chilton, Leonore H. Chilton and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service, for a consideration of \$12,000 for a 10 per cent interest in assignee partnership acquired by Vinsonhaler. (B3-AL-473)
- Potomac Broadcasting Corp.**, Alexandria, Va.—Granted request for 30-day extension of time within which to comply with the procedural conditions attached to conditional grant for a new station.

DESIGNATED FOR HEARING

- WHEB**—WHEB, Inc., Portsmouth, N. H.—Designated for hearing application for construction permit to change frequency from **750 to 1430 kc.**, and power from 1 KW to 250 watts night, 1 KW day, and time of operation from L-WSB to unlimited. (B1-P-3853)

LICENSE RENEWALS

- KOIN**—KOIN, Inc., Portland, Ore.—Granted license to cover construction permit which authorized changes in transmitting equipment. (B5-L-1868)
- WBLR**—Columbus Broadcasting Co., Inc., area of Columbus, Ga.—Granted renewal of relay broadcast station.
- WHPT**—Radio Station WMFR, Inc., area of High Point, N. C.—Granted renewal of relay broadcast station.

- W4XGG**—Gordon Gray, Winston-Salem, N. C.—Granted renewal of ST broadcast station license for the period ending April 1, 1946.
- W3XO**—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Georgetown, D. C.—Granted renewal of temporary Class 2 experimental high frequency broadcast station license for the period ending April 1, 1946.

MISCELLANEOUS

- KXA**—American Radio Telephone Co., Seattle, Wash.—Denied special service authorization to operate unlimited time for the period ending 11/1/46.
- WMPS**—Memphis Broadcasting Co., Memphis, Tenn.—Granted renewal of license (Commissioner Durr not participating), subject to the condition that transfer of control authorized December 27, 1944, be completed within the terms of the consent as recently extended to March 27, 1945.
- WMC**—Memphis Publishing Co., Memphis, Tenn.—Granted petition for continuance of hearing on renewal application of of WMC, now scheduled for March 21 for a period of 30 days.

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

Raytheon Mfg. Co., Chicago, Ill.; Philadelphia Daily News, Inc., Philadelphia, Pa.; Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa; The Crosley Corp., Dayton, Ohio.

The Commission (by Case, Commissioner) on March 17 took the following action:

- WGBF**—Evansville On the Air, Evansville, Ind.—On the Commission's own motion, postponed the hearing on application for renewal of license, now scheduled for March 19, to April 10, 1945.
- KDNT**—Harwell V. Shepard, Denton, Texas, and WACO—Frontier Broadcasting Co., Inc., Waco, Texas.—Denied petitions for immediate consideration under Supplemental Statement of Policy of January 16, 1945, of their respective applications for new stations without prejudice to later determination on their merits, and directed that the cases be retained in the pending files.
- WFTC**—Jonas Weiland, Kinston, N. C.—Denied special service authorization to operate on **590 kc.** with power of 250 watts day, 100 watts night, for the period ending April 1, 1945. (B3-SSA-121)
- WKIX**—Inter-City Advertising Co., Columbia, S. C.—Adopted memorandum opinion granting modification of construction permit (pursuant to Commission's action of October 9, 1944, authorizing a new station to operate on **1490 kc.** with 250 watts power, unlimited time), to specify new transmitter, approval of antenna and approval of transmitter and studio location; further ordered that a construction permit as thus modified be issued. (B3-MP-1793)
- Loys Marsden Hawley**, Conway, S. C.—Adopted memorandum opinion ordering issuance of construction permit pursuant to Commission's action of January 16, 1945, authorizing a conditional grant of application for a new station to operate on **1490 kc.**, 250 watts, unlimited time.

APPLICATIONS FILED AT FCC

660 Kilocycles

- KFAR**—Midnight Sun Broadcasting Co., Fairbanks, Alaska—Extension of special service authorization to operate on **660 kc.**, with power of 10 KW, unlimited hours of operation.

890 Kilocycles

- WHNC**—Henderson Radio Corp., Henderson, N. C.—Modification of construction permit (B3-P-3641, which authorized a new standard broadcast station) for change in location of transmitter and studio. Amended to make changes in antenna.

1010 Kilocycles

- WINS**—Hearst Radio, Inc., New York, N. Y.—Voluntary assignment of license and construction permit to The Crosley Corporation.

1340 Kilocycles

- WCLS**—WCLS, Incorporated, Joliet, Ill.—Transfer of control of licensee corporation from Walter Ashe to Willard H. Erwin, Jr., Arthur C. Litton, Clint Litton, Calvin F. Wilson, Gerald G. Smith, Norman S. Fitzhugh, Jr., and Robert L. Bowles (51 shares common—51%).

1400 Kilocycles

- KNAK—Granite District Radio Broadcasting Co., Salt Lake City, Utah.—License to cover construction permit (B5-P-2750) as modified which authorized a new standard broadcast station.
- KNAK—Granite District Radio Broadcasting Co., Salt Lake City, Utah.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

- WKBV—Central Broadcasting Corp., Richmond, Ind.—License to cover construction permit (B4-P-3598), which authorized increase in power, changes in transmitting equipment, and move of transmitter and studio.
- WKBV—Central Broadcasting Corp., Richmond, Ind.—Authority to determine operating power by direct measurement of antenna power.
- WTMC—Ocala Broadcasting Co., Inc., Ocala, Fla.—Authority to install new automatic frequency control unit.

FM APPLICATIONS

- NEW—Henderson Broadcasting Co., Inc., Henderson, Ky.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49900 kc., with coverage of 7,660 square miles.
- NEW—Scripps-Howard Radio, Inc., Pittsburgh, Pa.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46900 kc., with coverage of 8,400 square miles.
- NEW—Hopkinsville Broadcasting Co., Inc., Hopkinsville, Ky.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44900 kc., with coverage of 2,841 square miles.
- NEW—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Rachel Young LaFollette, Genevieve S. Nesbit, John Ernest Roe, W. Wade Boardman, co-partners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc., with coverage of 1,279 square miles. AMENDED: to include names of Genevieve S. Nesbit, John Ernest Roe, and W. Wade Boardman in partnership.
- NEW—Fisher's Blend Station, Inc., Seattle, Wash.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43900 kc., with coverage of 15,326 square miles.
- NEW—James A. Hardman, North Adams, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49500 kc., with coverage of 7,752 square miles.
- NEW—Mid-Coastal Broadcasting Co., Washington, D. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45900 kc., with coverage of 10,800 square miles.
- NEW—Liberty Broadcasting Corp., Atlanta, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43360 kc., with coverage of 20,167 square miles.
- NEW—Fred R. Hover, d/b as Findlay Radio Co., Findlay, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44100 kc., with coverage of 6,800 square miles.
- NEW—The Crosley Corp., Washington, D. C. Construction permit for a new high frequency (FM) broadcast station to be operated on 45500 kc., with coverage of 10,800 square miles.
- NEW—Mobile Daily Newspapers, Inc., Mobile, Ala.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc., with coverage of 10,008 square miles.
- NEW—WKBH, Incorporated, LaCrosse, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44100 kc., with coverage of 15,864 square miles.

TELEVISION APPLICATION

- NEW—Scripps-Howard Radio, Inc., Pittsburgh, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (66000-76000 kc.), with ESR of 1230.

MISCELLANEOUS APPLICATIONS

- NEW—Joseph F. Novy, Riverside, Ill.—Construction permit for a new developmental broadcast station to be operated on 44500-47100 kc., power of 1 KW, and A4 and special emission.
- WSSC—Savannah Broadcasting Co., area of Savannah, Ga.—License to cover construction permit (B3-PRE-443) for a new relay broadcast station.
- KNBX—National Broadcasting Co., Inc., near Dixon, Calif.—Construction permit to change transmitter, and increase power from 50 KW to 200 KW.

