



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

January 23, 1932

SENATE GETS BROWN NOMINATION

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

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

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

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

January 23, 1932

PRESIDENT SHAW NAMES COMMITTEES

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

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

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

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

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

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

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SOME QUESTIONNAIRE EXPLANATIONS

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

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

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

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

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

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

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

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January 23, 1932

SENATE HEARS MEXICAN TROUBLES

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

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

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

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UTAH TOBACCO CASE ARGUED

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

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EXPECT REPORT IN ICC CASE

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

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COST OF LIVING LOWER

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

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January 23, 1932

BILL FOR LABOR CHANNEL

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

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

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THE COMMISSION'S QUESTIONNAIRE

The American system of broadcasting is on trial.

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

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

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

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

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

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

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

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January 23, 1932

SHULER REVIEW DENIED

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

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RMA FIGHTS SALES TAX

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

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WDAF BROADCASTS DESPITE FIRE

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

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EXECUTIVE COMMITTEE MEETS

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

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WEAO SENDS OUT CARDS

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

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January 23, 1932

CLEAR CHANNEL DUPLICATION

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

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

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SUMMER SCHOOL AT WMAQ

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

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DILL PREPARING COPYRIGHT BILL

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

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NAB HANDBOOK BINDER

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

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WOULD COMPEL FREE SPEECH

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

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January 23, 1932

IRE LISTENER SURVEY PLANNED

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

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

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

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

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MADRID INTERNATIONAL CONFERENCE

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

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"WRITE YOUR CONGRESSMAN"

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

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

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January 23, 1932

DAVIS BILL REPORTED

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

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PROHIBIT SEDITIONOUS STATEMENTS

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

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USES NAB INSIGNIA

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

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WMCA-WNYC HEARING CONTINUES

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

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RECOMMENDS CANCELLATION REVOCATION

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

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ADVERTISING INSURANCE POLICIES

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

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

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

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KLUGH HITS GOVERNMENT OWNERSHIP

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

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ASSOCIATION GETS QUESTIONNAIRE

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

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WORC PRINTS "RADIO NEWS"

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

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January 23, 1932

REDUCE WCAT HOURS

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

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

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DENY ST. LOUIS TELEVISION

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

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

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

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January 23, 1932

WLOE DELETED; NEW APPLICANT DENIED

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

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

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

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WBAX DENIED FULL TIME

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

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

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NAB LIBRARY

January 23, 1932

APPLICATIONS DESIGNATED FOR HEARING

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

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

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DENY W R E N MOTION

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

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

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RENEWALS GRANTED

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

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TEMPORARY RENEWALS ISSUED

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

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. January 23, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

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

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APPLICATIONS GRANTED (Continued)

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

FIFTH ZONE

KSL	Earl J. Glade Salt Lake City, Utah	Granted 15 day extension of special authority of provision three of 50 KW CP, regarding selection of site.
KROW	Radio Station KROW Oakland, California	Granted extension of program test period of 15 days from January 16th, pending action on application for license.
KGY	St. Martins College Lacey, Washington	Hearing on renewal of license scheduled for February 8th, cancelled. Station is now operating 12 hours per day.
KMPC	R. S. MacMillan Beverly Hills, California	Granted Mod. of CP to extend completion date to February 25th, 1932.
KXRO	KXRO, Inc. Aberdeen, Washington	Granted license covering new equipment 1310 kc, 100 watts unlimited time.
KFAC	Los Angeles Broadcasting Company Los Angeles, California	C. P. move studio and transmitter locally in Los Angeles; install new transmitter to conform to G. O. 115; 111; 116.
KGW	The Oregonian Publishing Company Portland, Oregon	Granted authority to make direct measurement of antenna input.
KGY	St. Martin's College Lacey, Washington	Granted consent voluntary assignment of license to KGY, Inc., and also granted authority to move station to Olympia, Washington.

