

HEINL RADIO BUSINESS LETTER

INSURANCE BUILDING

WASHINGTON, D. C.

ISSUED TWICE A WEEK AND CONTAINING THE LATEST INFORMATION REGARDING THE RULINGS OF THE FEDERAL RADIO COMMISSION, RADIO LEGISLATION, DEPARTMENT OF COMMERCE REGULATIONS, CHANGES IN WAVELENGTH, CALL LETTERS AND POWER, PATENTS, EXPORTS, FEDERAL TRADE COMMISSION RULINGS AND OTHER MATTERS OF INTEREST TO BROADCASTERS AND MANUFACTURERS. :: :: **CONFIDENTIAL—NOT FOR PUBLICATION.** :: ::

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RADIO VACANCY MAY NOT BE FILLED UNTIL MIDDLE AUGUST

With so many other matters of importance weighing upon his mind, President Hoover may not consider the naming of a successor to Maj. Gen. Charles McK. Saltzman, recently resigned, until after he has delivered his acceptance speech on August 11.

Choice of a Commissioner must be made from the states comprising the fourth zone. They are Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Kansas and Missouri. The appointment will be made for the remainder of the six-year term of General Saltzman - three years of which had expired on May 2, this year. The salary will be a little over \$9000 yearly.

Among those whose names have been presented to the President are Harry Shaw, president of the National Association of Broadcasters, owner of Station WMT, Waterloo, Iowa; William S. Hedges, Station WMAQ, Chicago; Robert D. Heinl, nationally known radio writer, a native of Indiana; O. S. Spillman, former Attorney General of Nebraska; James W. Baldwin, secretary of the Federal Radio Commission; and Harold D. Hayes, Federal Radio Supervisor, Chicago.

Undoubtedly, the Federal Radio Commission is awaiting the appointment of the new Commissioner before electing a chairman, as they are now permitted to do under the law. In the meantime, Judge E. O. Sykes, senior member of the Commission, is acting chairman. Judge Sykes is the only member of the original Commission appointed by President Coolidge.

Also it will be necessary for the President to name a member of the Federal Radio Commission to represent the United States at the International Radiotelegraph Conference at Madrid, Spain, in September. Because of General Saltzman's wide experience, it was taken for granted that President Hoover would name him as a member of the United States delegation. It is unlikely that the Commission member will be named before the new Commissioner is chosen.

There was a grand scramble on the part of all interested parties to be appointed to the American delegation of the International Radiotelegraph Conference, but the economy measure, limiting expenses of delegates to \$6 a day, has taken all the joy out of the voyage to the castles in Spain.

A bill providing additional funds went through the Senate but was killed in the House. Delegates fear that they will not be able to keep up their end of entertaining without digging into their own jeans and are afraid the situation may prove embarrassing financially.

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COMPOSERS AND BROADCASTERS DEADLOCKED

It is quite apparent that there is a deadlock of the negotiations which committees representing the American Society of Composers, Authors and Publishers and the National Association of Broadcasters have been holding since last Spring. The controversy began last April when the Composers informed the broadcasters that, beginning June 1, the license fees for use of copyrighted music would be five per cent of the gross income of the stations. This rate, it was estimated, would have produced an income for the American Society of Composers of about \$3,500,000 as against the \$1,000,000 in fees collected last year.

The broadcasters declared that they could not afford to pay the increased license fees and the Society stood its ground, refusing to take less. The effective date of the new license fee was moved forward to September 1 after this disagreement.

The impasse will not result in a boycott of copyright music.

"There is absolutely no thought of depriving the American public of the opportunity of hearing copyrighted music from radio stations", said E. C. Mills, general manager of the American Society of Composers.

In a letter addressed to the members of the National Association of Broadcasters Copyright Committee -- Paul W. Morency, Station WTIC, Hartford, Conn.; Edward F. Klauber, vice president, Columbia Broadcasting System; and A. L. Ashby, vice president, National Broadcasting Company -- Mr. Mills wrote:

"With reference to the negotiations between our respective Committees, which have been in progress since yours of April 18th, and to our action taken on July 12th to accept the proposal made by your Committee at the joint meeting of that date, which proposal was on July 21st submitted to and rejected by your Board of Directors; and with further reference to the proposal then presented by your Committee as authorized by your Board at its said meeting, I am now obliged to advise you that the latter proposal is not accepted.