Federal Trade Commission Docket

COMPLAINTS

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

William R. Hill & Co.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against William R. Hill, trading as William R. Hill & Co., 114 Virginia St., Richmond, Va., engaged in business as both a broker and a direct buyer of food products, including canned fish, canned fruits and vegetables, and other commodities. Hill also is vice president of and a large stockholder in Chas. E. Brauer Co., Inc., a wholesale grocery and confectionery firm in Richmond. (5295)

Pompeian Olive Oil Corporation, 4201 Pulaski Highway, Baltimore, is charged in a complaint with misrepresenting its Pompeian Brand olive oil as being an imported product. (5294)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

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

H. Boker & Co., Inc., a New York corporation, and H. Boker & Co., Inc., a New Jersey corporation, engaged in the manufacture, sale and distribution of knives and with offices at 101 Duane St., New York, have been ordered to cease and desist from marking, designating or describing their knives as "Scout," "Boy Scout" or "Junior Scout." The Commission found that the knives designated by such terms are not manufactured or distributed under the supervision of the Boy Scouts of America, are not approved, endorsed or sponsored by that organization and are not a part of its standard equipment. (4121)

William H. Howe, 122 Jewett St., Lowell, Mass., has been ordered to cease and desist from disseminating advertisements which represent that the preparation he sells under the name of Lady Ashton Foot Ease will remove calluses, or assist in their removal in excess of temporarily softening the outer layers. (5089)

National Retail Tea & Coffee Merchants Association, Inc., Merchandise Mart Building, Chicago, and its officers, directors and members have been ordered to cease and desist from conspiring to restrain trade and prevent and lessen competition in connection with the sale of tea, coffee, household specialties, toilet preparations and other items of merchandise commonly handled by home service merchants. (4776)

DENNY CONFIRMED

Charles R. Denny, for the past three years General Counsel of the Federal Communications Commission, was confirmed on Monday (26) as a member of the FCC. He fills the vacancy created by the retirement of T. A. M. Craven, whose term expired in June of 1944. Mr. Denny's term will extend to June 30, 1951.

Mr. Denny is well and favorably known throughout the broadcasting industry as a result of the very active part which he has taken in connection with the legal affairs of the Commission. He is a native of Baltimore, Maryland, and a graduate of Amherst College in 1933 and Harvard Law School in 1936. He practiced law in Washington for a period of two years following his graduation, then joined the Lands Division of the Department of Justice where he served for four years, going through the various stages from an attorney in the Appellate Section to assistant chief and later chief of the division.

Early in 1942 he was appointed assistant general counsel of the FCC in charge of Administration and Litigation. He succeeded to the general counselship on the resignation of Telford Taylor who entered the military service.

7TH DISTRICT MEETS

District Director Nathan Lord of WAVE presided at the two-day meeting of the NAB 7th District, held in Cincinnati on Monday and Tuesday, March 26 and 27. Following the appointment of a resolutions committee, headed by John Patt of WGAR, Director Lord introduced J. Harold Ryan, who reported at length on the activities and plans of the various NAB department directors and standing committees.

The afternoon session was devoted to the presentation of the Broadcast Measurement Bureau plan by Hugh Feltis, BMB President. (The complete details of this presentation will be reported in an early issue of the BMB Bulletin.)

The broadcasters present were the guests of the Cincinnati radio stations at a reception following the afternoon meeting on the opening day.

The second day's session opened with the Small Market Stations Panel at which Robert T. Mason of WMRN, Chairman of the NAB Small Market Stations Committee, presided. His presentation included the transcribed report of the opportunities and problems of small market stations, as well as a discussion of the opportunities for group selling on the part of small market stations.

The balance of the morning was devoted to the Sales Managers Clinic, during which Lewis H. Avery and Helen A. Cornelius spoke. Both were asked many questions about the clinical test of broadcast advertising now being conducted in San Antonio in co-operation with Joske's of Texas.

During the Sales Managers Clinic, E. Y. Flanigan of WSPD, one of the founders of the Sales Managers Division of NAB, served as chairman.

OCCUPATIONAL DEFERMENT CERTIFICATION

As reported in the NAB Selective Service Supplement No. 28 the War Production Board has been designated by the War Manpower Commission as the certifying agency for the entire communications industry including domestic broadcasting. Under the procedure having to do with requests for occupational deferment for men in the age group below 30 years, the employer must file a 42-A (Special-Revised) with the local WPB District Manager (see complete list in NAB Selective Service Supplement No. 28).

Only a relatively small number of occupational deferments can be made at the local level. Where the local WPB Manager fails or declines to certify the application, the broadcaster should ask that it immediately be transmitted to WPB, Washington, for review. Washington WPB officials have requested that the most complete information be furnished with respect to all requests for certification made by the employer.

The nature of the occupation of all registrants for whom certification is asked, their ages, length of service with the company, etc., should be given. In addition to the foregoing, information must be furnished with respect to all men employed in similar occupations and performing similar work. Here again ages, draft status, length of service, etc., should be revealed. By following strictly these procedures broadcasters may be able to secure a limited number of certifications in the lower age brackets. In order to determine the matter of certification WPB should have in its possession all of the information that is usually supplied to the draft board.

Following luncheon on the second day, the Ohio Association of Broadcasters held a brief business meeting with Robert T. Mason, president, as chairman. During the meeting, Carl Everson of WHKC reported on the various proposals before the Ohio legislature that would affect broadcasting. There was also an extended discussion of the complex time situation in Ohio.

The afternoon session concluded with talks on programming by Howard Chamberlain of WLW, District Chairman of the Program Directors Committee and Mr. Ryan, who substituted for John Patt of WGAR in the discussion of public relations.



The NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

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

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

5TH DISTRICT FLORIDA SECTION MEETS

The Florida section of the NAB 5th District held a two-day meeting in Jacksonville on Thursday and Friday, March 22 and 23. Director-at-Large Frank King of WMBR presided at all of the sessions. Twenty-six of the 29 radio stations in Florida were represented at the meeting.

Following the appointment of a resolutions committee, composed of James M. LeGate of WIOD, Chairman; S. P. Willis of WJNO, and William McBride of WDBO, Director King introduced J. Harold Ryan, NAB President. Mr. Ryan reviewed NAB activities since he assumed the presidency on April 17, outlined projected plans for the association and summarized the labor problems faced by broadcasters.

The opening session closed with an inspired appeal by Ralph Wentworth for greater use of BMI music. His report resulted in the introduction of a resolution at the closing session of the meeting. (The full text of the resolution is appended to this report.)

After luncheon, Hugh M. Feltis, BMB President, presented the full story of the Broadcast Measurement Bureau. (The results of this appeal for subscriptions are reported in BMB Bulletin No. 12.)

The alternate District Chairman for the Sales Managers Committee, Glen Marshall of WMBR, presided at the morning session on the second day, which opened with the Small Market Stations Panel and concluded with the Sales Managers Clinic. These subjects were presented by Lewis H. Avery, Director of Broadcast Advertising, and Helen A. Cornelius, Assistant Director of Broadcast Advertising. At the conclusion of the formal presentation, the broadcasters present discussed the clinical test of broadcast advertising by Joske's of Texas in San Antonio at some length.

At luncheon on the second day, W. Walter Tison of WFLA, District Chairman of the Public Relations Committee, presented the report for that group. He was followed by Robert Fidler of WIOD, District Chairman of the Program Directors Committee. The following resolutions were proposed by James M. LeGate, Chairman of the Resolutions Committee, and adopted unanimously:

WHEREAS, the Florida broadcasters of the Fifth District of the National Association of Broadcasters, in their annual meeting held in Jacksonville, Florida, March 22 and 23, 1945, did enter into a discussion with relation to the proposed standardized method of measurement survey to be conducted by the Broadcast Measurement Bureau, and

WHEREAS, it was determined that the best interests of the broadcasting industry as a whole as well as the advertising agencies and advertisers would best be served if all stations in the United States be shown in the survey regardless of the fact that some of the stations would not be subscribing members to the survey; and further de-

termined that all such stations not participating as subscribing members, but appearing in the publications of the Broadcast Measurement Bureau, be designated by some appropriate symbol, such as "non-members" or "non-subscribers," and it being the sense of this meeting that the directors of BMB be notified to this effect, therefore

BE IT RESOLVED:

1. That the proposed survey and the publications be issued subsequent thereto, include data and names of all radio stations in the United States.