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LICENSES GRANTED

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

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January 23, 1932

HEARING CALENDAR

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

THURSDAY, January 28, 1932

BROADCASTING

Docket #1457	WFDV	Rome Broadcasting Corp., Rome, Georgia	Mod. Lic.	1500 kc	100 watts Specified hours.
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Present Assignment: 1310 kc, 100 watts
daytime.

FRIDAY, January 29, 1932

BROADCASTING

Docket #1255	NEW	Troy Broadcasting Company Troy, Alabama	C. P.	1500 kc	50 watts Daytime hours.
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Docket #1433	WSIX	638 Tire & Vulcanizing Co. Springfield, Tennessee	Ren. Lic.	1210 kc	100 watts Unlimited time.
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MISCELLANEOUS COMMISSION ACTION

WGL	F. C. Zieg (Allen-Wayne Co.) Fort Wayne, Indiana	Reconsidered and granted modified license and ordered application withdrawn from hearing docket.
KLPM	J. H. Cooley Minot, North Dakota	Granted Mod. Lic. with specified hours; in consideration of agreement filed with the Commission.
WLEY	The Lexington Air Station) Lexington, Massachusetts)	Granted Mod. Lic. after receipt of telegram specifying licensee would operate during the following hours, in answer to Commission request, as part time station; 6 a. m. to 9 a. m.; 12 p. m. to 3 p. m.; 6 to 9 p. m. daily.
KEJB	Marshall Electric Company) Marshalltown, Iowa)	
WNBO	John Brownlee Spriggs Washington, Pennsylvania	Granted authority to take depositions at Washington, Pennsylvania, on January 26, 1932. Application for renewal of this station and WHBC, Canton, Ohio, have been designated for hearing. Depositions are to be taken in connection with this hear- ing.

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January 23, 1932

APPLICATIONS DENIED

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

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

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APPLICATIONS DISMISSED

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

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

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January 23, 1932

APPLICATIONS RECEIVED

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

<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MPB-292	WOR	Bamberger Broadcasting Serv., Newark, New Jersey	Mod. C. P. for 50 KW asking approval of equipment and author- ity to make field tests.
<u>SECOND ZONE</u>			
2-ALB-412	WELL	Enquirer-News Company, Eattle Creek, Michigan	Voluntary assignment of license to WELL, Inc.
<u>THIRD ZONE</u>			
3-PB-2434	NEW	F. A. Martin & Wm. Ross, Alamo Heights, Texas	C. P. erect new station on 1050 kc; 100 watts; share time with Station KNX.
<p>The location of this proposed station is in the Third Zone. Under General Order 40, the requested frequency is assigned to the Fifth Zone and is now used by Station KNX, Los Angeles, California, an unlimited time station with power of 5 KW. The granting of this application would appear to violate the terms of G. O. 40. The power requested is under the minimum now assigned to this class of service.</p>			
<u>FOURTH ZONE</u>			
4-FB-158	WMBI	Moody Bible Institute, Chicago, Illinois	Authority to install automatic frequency control.
4-ALB-413	WGN- WLIB	The Tribune Company, Chicago, Illinois	Voluntary assignment of license to WGN, Inc.
4-SAB-19	KGDY	The Voice of South Dakota, Huron, South Dakota	Special authority to operate less than 12 hours per day for a period of less than three months.
<p>The applicant is now licensed to operate unlimited time on 1200 kc with power of 100 watts.</p>			
4-MPB-289	WHO- WOC	Central Broadcasting Company Davenport, Iowa	Mod. C. P. for 50 KW requests approval of equipment and trans- mitter location near Colfax, Iowa.

January 23, 1932

APPLICATIONS RECEIVED (Concluded)

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

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LICENSE APPLICATIONS RECEIVED

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

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CONSTRUCTION PERMITS RECEIVED

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

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APPLICATIONS RETURNED

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

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

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NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

January 23, 1933

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

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

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

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

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

January 23, 1933

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

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

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

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

PHILIP G. LOUCKS, Managing Director.