"It is our feeling now that the respective Committees have, without success, done their utmost to accomplish a mutually satisfactory adjustment of differences, and in view of the fact that your Committee must of necessity depend upon the individual sanction of a great many broadcasters who are not members of the National Association of Broadcasters as well as those who are members, of any plan or formula which your Committee might approve, whereas our Committee is vested with authority to definitely commit the members of this Society, it is apparent that no purpose can be served by further conferences.

"In these circumstances we desire now to advise you of our intention to proceed within the next few days to the making of the license of the Society available to broadcasters individually upon such terms as may be mutually agreed upon in each individual case."

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233 RADIO BILLS AND RESOLUTIONS SINCE 1903

Although radio is a comparatively young industry, a recent tabulation of the bills and resolutions directly concerned with radio which have been introduced in Congress since 1903 show that they number 233.

In the Fifty-eighth Congress, 1903-1905, there was one bill, introduced by Representative Ketcham, "to promote the efficiency of the Revenue Cutter Service by providing for the equipment of the vessels of that service with approved wireless telegraph apparatus for communication between vessels of the Coast Guard and coast wireless telegraphic stations."

There was no radio legislation in the Fifty-ninth Congress, but the Sixtieth Congress got busy and introduced ten bills, all of which dealt with radio-telegraphic communication.

The Seventy-first Congress, 1929-1931, was the busiest as far as radio is concerned, some fifty radio bills and resolutions having been introduced.

The first session of the Seventy-second Congress resulted in the introduction of twenty-four radio bills and resolutions. The status of the pending legislation, which went over as unfinished business, is as follows:

S. 4 - Fess radio educational bill, providing that certain frequencies be allocated to educational stations, Committee on Interstate Commerce.

S. 21 - King bill, providing for increased copyright fees, Committee on Patents.

S. 22 - King bill, providing for licenses on unused patents, at current license rates, Committee on Patents.

S. 176 - Hebert copyright bill, Committee on Patents.

S. 481,- White omnibus radio bill; Committee on Interstate Commerce.

S. 750 - McNary bill, providing for prohibition of broadcasts of lotteries and games of chance, Committee on Interstate Commerce.

S. 1035 - Tydings copyright bill; Committee on Patents.

S. 1037 - Dill bill transferring Radio Division of Department of Commerce to Federal Radio Commission, passed by Senate, now in House Committee on Merchant Marine, Radio and Fisheries.

S. 1866 - Dill patent bill, Committee on Patents.

S. 2374 - George bill to give City of Savannah, Ga., naval radio station being abandoned, Committee on Naval Affairs.

S. 3046 - Dill bill concerning allocation of cleared channels; Committee on Interstate Commerce.

S. 3047 - Hatfield bill providing that organized labor be given a cleared channel, referred to subcommittee.

S. 3649 - Shipstead bill providing for changes in broadcast allocations; Committee on Interstate Commerce.

S. 3985 - Dill copyright bill; Committee on Patents.

S. 4399 - Metcalf bill appropriating money for Federal Radio Commission to cooperate with States for broadcasting educational programs; Committee on Education and Labor.

S. Res. 28 - Howell bill for investigating possibility of broadcasting Senate sessions from Senate chamber; Committee on Rules

S. Res. 58 - Dill bill to investigate Radio-Keith-Orpheum; Committee on Audit and Control.

S. Res. 71 - Dill bill providing for broadcasting from Senate chamber; Committee on Rules;

S. Res. 163 - Dill resolution calling upon the Department of State to call a North American broadcasting conference; Committee on Interstate Commerce.

Bills and resolutions pending in House Committees follow:

H.R. 139 - Vestal copyright bill; Committee on Patents.

H.R. 256 - Christopherson bill prohibiting radio lotteries; Committee on the Judiciary.