2. That "non-member" stations be designated as such by some appropriate symbol.

BE IT FURTHER RESOLVED:

Since radio station coverage maps published in the past have attempted to indicate only lateral coverage, and since more recent research conducted by representatives of the various segments of the broadcast advertising industry have caused these past attempts to be adjudged inadequate, that definitive terms formerly used in preparation of these maps, namely, primary, secondary and tertiary, be dropped from usage by the Broadcast Measurement Bureau, and

BE IT FURTHER RESOLVED, that the use of varied colors formerly used to denote degrees of coverage intensity, be discontinued, and

BE IT FURTHER RESOLVED, that all counties shown to possess ten per cent or greater once-per-week listenership be termed "Effective Area," for each station concerned and that all counties included within this area be denoted by one color, and of identical shade.

WHEREAS, the Florida broadcasters of the Fifth District of the National Association of Broadcasters, in their annual meeting held in Jacksonville, Florida, March 22 and 23, 1945, did enter into a discussion of Broadcast Music, Inc., and

WHEREAS it was brought out that the Florida stations were not giving adequate support to BMI by broadcasting its controlled music, and after open discussion, it was resolved that the Florida broadcasters be urged to use and broadcast BMI music as outlined by BMI and to give such music preferential treatment at all times.

BE IT FURTHER RESOLVED that the Florida broadcasters favor an aggressive administration and operation of BMI and that BMI use all funds available to BMI in furtherance of the development and expansion of BMI rather than the rebating of earnings or the reduction of rates to its members.

WHEREAS the Florida broadcasters of the Fifth District of the National Association of Broadcasters, in their annual meeting held in Jacksonville, Florida, March 22 and 23, 1945, wish to recognize the services rendered the broadcasting industry by J. Harold Ryan, Hugh Feltis, Lewis H. Avery and Helen A. Cornelius, now, therefore,

BE IT RESOLVED, that the entire body express its sincere appreciation for the untiring efforts of J. Harold Ryan on behalf of the broadcast industry during his term of office as President of the National Association of Broadcasters, and

BE IT FURTHER RESOLVED that this meeting express its appreciation to Hugh Feltis, President of the Broadcast Measurement Bureau, for his sincere and untiring efforts to establish a standardized measurement for the broadcasting industry, and

BE IT FURTHER RESOLVED that this meeting express its appreciation to Lewis H. Avery, Director of Broadcast Advertising, and Helen A. Cornelius, Assistant Director of Broadcast Advertising, of the National Association of Broadcasters, for their contributions to the field of broadcast advertising sales.

BROADCASTERS SHOW 8% INCREASE IN WAR MESSAGES

(As Released by NAB News Bureau)

\$161,752,000.00 was the value of time on the air and performers' services provided by United States radio stations, networks and radio advertisers for delivering war messages to the public in 1944, the National Association of Broadcasters announced today. This represents an in-

crease of 8% over the volume of 1943 messages, according to War Advertising Council evaluation procedures.

Radio advertisers contributed \$64,000,000.00 of this amount. Stations and networks provided \$78,000,000.00 while performers' services for all three are estimated at \$20,000,000.00.

The Treasury Department was the largest recipient of radio support, with a figure of \$43,352,000.00, largely for the sale of War Bonds. War Food Administration and the Department of Agriculture came second, with \$15,567,000.00 in free service. The War Department, Navy Department, War Production Board, War Manpower Commission, Office of Price Administration, Office of Defense Transportation and others were recipients of free broadcast service ranging from \$1,000,000.00 to \$12,000,000.00 each.

Valuations were evolved in accordance with the formula adopted by the Media Committee of the War Advertising Council. Estimates were produced at gross rates. Announcements carried within the framework of programs were assigned a value in proportion to the percentage relationship of war message length to the NAB Code stipulation on the length of commercial copy.

The tabulation was made from records maintained by stations and networks for the second half of the year together with an estimate for the first half of the year based on the adopted procedure.

Following is a list of Government Departments and the value of free services received by each, including the American Red Cross and the National War Fund:

Treasury Department	\$ 43,352
WFA and Agriculture	15,567
War Department	12,136
Navy Department	10,030
War Production Board	9,464
Red Cross	8,215
War Manpower Commission	7,741
Federal Security	6,454
Office of Price Administration	6,312
National War Fund	6,102
Office of Defense Transportation	5,099
War Shipping Administration	4,958
Economic Stabilization	4,797
Petroleum Administration for War	1,217
Miscellaneous	20,308
	<hr/>
	\$161,752

KIBLER JOINS NAB STAFF

Milton J. Kibler has been appointed as attorney on the NAB staff to assist John Morgan Davis, NAB counsel and Director of Labor Relations, in legal matters having to do with employer-employee relationships.

Major Kibler was engaged in the active practice of law in the District of Columbia until 1941 when he became a civilian legal advisor to the Office of the Chief Engineer of the War Department. He remained in that capacity until 1942 when he was commissioned a first lieutenant, A.U.S., and assigned as legal advisor and policy director to the Director of the Procurement Office of the Surgeon General, War Department.

In November 1944 he was honorably discharged with the rank of major because of injuries incident to his service.

EQUIPMENT FOR NEW STANDARD BROADCAST STATIONS

The WPB through its Radio and Radar Division has issued a statement setting forth the new criteria to be employed in determining the allotment of equipment on construction applications for new standard broadcast stations.

Only those applications for locations which do not now receive primary service, as defined by the FCC, from

existing broadcasting stations will be considered. If, however, FCC determines that an applicant has demonstrated that service will not only serve the public interest, necessity and convenience, but that the applicant intends to provide and will serve a public need of a very unusual nature not generally served by radio broadcasting stations, then an exception will be made. Also the applicant must show to the satisfaction of the Radio and Radar Division that he either has obtained or can obtain the necessary radio equipment without placing any load on production facilities.

New stations will not be permitted to deplete any minimum normal reserves originally obtained for maintenance and repair operation.

It is further announced that an exception to these criteria will also be made upon the recommendation of the Army and Navy, supported by the Secretary of War or the Secretary of the Navy. The recommendation of any military authority stationed in the area or having an interest in the area will not be sufficient.

The Construction Bureau of WPB has been requested to use these criteria on passing of applications now pending or hereafter received.

WPB READJUSTS TUBE PRODUCTION

According to an announcement from the War Production Board an adjustment of radio receiving tube production schedules has been recently effected. The new schedules are based upon the recommendations of the Receiving Tube Scheduling Industry Advisory Committee and are designed to meet military demands in the next six months. The demands of the military still exceed production by a small margin, according to WPB radio and radar officials.

The 7 tube manufacturers, all of whom are represented on the committee, were told that all plants must maintain production schedules sufficient to assure meeting of the needs of vital Army and Navy projects. As a means of speeding up tube production to a maximum, a plan of expanded plant facilities was discussed.

The plan involved the shifting of plant facilities to areas where more labor of the necessary type is available. Following an over-all review of the entire problem involving the scheduling of all military orders and the recommending of adjustments to assure the filling of all orders, it is felt that some flexibility for the production of less critical tubes, even tubes for civilian use, may be possible if materials are available. Until the military demands are met, however, no prediction of availability of civilian tubes can be made.

ABOUT THE COMMUNICATIONS MERGER

(As Released by NAB News Bureau)

The proposed merger of international communications which is now the subject of a hearing before the Senate Interstate Commerce Committee, has given rise to a considerable number of news items and editorials. Some confusion has been created in the public mind as to the extent of the merger proposals.

The National Association of Broadcasters has received several queries as to whether or not the proposed merger involves international broadcasting. This matter was brought out in the course of the testimony of FCC Chairman Paul A. Porter, on Thursday, March 22.

Senator Burton K. Wheeler, Committee Chairman, said to Mr. Porter, "I presume that when Secretary Forrestal and Admiral Redman were referring to a merger of international communications, they were referring to radio communications and particularly to point-to-point facilities."

Mr. Porter replied, "That is correct. We are referring to common carrier, all three of us, as distinguished from

international broadcasting. . . International broadcasting is, of course, a separate and distinct problem. A problem distinguished from the one we have before us."

Chairman Wheeler then observed, "Some of them did not seem to be entirely clear with reference to that."

It should be made quite clear that international broadcasting is in no way involved in the present merger proposal. The only question being considered is the consolidation of international common carrier or point-to-point communications services.

WOMEN'S RADIO COMMITTEE URGES MORE DISCUSSION ON SAN FRANCISCO CONFERENCE

New York, N. Y.—A resolution urging radio program directors and women broadcasters to devote a maximum of time between now and April 25 to discussing the issues of the San Francisco Conference that the public generally and women's groups in particular may be thoroughly informed about them was sent yesterday to the four major networks and to the Association of Women Directors of the National Association of Broadcasters by the Women's National Radio Committee.

The resolution, framed by a subcommittee headed by Mrs. Emory Ross, vice-president of the United Council of Church Women, was the outgrowth of a recent meeting of the Committee at which the need for an educational campaign in advance of the conference was strongly stressed. At that meeting, representatives of the 25 women's organizations composing the committee were urged to make known to the delegates, well in advance of the conference, the viewpoint of their organizations as to the role the United States should play in future world affairs. Grave apprehension was expressed that unless this were done, the outcome of the conference might not be satisfactory to the American public.

The Radio Committee resolution read as follows: "We, the members of the Women's National Radio Committee, representing organizations with a membership of several million, respectfully urge that program directors of the radio networks, and commentators, both women and men, lay major emphasis between now and April 25 on the issues to be discussed at the San Francisco Conference that the deliberations may be followed by an enlightened public."

Copies of the resolution were sent to Miss Margaret Cuthbert of the National Broadcasting Company, Miss Grace Johnsen of the American Broadcasting Company, Miss Edythe Meserand of the Mutual Broadcasting System and Miss Helen Sioussat of the Columbia Broadcasting System.

Although the organization representatives present could take no action in the name of their organizations, the sentiment of the group was unanimously in favor of full participation by the United States in a future world organization.

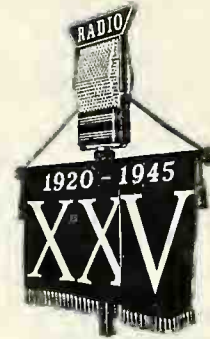
The Association of Women Directors is concurrently carrying a nationwide campaign on the subject, "Women of the United Nations." Special material prepared by UNIO and CIAA is being heard by women listeners in 270 cities over 425 stations. In 70 cities special civic plans are being directed by AWD Coordinators.

INTER-AMERICAN BROADCASTS INCREASE

Short wave broadcasts by the United States Government to the other Americas have increased from one half-hour to 280 program hours weekly, according to an article written by John W. G. V. Ogilvie, Director of the Radio Division, Office of Inter-American Affairs, appearing in the March 24 issue of the *Foreign Commerce Weekly*.

A huge listening audience has been attracted by this

war information operation which, according to the author, has important post-war potentialities for the United States in the field of foreign trade, as well as of foreign relations. Tremendous expansion has been made possible by the construction of 22 transmitters to supplement 14 transmitters which in 1942 were leased for exclusive government use. The 36 short wave transmitters now operating are shared jointly by OWI and the Office of Inter-American Affairs. One-third of the transmitter time is allocated to the OIAA for broadcasting to the other Americas.



WOW OBSERVES 22ND ANNIVERSARY

Omaha, Neb., March 26.—As an extraordinary "birthday present" to its listeners, Station WOW hopes to send Ray Clark, its chief newscaster, to the Pacific war theater to secure eye-witness, first-hand reports on how WOW-Land fighting men are getting along.

WOW begins its 23rd year of service on April 2nd. It was established on April 2, 1923.

Clark has made application for accreditation to Admiral Nimitz's command in the Central Pacific, through the Joint Army-Navy Credential Board in Washington.

Barring unexpected delays in the accrediting process, Clark expects to leave Omaha in mid-April. He plans to represent WOW as a staff correspondent at the United Nations Conference which begins April 25th. Preceding the conference he will have a series of interviews with WOW-Land wounded men in military hospitals en route.

Announcement of Clark's plans follows by less than a fortnight the arrival in Paris, France, of Foster May, special correspondent for the "News Views and Interviews" program, heard on WOW at 12 noon Saturdays. May is on the Western Front as a WOW correspondent and will send special dispatches for WOW newscasts. His first program from overseas was broadcast March 31st.

Thus with correspondents soon to be reporting from both important war theaters, WOW observes its 22nd Birthday, "pledged to Victory" and striving in every way possible to improve its broadcast service to its listeners.

WOW's birthday observance coincides with the observance of the industry's 25th anniversary—*Pledged to Victory*.

President John J. Gillin, Jr., of Radio Station WOW, Inc., ordered that there be "no celebration" of WOW's birthday.

"Celebrations can wait until after victory," Gillin wrote in a birthday message to the WOW staff. "Meanwhile all of us must renew our efforts to do all we can to help in every worthwhile war activity."

The WOW birthday brought forth scores of letters from leaders in the many phases of radio, calling attention to WOW's long service to its listeners.

Word came too that Jack Benny, "America's favorite comedian," planned to call attention to WOW's birthday on his Lucky Strike Show April 1. The Benny script called for Jack's "induction" in the "Nebraska Navy," an honor bestowed upon him by Governor Dwight Grisworld, who is "grand admiral" of the "Nebraska fleet"

and by Ted Metcalfe of Omaha, the Governor's "chief of staff."

WAYS THIRD ANNIVERSARY

Charlotte, N. C., March 27.—The month of March 1945 marks the third year since Radio Station WAYS went on the air. The rapid growth and popularity of WAYS in Charlotte, and the Piedmont Carolinas, is daily attested to by the constantly increasing influx of fan mail which exceeded 23,000 pieces in 1944.

From the modest beginning of only one commercial program and two spot announcements in March 1942, WAYS has expanded until at the present time this station puts on the air an average of more than twelve commercial broadcast hours daily, as well as more than seventy daily commercial announcements.

WAYS has always concentrated extensively on public service features for the benefit and entertainment of the listeners of Charlotte and vicinity.

In discussing the widespread popularity of this type of program, Walter H. Goan, General Manager of WAYS, said, "The local public service programs broadcast by WAYS during 1944 received such an overwhelming commendation from the listeners of the Piedmont Carolinas that we entered 1945 with even greater plans for the expansion and improvement of these popular programs." The popularity of the public service programs is enhanced by the fact that WAYS, with its 1000 watts, broadcasting day and night on 610 kilocycles, has the distinction of being the only station exclusively concentrating on covering the Piedmont Carolinas.

WHEC USES NEW XXV LOGOTYPE IN NEWSPAPER ADVERTISING

Newspaper tear-sheets of WHEC (Rochester) advertising have been received by NAB with a letter of explanation indicating that the very striking logotype which heads the advertisement will appear on all copy throughout the 1945 Anniversary observance by the industry.

WATERBURY GLOBAL SHOW A BULL'S EYE

Both broadcast management and talent appearing on the Waterbury "Let's Go to Town" program have received "letters direct from local boys from practically every section of the world where our armed forces are located. And, in addition," wrote E. J. Frey, task force commander, and manager of WBRY, "there have been dozens of telephone calls from parents and relatives of boys who have told them about hearing the show in their letters home."

Local talent appearing on the program has reported complimentary mail coming directly to them. Mayor Monagan said he had received over fifty letters.

"The reaction here has been so good that we suggest more records be made, and soon," Mr. Frey said. "We made but one record for the last quota but would like to be counted on for two or possibly three, if another series is decided upon. We believe this series is one of the finest things that radio has done during the war." (Note: So as to keep geographical allocation of programs in balance, Waterbury has been allocated but one additional program at this time.)

5 More Shows Delivered

Since last Thursday the following "Let's Go to Town" programs have been shipped to Armed Forces Radio Service:

DISTRICT II

Buffalo.....Cy King, WEBR, *TFC
(2nd Buffalo Show)
Trenton.....Dean Andrews, WTTM, *TFC

DISTRICT VI

Nashville.....Harry Stone, WSM, *TFC

DISTRICT IX

Milwaukee.....R. G. Winnie, WTMJ, *TFC
(2nd Milwaukee Show)

DISTRICT XIII

Fort Worth.....George Cranston, WBAP, *TFC

* Task Force Commander.

WTAR ISSUES PUBLIC SERVICE AND WAR EFFORT REPORT

Henry Cowles Whitehead, program director, WTAR, Norfolk, has released a compilation of the station's War Effort and Public Service for the year 1944.