H.R. 410 - French lottery bill, Committee on Merchant Marine, Radio and Fisheries.

H.R. 421 - Hoch bill to amend Interstate Commerce Commission Act to define radio as a "common carrier", Committee on Interstate, and Foreign Commerce.

H.R. 6039 - Sirovich bill to transfer Radio Division of Department of Commerce to Federal Radio Commission, Committee on Merchant Marine, Radio and Fisheries.

H.R. 7253 - Connery bill providing a clear channel for labor, Committee on Merchant Marine, Radio and Fisheries.

H. R. 7716 - Davis radio omnibus bill, passed by House, recommitted; Senate Committee on Interstate Commerce.

H.R. 8759 - Amlie bill prohibiting radio advertising on Sunday, Committee on Merchant Marine, Radio and Fisheries.

H.R. 12844 - LaGuardia bill establishing license fees for patented radio equipment, Committee on Patents.

H.R. 12845 - LaGuardia bill providing for establishment of fees for radio advertising. Committee on Merchant Marine, Radio and Fisheries.

H.Res. 80 - Horr resolution to investigate Federal Radio Commission and National Broadcasting Company control of Pacific coast stations; Committee on Rules.

H. Res. - 110 - Amlie resolution on free speech on broadcasting; Committee on Merchant Marine, Radio and Fisheries.

H. Res - 10976 - Sirovich copyright bill providing for changes in fees, reported on House calendar.

This compilation of radio bills and resolutions is the work of John Nicholson, and the entire report was printed in the Congressional Record of July 25, 1932, at the request of Senator Peter Norbeck, of South Dakota. The information given includes the titles of the bills, by whom they were introduced, to what committees they were referred, and their subsequent legislative history, including references to debates.

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OHIO BROADCASTERS SUE

A suit asking for a receiver for Station WKBN, Youngstown, Ohio, has been filed by the Ohio Broadcasting Co., Cleveland, which controls a large block of WKBN stock, against Warren E. Williamson, Sr., and others, in the local common pleas court.

Ohio Broadcasting Co., controlled by C. C. Townes, former city manager of Cleveland, has instituted a number of suits here recently against Williamson and others to force them either to sell their stock to the Cleveland company or to take the Cleveland stock.

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NEWSPAPER ASSOCIATIONS AGAINST BROADCASTING NEWS

Radio came in for discussion at two newspaper conventions held last week. A resolution urging that press services discontinue furnishing news to radio stations was adopted by the Southern Newspaper Publishers' Association at Asheville, N. C.

Several members related indignantly that they had heard important news over their home receiving sets, announced by courtesy of press services, minutes to hours before its arrival on their office printers. One publisher stated that the tardy receipt of news on the Lindbergh kidnapping case had prevented its inclusion in his first edition although it had been broadcast nationally long before the deadline.

The resolution follows:

"Resolved, that the press services be urged to discontinue furnishing news to radio broadcasting stations."

The resolution on leased wires, as adopted, follows:

"The smaller newspaper members of this association are finding burdensome the expense in the volume of wire reports provided in the eight hours of printer service, and believing that many of them would welcome a shorter report at a commensurate reduction in price, we would respectfully commend as an objective for the newly elected officers and directors a conference with the American Telephone and Telegraph Company and such other organizations to the end that an abrogation of their present eight-hour period might be secured, and that in turn the smaller newspapers might be allowed a shorter service in hours within the news hours of the day or night, or otherwise as the officers may determine."

Radio had another brief moment on the crowded program, most interest being aroused by the New Orleans and Shreveport experiments in barring all mention of radio activities from news columns. The usual abyss of opinion between newspapers which operate their own stations and those which have no radio relations was apparent.

President Lea M. Nichols, Bristow (Okla.) Record advocated a definite stand on the radio problem at the 47th annual convention of the National Editorial Association at San Francisco. He said that radio stations have no legal right to broadcast news gathered by newspapers and press associations.

In his address, President Nichols charged that news associations are "more or less dominated by newspapers that own radio stations or have strong radio affiliations." "Those of us who are fortunate enough not to own a radio station", he said, are thereby forced to help develop an agency that bids for patronage once enjoyed by our publications.