The war effort accounted for 6,728 announcements and 774 programs accounting for 357 hours of broadcast time.

General public service consumed 296 hours of time with 998 announcements and 967 programs.

LASKY HEADS AD CLUB COMMITTEE

Philip G. Lasky, general manager, KROW, Oakland, has been appointed Chairman of the War Advertising Committee of the Oakland Advertising Club. He is currently serving as radio chairman of the Red Cross War Campaign Fund.

KC RED CROSS QUOTA PUSHED OVER TOP BY KOERPER

Kansas City, Mo., Mar. 29.—With Karl Koerper, managing director of WMBC, at the helm as general chairman, Kansas City's 1945 Red Cross Campaign for more than a million dollars had been over-subscribed by \$153,378 on the closing day of the drive. Late subscriptions, coming in for another two weeks, are expected to swell that total substantially.

RADIO REGULATORY AGENCIES IN AMERICAN REPUBLICS

From time to time inquiries are received at NAB for information as to the agencies in the other American republics which occupy a position corresponding to that of the Federal Communications Commission in the United States.

Through the courtesy of the Telecommunications Division of the Department of State, we have been provided with the following list:

- Argentina*
Ministry of Interior
Office of Posts and Telecommunications
- Bolivia*
Ministry of Public Works and Communications
General Telegraphs and Radiocommunications
Administration (Director General)
- Brazil*
Ministry of Communications
Department of Posts and Telegraphs
(Director General)
- Chile*
Ministry of Interior
Bureau of Electrical Services (Director General)
- Colombia*
Ministry of Communications
- Costa Rica*
Ministry of Public Works and Development
- Cuba*
Ministry of Communications

Dominican Republic

Ministry of Public Works and Communications

Ecuador

Ministry of Public Works, Agriculture and Development

El Salvador

Ministry of Interior
Director General of National Telegraphs,
Telephones and Radios

Guatemala

Ministry of Public Works
Director General of Communications

Haiti

Department of the Interior

Honduras

Ministry of Development
Director General of Electrical Communications

Mexico

Department of Communications and Public Works

Nicaragua

Ministry of Public Works and Economics
Director General of Communications

Panama

Ministry of Government and Justice
National Telegraph Department

Paraguay

Bureau of Posts and Telegraphs (Director General)

Peru

Ministry of Government and Police
Director General of Posts, Telegraphs and Radio

Uruguay

Ministry of National Defense
Department of Communications

Venezuela

Ministry of Labor and Communications

**AKRON AD CLUB SPONSORS NEWSMEN'S FORUM
ON AIR**

The Advertising Club of Akron, Ohio, is sponsoring a Washington correspondent's forum which will be broadcast over the coast-to-coast facilities of the Blue Network on Tuesday, April 3, 9:00 to 9:30 P.M., E.W.T.

The subject of the forum will be the United Nations' San Francisco meeting and its significance.

Participants in the forum will be Burt Andrews, chief of Washington Bureau, New York Herald-Tribune; John O'Donnell, chief of Washington Bureau, New York Daily News; George Dixon, King Features Syndicate; Radford Mobley, Washington Bureau, Knight Newspapers, and Edward Jamieson, president, National Press Club. John S. Knight, publisher of Knight Newspapers, will act as moderator.

LEYTE ON THE AIR

The first Armed Forces radio station in the Philippines WVTK went on the air "somewhere in Leyte" on February 20, according to an announcement by the War Department Bureau of Public Relations.

Confronted with seemingly insurmountable difficulties, with mud up to their knees, with building material lacking and outside help scarce, the staff set up the 350-watt station with surprising speed. With the aid of Filipinos, concrete bases for the two 95-foot steel towers were erected 235 feet apart. Signal Corps outfit assisted in assembling and erecting the towers. A small building was constructed directly below the antenna and a combined studio-office completes the layout.

The station is now in full operation.

NEW CHARTER FOR LABOR AND MANAGEMENT

A joint committee of industrialists and labor leaders announces the formulation of a Code of Principles of government management and labor relationships in the post war era.

At a press conference at the Chamber of Commerce of the United States on Wednesday (28) representatives of the organization committee chaired by President Eric Johnston of the CCUS, flanked by William L. Green, AFL President, and Philip Murray, CIO President, and by Edward Thomas, President of the Goodyear Tire and Rubber Company, and Otto Seyferth, President of the West Michigan Steel and Wire Company, President Johnston read the following press release:

"We in management and labor firmly believe that the end of this war will bring the unfolding of a new era based upon a vastly expanding economy and unlimited opportunities for every American.

"This peacetime goal can only be attained through the united effort of all our people. Today, we are united in national defense. Tomorrow, we must be united equally in the national interest.

"Management-labor unity, so effective in lifting war production to unprecedented heights, must be continued in the postwar. To this end, we dedicate our joint efforts for a practical partnership within the framework of this code of principles:

"1. Increased prosperity for all involves the highest degree of production and employment at wages assuring a steadily advancing standard of living. Improved productive efficiency and technological advancement must, therefore, be constantly encouraged.

"2. The rights of private property and free choice of action, under a system of private competitive capitalism, must continue to be the foundation of our nation's peaceful and prosperous expanding economy. Free competition and free men are the strength of our free society.

"3. The inherent right and responsibility of management to direct the operations of an enterprise shall be recognized and preserved. So that enterprise may develop and expand and earn a reasonable profit, management must be free as well from unnecessary governmental interference or burdensome restrictions.

"4. The fundamental rights of labor to organize and to engage in collective bargaining with management shall be recognized and preserved, free from legislative enactments which would interfere with or discourage these objectives. Through the acceptance of collective bargaining agreements, differences between management and labor can be disposed of between the parties through peaceful means, thereby discouraging avoidable strife through strikes and lockouts.

"5. The independence and dignity of the individual and the enjoyment of his democratic rights are inherent in our free American society. Our purpose is to cooperate in building an economic system for the nation which will protect the individual against the hazards of unemployment, old-age and physical impairments, beyond his control.

"6. An expanding economy at home will be stimulated by a vastly increased foreign trade. Arrangements must therefore be perfected to afford the devastated or undeveloped nations reasonable assistance to encourage the rebuilding and development of sound economic systems. International trade cannot expand through subsidized competition among the nations for diminishing markets but can be achieved only through expanding world markets and the elimination of any arbitrary and unreasonable practices.

"7. An enduring peace must be secured. This calls for the establishment of an international security organization, with full participation by all the United Nations, capable of preventing aggression and assuring lasting peace.

"We in management and labor agree that our primary duty is to win complete victory over Nazism and Japanese militarism. We also agree that we have a common joint duty, in cooperation with other elements of our national life and with government, to prepare and work for a prosperous and sustained peace. In this spirit we agree

to create a national committee, composed of representatives of business and labor organizations. This committee will seek to promote an understanding and sympathetic acceptance of this code of principles and will propose such national policies as will advance the best interests of our nation."

Following the presentation of the Code of Principles, representatives of the press and of trade associations made many inquiries of the committee representatives. Both Presidents Murray of CIO and Green of AFL, as well as Eric Johnston, speaking on behalf of the Chamber of Commerce of the United States, pledged their undivided effort to implement the Code and make it of practical service to the nation in the post war period. NAB was represented at the conference.

945 STANDARD BROADCAST STATIONS

The total number of standard broadcast stations did not change during the month of February. However, two of the CP stations were licensed. A comparative table by months follows:

	1944												1945		
	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1		
Operating	909	909	909	910	912	913	912	914	916	919	919	921	923		
Construction	8	9	11	13	12	13	16	15	15	18	24	24	22		
	917	918	920	923	924	926	928	929	931	937	943	945	945		

Clarence H. Frey and Robert O. Greever (Transferees), McDowell Service Co. (Licensee), Welch, W. Va.—Granted consent to voluntary transfer of control of McDowell Service Co., licensee of Station WBRW, from J. W. Blakely, Gladys H. Blakely and J. Read Werness to Joe G. Hunt, W. R. Keyser, Ellis Landreth, Clarence H. Frey and Robert O. Greever, five new stockholders, no one of which will acquire voting control, for a consideration of \$67,239 for 150 shares. (B2-TC-431)

LICENSE RENEWALS

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

KASA, Elk City, Okla.; KAVE, Carlsbad, New Mexico; KDLR, Devils Lake, N. Dak.; KDON, Monterey, Calif.; KFBC, Cheyenne, Wyo.; KFJI, Klamath Falls, Ore.; KFOR, Lincoln, Nebr.; KGBS, near Harlingen, Tex.; KGY, Olympia, Wash.; KHBG, Okmulgee, Okla.; KICA, Clovis, New Mexico; KICD, near Spencer, Iowa; KIUL, Garden City, Kans.; KMAC, San Antonio, Tex.; KOCA, Kilgore, Tex.; KOVO, Provo, Utah; KPFA, Helena, Mont.; KPCC, Pasadena, Calif.; KROY, Sacramento, Calif.; KVSQ, Ardmore, Okla.; KWAT, Watertown, S. Dak.; KWIL, Albany, Ore.; KWJB, near Globe, Ariz.; KWLC, Decorah, Iowa; KWOS, Jefferson City, Mo.; KWRC, Pendleton, Ore.; KXOX, near Sweetwater, Tex.; KYUM, Yuma, Ariz.; WATN, Watertown, N. Y.; WBBL, Richmond, Va.; WBIR, Knoxville, Tenn.; WBML, Macon, Ga.; WCOU, Lewiston, Maine; WCOV, Montgomery, Ala.; WCRW, Chicago, Ill.; WEBQ, Harrisburg, Ill.; WFOY, St. Augustine, Fla.; WGAC, near Augusta, Ga.; WGCM, Gulfport, Miss.; WGA, Gainesville, Ga.; WGRM, Greenwood, Miss.; WHBU, Anderson, Ind.; WIBU, Poynette, Wisc.; WINK, Ft. Myers, Fla.; WINN, Louisville, Ky.; WJBY, Gadsden, Ala.; WJEJ, Hagerstown, Md.; WJIM, Lansing, Mich.; WKOK, Sunbury, Pa.; WLAG, LaGrange, Ga.; WMFG, Hibbing, Minn.; WPAX, Thomasville, Ga.; WRAL, Raleigh, N. C.; WSAY, Rochester, N. Y.; WSBC, Chicago, Ill.; WSLs, Roanoke, Va.; WSNJ, near Bridgeton, N. J.; WSNY, Schenectady, N. Y.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 2.

Federal Communications Commission Action

APPLICATIONS GRANTED

- KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted license to cover construction permit, as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter and studio (B3-L-1865); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1669); license is granted subject to the condition that, in the event of an actual increase in interference to Mexican Station XEMU and a protest from the Mexican Government, the antenna system shall be readjusted so as to reduce radiation towards XEMU to a value acceptable to Mexico.
- W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, Long Island, N. Y.—Granted modification of construction permit, upon an experimental basis only, conditionally, which authorized a new experimental television broadcast station, for extension of completion date from April 1 to June 30, 1945 (B1-MPVB-118).
- KTBC—State Capital Broadcasting Assn., Inc. (Assignor), Claudie T. Johnson (Assignee), Austin, Texas.—Granted consent to voluntary assignment of license of station KTBC from State Capital Broadcasting Assn., Inc., to Claudia T. Johnson. No monetary consideration involved, assignee is sole stockholder. (B4-AL-431)
- WBRW—J. W. Blakely, Gladys H. Blakely and J. Read Werness (Transferees), Joe G. Hunt, W. R. Keyser, Ellis Landreth,

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

- KDAL, Duluth, Minn.; KELA, between Centralia and Chehalis, Wash.; KELO, Sioux Falls, S. Dak.; KFJB, Marshalltown, Iowa; KFMB, San Diego, Calif.; KHBC, Hilo, Hawaii; KGDE, near Fergus Falls, Minn.; KSWO, Lawton, Okla.; KTUL, Tulsa, Okla.; KWNO, Winona, Minn.; WAYX, Waycross, Ga.; WBLJ, Dalton, Ga.; WCAX, Burlington, Vt.; WCBT, Roanoke Rapids, N. C.; WCLO, Janesville, Wisc.; WDSM, Superior, Wisc.; WFIN, Findlay, Ohio; WHBY, Appleton, Wisc.; WHKK, Cleveland, Ohio; WIBG, Glenside, Pa.; WIBX, Utica, N. Y.; WISE, Asheville, N. C.; WJBC, Bloomington, Ill.; WLOF, Orlando, Fla.; WMBD, Peoria, Ill.; WMRO, Aurora, Ill.; WNEW (main and auxiliary), New York, N. Y.; WOLS, Florence, S. C.; WOV (main and auxiliary), New York, N. Y.; WPRA, Mayaguez, P. R.; WROX, Clarksdale, Miss.; WTOL, Toledo, Ohio; WTAQ, Green Bay, Wisc.
- W2XWE—WOKO, Inc., Albany, N. Y.—Present facsimile broadcast station license further extended upon a temporary basis for the period ending June 1, 1945, pending determination upon application for renewal.
- W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Present ST broadcast station license extended upon a temporary basis only, for the period ending June 1, 1945, pending receipt and/or determination upon application for renewal.
- W2XBD—General Electric Co., Schenectady, N. Y.—Present ST broadcast station license extended upon a temporary basis only, for the period ending June 1, 1945, pending receipt and/or determination upon application for renewal.
- W3XEP—Radio Corp. of America, Camden, N. J.—Granted further extension of experimental television broadcast station license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945. (B1-SVB-44)
- W3XAD—Radio Corp. of America, area of Camden, N. J.—Granted further extension of experimental television broadcast station license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945. (B1-SVB-45)

HEARING DESIGNATED

George E. Miller, Myron Honigman and Lou Peller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Adopted order designating for hearing application for a new station to operate on 1240 kc., with power of 250 watts, unlimited time. Exact transmitter and studio location to be determined, in accordance with procedure set forth in Public Notice of January 25, 1945.

DOCKET ACTION

The Commission announced its Decision and Order (B-206) granting the application for consent to transfer control of North Jersey Broadcasting Co., Inc., licensee of Station WPAT, Paterson, N. J., from Frank Falknor and Rex Schepp, transferors, to Donald Flamm, transferee (Docket No. 6521). Commissioner Walker dissented.

The Commission held that the arrangements under which transferee acquired 49% of licensee's stock and option to purchase an additional 1%, and in which his attorney acquired a proxy to vote the 1% included in the option, constituted a transfer of control which should have been presented to the Commission for approval prior to the date the arrangements were effected. However, the Decision points out that there has not heretofore been a definitive opinion by the Commission construing the provision of Section 310(b) in a situation of this kind, and that the parties had reported all transactions promptly to the Commission and, on request, had submitted an application so that the matter might be examined by the Commission. The Commission stated that in the absence of any other evidence or compelling reasons why consent should not be given, "we are of the opinion that the public interest will be served by granting the instant application for consent to transfer of control of North Jersey Broadcasting Corporation."

Commissioner Walker's dissent reads:

"I concur in the opinion of the majority of the Commission that the arrangements under which Donald Flamm acquired 49% of the capital stock of the license corporation and an option to purchase an additional 1% interest, and under which his attorney, in connection with the same transaction, acquired an irrevocable proxy to vote the stock included in the option, constituted a transfer of control within the meaning of Section 310(b) of the Communications Act, as amended. But I disagree with the decision of the Commission which gives approval to a transfer of this nature after the event. Section 310(b) contemplates approval, in writing, by the Commission prior to the transfer of control of a licensee. There are no mitigating circumstances shown herein."

The Commission, at the same time, issued its Proposed Findings of Fact and Conclusions (B-203), looking toward a denial of the application of WOKO, Inc., for renewal of license for Station WOKO, Albany, New York (Docket No. 6486), because of misrepresentations made in applications to the Federal Radio Commission and the Federal Communications Commission. In its Conclusion the Commission states: "From a consideration of all the material facts found in the record of this hearing, the Commission has concluded that the applicant cannot be entrusted with the responsibilities of a licensee. The Commission, therefore, finds that a grant of the application for renewal of license for the operation of WOKO by the applicant corporation would not serve public interest, convenience, or necessity and therefore should be denied."

The effective date of this order is April 27, 1945.

Commissioner Case did not participate in the above actions.

The Commission also announced its Proposed Findings of Fact and Conclusions (B-209) looking toward a denial of the application for consent to the transfer of control of Wodaam Corporation, licensee of Station WOV, New York, New York, from Arde Bulova and Harry D. Henshel, transferors, to Murray Mester and Meyer Mester, transferees.

The applicants are allowed twenty days within which to file exceptions to the Commission's Proposed Findings.

The Commission was not satisfied from the record that the transferees possess the qualifications essential to operate Station WOV in the public interest or that they had shown that they are capable of being entrusted with the responsibilities and obligations expected of a person privileged to hold a station license.

The Commission's Conclusions follow:

1. The transferees, in carrying on their edible oil business, have

violated and disregarded regulatory laws of the states and federal government on numerous occasions, ever since they have been in business. The particular violations they have been guilty of are in several cases odious and clearly not matters of inadvertence. For example, at one time their products, consisting essentially of cottonseed oil, were designedly labeled with the words "Tipo Lucca," olive branches, a coat of arms and crown, and wording in Italian, with the true content inconspicuously marked in English, for the apparent purpose of misleading buyers into thinking that the contents consisted of imported olive oil. In addition, Murray Mester, admitted, after having denied on oath any connection with the incident, that he shipped an adulterated domestic oil in interstate commerce which, he said, he had first sold to the packer who falsely labeled it as imported olive oil and failed to pack full measure.

2. These acts, together with the fact that quite recent actions against the transferees have been instituted by the Federal Trade Commission and the state and federal food authorities, show that the transferee applicants lack even that sense of responsibility toward the public expected in ordinary business dealings. The mandate of Congress contained in the Communications Act of 1934, requires the Commission to select as station licensees those who will operate under their public grant in the public interest, convenience and necessity rather than according to the doctrine of *caveat emptor*. In *re Application of WOKO, Inc.*, Docket No. 6486, November 9, 1944. From the proved misconduct of the transferees in carrying on an ordinary business, there is substantial reason to believe that they could not be entrusted with the much higher degree of public responsibility required by law of a station licensee. Indeed, the applicants have refused to consider their infractions of the law as serious, and consequently it is not unreasonable to expect that they would show a similar disregard for this Commission's Rules and Regulations. Furthermore, although the action filed by the Office of Price Administration has not been determined by the courts, the Commission believes that in the light of the other facts disclosed at the hearing it would also be unwise to approve the qualifications of the applicants with such a matter undisposed of.

3. In addition, the transferees, at the hearing, although testifying under oath, concealed and misrepresented numerous facts within their knowledge relating to their difficulties with various governmental bodies. This lack of credibility is indicative of what could be expected of them in the submission of future reports to the Commission if the proposed transfer were granted. The interest of the Commission in station operation is a continuing one, and in carrying out its responsibility the Commission must rely primarily on statements made by station licensees. "Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy." In *the Matters of Western Gateway Broadcasting Corp., et al.*, 9 F.C.C. 92, 102 (1942); In *the Matter of the Mayflower Broadcasting Corp.*, 8 F.C.C. 333, 338 (1940); In *the Matter of John H. Stenger, Jr.*, 8 F.C.C. 434, 444 (1940).

4. Moreover, the applicants have come to this Commission seeking to assume the responsibility and privilege of controlling a broadcast license completely ignorant of the Communications Act and the Rules and Regulations of the Commission. They expect to run Station WOV as a secondary business investment, relying primarily on others than themselves to carry out their licensee obligations. They expect to increase the station's profits "by selling more time," even though the station's schedule already shows 75 per cent of the broadcast time on weekdays and 83 per cent on Saturdays is devoted entirely to commercial programs while most of the remaining "sustaining" programs carry numerous commercial announcements. Cf. *In the Matter of R. R. Jackman et al.*, 5 F.C.C. 496, 498, 499-500 (1938).

5. Under Sections 308(b) and 309(a) of the Communications Act of 1934, the Commission, in exercising its authority to grant station licenses, is directed to examine into "the citizenship, character, and financial, technical, and other qualifications of the applicant to operate the station," and "the purposes for which the station is to be used," and to hold a hearing on the application, if necessary, in order to determine whether "public interest, convenience, or necessity would be served by the granting thereof." Under Section 310(b), it is provided that the license and rights therein granted shall not be transferred in any manner, "or indirectly by transfer of control of any corporation holding such license, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing." From a careful examination of all of the material facts contained in the application and the record

of the hearing in the instant case, it is clear that the transferees do not possess the qualifications essential to operate Station WOV in the public interest and have failed to establish that they are capable of being entrusted with those responsibilities and obligations expected of one privileged to hold a station license.

6. The Commission concludes that transfer of control of Wodaam Corporation to the transferees would not serve the public interest, convenience or necessity. The application, therefore, should be denied.

MISCELLANEOUS

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

Scripps-Howard Radio, Inc., Cleveland, Ohio (B2-PH-438); Knoxville Publishing Co., Knoxville, Tenn. (B3-PH-437); News-Press Publishing Co., Santa Barbara, Calif. (B5-PH-436); KFEQ, Inc., St. Joseph, Mo. (B4-PH-414); Raytheon Manufacturing Co., Chicago, Ill. (B4-PH-435); Kokomo Broadcasting Corp., Kokomo, Indiana (B4-PH-434); Rock Island Broadcasting Co., Rock Island, Ill. (B4-PH-138).

New Jersey Broadcasting Corp., Jersey City, N. J.—Granted application for construction permit for a new developmental broadcast station to be operated on frequencies to be assigned by the Commission's Chief Engineer. (B1-PEX-55)

Cowles Broadcasting Company, Washington, D. C.—Denied application for construction permit for new developmental broadcast station. (B1-PEX-53)

Cowles Broadcasting Co., Des Moines, Iowa—Denied application for construction permit for new developmental broadcast station. (B4-PEX-54)

Northwest Broadcasting Co., Minneapolis, Minn.—Denied application for construction permit for new developmental broadcast station. (B4-PEX-56)

Massachusetts Broadcasting Corp., Boston, Mass.—Denied application for construction permit for new developmental broadcast station. (B1-PEX-58)

WLAP—American Broadcasting Corp., Lexington, Ky.—Denied special service authorization to operate on 630 kc., with power of 100 watts night, 250 watts LS, for a period ending Oct. 1, 1945. (B2-SSA-120)

APPLICATIONS FILED AT FCC

600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Acquisition of control of licensee corporation by John W. Boler through purchase of 72 shares common stock (Treasury and new stock).

810 Kilocycles

WGY—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-P-3645) which authorized decrease in power and changes in transmitting equipment of auxiliary.

930 Kilocycles

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Modification of construction permit (B3-P-3114, as modified, which authorized increase in power, installation of directional antenna for night use, and move of transmitter) for extension of completion date from 4-20-45 to 7-20-45.

1230 Kilocycles

WIBX—WIBX, Incorporated, Utica, N. Y.—Transfer of control of licensee corporation from Scott Howe Bowen, deceased, to Estate of Scott Howe Bowen, Margaret P. Bowen, Executrix—51%.

KXO—Valradio, Inc., El Centro, Calif.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WJMC—Walter C. Bridges, Rice Lake, Wis.—Voluntary assignment of license to WJMC, Incorporated.

1340 Kilocycles

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—License to cover construction permit (B3-P-3594) which authorized a new standard broadcast station.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

KGKB—East Texas Broadcasting Co., Tyler, Texas—Voluntary assignment of license to James G. Ulmer.

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis, Ill.—Voluntary assignment of license to Myles H. Johns, Penrose H. Johns, William F. Johns, and William F. Johns, Jr., a partnership, d/b as Mississippi Valley Broadcasting Company.

FM Applications

NEW—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43700 kc., with coverage of 20,792 square miles.

NEW—Donald W. Reynolds, Fort Smith, Ark.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47300 kc., with coverage of 30,650 square miles.

NEW—Queen City Broadcasting Co., Inc., Seattle, Wash.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc., with coverage of 17,440 square miles.

Television Applications

NEW—The Travelers Broadcasting Service Corp., Hartford, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 7 (102000-108000 kc.) with ESR of 1210. Amended to request Channel No. 3 (60000-66000 kc.) as proposed in allocation.

NEW—E. Anthony & Sons, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 2 (60000-66000 kc.) with ESR of 3706. Amended to change transmitter location from Paxton, Mass., to Boston, Mass.

W8XCT—The Crosley Corp., Cincinnati, Ohio—Modification of construction permit (B2-PVB-23 as modified, which authorized a new experimental television broadcast station) for extension of completion date from 4-28-45 to 10-28-45.

W2XPR—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Modification of construction permit (B1-PVB-102, which authorized a new experimental television broadcast station) to increase power from 15 watts to 40 watts, add A3 emission, change location from Area of New York, N. Y., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter, and extend commencement and completion dates.

NEW—Don Lee Broadcasting System, San Francisco, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 1 (50000-56000 kc.). Amended to specify transmitter location as Top of Mount Tamalpais, Marin County, Calif.

NEW—The Kansas City Star Co., Kansas City, Mo.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 1 (44000-50000 kc.) as proposed in allocation, with ESR of 2455.

Miscellaneous Applications

W9XEK—Courier-Journal and Louisville Times Co., Eastwood, Ky.—Construction permit to increase power from 1 KW to 10 KW, change frequency from 45500 kc. or other frequencies at the direction of the Commission, to 43900, 87800 kc., or any assigned by the Commission's Chief Engineer, change emission from A0, A1, A3, and Special for FM to A0, A1, A3, A4 and Special for FM on 43900 kc. and A0, A1, A4 and Special for FM on 87800 kc., and change type of transmitter and antenna.

WRBL—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Voluntary assignment of license to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Company.

WJWC—Columbus Broadcasting Co., Inc., Area of Columbus, Ga.—Voluntary assignment of construction permit (B3-PRY-442) to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Company.

NEW—Columbia Broadcasting System, Inc., Delano, Calif.—Construction permit for a new international broadcast station to be operated on 6120, 6170, 9650, 11830, 15270, 17830, 21520, 21570 kc., with power of 200 KW, A3 emission.

W3XPA—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Construction permit to increase power from 15 watts to 40 watts, add A3 emission, and change location from Area of Philadelphia, Pa., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter.

W3XPC—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Construction permit to increase power from 15 watts to 40 watts, add A3 emission, and change location from Area of Philadelphia, Pa., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter.

W3XPD—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Construction permit to increase power from 15 watts to 40 watts, add A3 emission, and change location from Area of Philadelphia, Pa., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter.

Busch's Jewelry Co., Inc., and Busch's Kredit Jewelry Co., Inc., 35 West 14th St., New York, operating a number of retail jewelry stores in the Greater New York area, entered into a stipulation to discontinue certain misrepresentations in connection with the sale of jewelry. (3991)

Furmbilt Stores, Inc.—A stipulation to discontinue misrepresenting the fiber content and price of men's clothing has been entered into by Furmbilt Stores, Inc., 120 Fifth Ave., New York. (03261)

Frances Parker, 4441 North Racine Ave., Chicago, entered into a stipulation to discontinue representing that the medicinal preparation she sells under the names Nurse Parker's New Formula Pills, Nurse Parker's Relief Compound Pills, and Nurse Parker's Compound, will constitute a competent or effective treatment for delayed menstruation. (03260)

S. L. Schwartz et al.—Three stipulations have been accepted in which the respective respondents agree to discontinue representing that the vitamin products they sell, each containing calcium pantothenate as its principal ingredient, are capable of restoring the natural color to hair and preventing gray hair. (03257-03258-03259)

Waft Products Distributors, Inc., Ferguson Bldg., Springfield, Ill., has entered into a stipulation to cease and desist from the use of the words "free," "gift," or terms of like import to describe merchandise when it is not given free or as a gratuity but the recipient is required, as a consideration, either to pay in whole or in part the price thereof, to purchase some other article or to render some service in order to obtain the same. (3990)

Wilson Hay Fever Disk Co., 5324 South Emerson St., Minneapolis, engaged in the sale of filter devices for the nostrils, an inhalant and a medicinal preparation for use therein, stipulated that he will cease and desist from misrepresenting the therapeutic properties of the products which he advertises as being effective in relieving hay fever. (3993)

X-Pando Corp.—A stipulation to discontinue misrepresenting the results to be obtained from the use of a waterproofing preparation designated "X-Pandoseal" has been entered into by X-Pando Corporation, 43-15 36th St., Long Island City, N. Y. (3992)

Zapo Manufacturing Co., 7013 Yale Ave., Chicago, engaged in the sale of a product designated Plastic Rubber Putty, stipulated that it will cease misrepresenting its composition and the character of his business. (3994)

CEASE AND DESIST ORDERS

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

Control Products Co., 927 Putnam Ave., Brooklyn, has been ordered to discontinue the dissemination of false advertisements concerning a device designated "Control Flow and Adjuster," for use in connection with colonic and vaginal irrigations. (3340)

Dri-Kleen Co., 325 West Huron St., Chicago, has been ordered to discontinue representing in newspaper and magazine advertisements and by other means that the powder they sell under the name "Dri-Kleen" will remove stains or grease spots from all fabrics. The respondents are further ordered to cease and desist from using the term "dry clean" or the simulation "Dri-Kleen," or any other term of similar import, as a part of their trade name or to describe or refer to their preparation, or otherwise representing that the preparation is a dry cleaner or that its use constitutes dry cleaning. (5103)

Federal Trade Commission Docket

COMPLAINTS

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

W. H. Brady & Co., 510 Water St., Eau Claire, Wis., and its officers are charged in a complaint with selling push cards and other lottery devices which are used by others to promote the sale of merchandise to the purchasing public. The respondent officers, who formulate and control the practices and policies of the corporate respondent, are Frederick W. Brady, Elizabeth A. Brady, Mildred J. Brady, Richard H. Brady, William H. Brady, Jr., and Max H. Molitor. (5298)

Southern California Fish Corp. et al.—Violation of the brokerage section of the Robinson-Patman Act, is alleged in separate complaints issued against two California corporations, each engaged in buying, packing, selling and distributing canned sea food products for their respective accounts for resale.

One complaint is directed against Southern California Fish Corp., Terminal Island, Calif., with a branch office at San Pedro; and the other against Del Mar Canning Co., 756 Ocean View Ave., Monterey, Calif. (5296-5297)

STIPULATIONS

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

Aimé Company, 20 West 17th St., New York, stipulated that in the sale of a product designated "Aimé Waterless Shampoo" he will discontinue designating or referring to it as "waterless," or otherwise representing that it contains no water. (3989)

Bloch Brass Co., 1900 Euclid Ave., Cleveland, entered into a stipulation to discontinue certain misrepresentations in connection with the sale of cement bathtubs designated "Pearlon Tubs." (3995)

A. M. Florman & Bro.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Arthur M. Florman and Leo Florman, trading as A. M. Florman & Bro., 134 West 32d St., New York, engaged in business as commission resident buyers of millinery. (4227)

Gotham Premium Novelty Co., 303 Fourth Ave., New York, have been ordered to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. The respondents are engaged in the sale of garments, luggage, watches, cameras, novelty jewelry, cosmetics and other merchandise. (5015)

L. P. Maggioni & Co. et al.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Joseph O. Maggioni, Joseph S. Cafiero, and Madeline Cafiero, trading as L. P. Maggioni & Co., 401 West Bay St., Savannah, Ga., engaged in packing and canning fish, oysters, shrimp and clams, and in the sale and distribution of

such sea food products in their own name and for their own account for resale. (5129)

Interstate Home Equipment Co.—An order directing Interstate Home Equipment Co., Inc., 60 Franklin St., Providence, R. I., has been issued to discontinue certain misrepresentations in connection with the sale of household articles, including silverware, mattresses, blankets, radios, and towels. (5173)

Rudd Manufacturing Co., 17 West 17th St., New York, has been ordered to cease and desist from misbranding men's and boys' pants and other wearing apparel in violation of the Wool Products Labeling Act and the rules and regulations promulgated thereunder. (5047)

Steerman Advertising Agency, 205 East 42nd St., New York, have been ordered to cease and desist from disseminating false advertisements concerning the therapeutic properties of a medicinal preparation designated Ostrex. (4894)