"I strongly object to radio stations and systems using our news pages as sources of prestige. Not only in theory but legally the radio station has not the right to broadcast news gathered by newspapers and news associations." He protested against the broadcast of news and urged the association to take a stand on the question.

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MACKAY OFFERS COMPLETE TRANS-PACIFIC SERVICE

The International Telephone and Telegraph Corporation announces that there has been concluded an agreement between the Minister of Communications of China and the Mackay Radio and Telegraph Company for the exchange of radio telegraph traffic between China and the United States, Havana and the Philippines. This agreement, together with the existing services to Honolulu and the Philippines, gives Mackay Radio a complete trans-Pacific service in addition to its services to South America and Europe.

A further agreement has been concluded between the Ministry of Communications of China and the China Electric Co., a subsidiary of the International Telephone and Telegraph Corp., for the erection of four radio telephone transmitting and receiving stations for communication within China, one to be at Shanghai and the other three at important cities in that country. In addition to these an international radio telephone station will be built at Shanghai so that the rest of the world can be connected to the more than 100,000 telephones now in China.

In making the announcement, Gen. George S. Gibbs, President of Postal Telegraph and Vice-President of the International Telephone and Telegraph Corporation, said:

"When these connections are made it will be possible for telephone conversations to be held between Nanking, the capital, and capitals of all other large nations in the world."

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CBS NEW AND RENEWED CONTRACTS

RENEWAL - Cream of Wheat Corporation, Minneapolis, Minn., (Cereal); Agency - J. Walter Thompson Co., Chicago, Ill.; Program - Angelo Patri - "Your Child", Sun., Wed., 7:45-8 P.M., rebroadcast 11:15-11:30 to coast; Basic Network Don Lee, plus 3.

NEW - Wilkening Mfg. Co., Philadelphia, Pa., (Pedric Piston Rings); Agency - Behel & Waldie, Chicago; Program - "Unsung Heroes", orchestra and dramatic sketch, Mon., 10:15-10:30 P.M., 7 stations.

RENEWAL - The Best Foods, Inc., New York City (Nucoa, butter substitute); Agency - Benton & Bowles; Program - "The 'Round the World Cooking School", Ida Bailey Allen, Male soloist, piano, dialogue, Fridays 11:30-11:45 A.M., 10 stations, starting Aug. 15.

RENEWAL - Wyeth Chemical Co., New York (Jad Salts), Agency - Blackette-Sample-Hummert, Inc., Chicago; Program - "Aunt Jemima" Songs, Tuesday, Wednesday, Thursday, 2:00-2:15 P.M., Basic network plus 4.

RENEWAL - Lehn & Fink Products Co., Inc.,; Agency - United States Adv. Corp.; Program - "Stories of the Living Great", Ida Bailey Allen, Tues., 11:15-11:30 A.M., Basic network.

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ADVERTISERS SPEND LARGE AMOUNT ON RADIO

After estimating the individual expenditures of 435 newspaper advertisers, a survey made by the Bureau of Advertising, American Newspaper Publishers' Association, placed their total purchases of newspaper space at \$143,365,000. Broadcast advertising was used by 121, spending \$21,223,862 on the radio.

The Bureau points out that its study does not cover all national newspaper advertisers, nor even all the principle ones, but only an important group whose expenditures the Bureau was able to check. Moreover, the figures would be somewhat changed if they had included magazine and radio advertisers who did not use newspaper space.

Automobiles and trucks constitute one of the leading industrial groups from the standpoint of newspaper advertising expenditure. In this division, 18 companies spent \$23,665,000 in newspaper space in 1931, as compared with \$12,399,910 spent in magazines and \$368,950 in radio broadcasting. In the food products division, 81 companies spent \$20,395,000 in newspapers as compared with \$18,292,065 in magazines and \$4,868,442 in radio. Fourteen tobacco companies invested \$28,730,000 in newspaper space last year, as against \$5,029,790 in radio and \$3,949,086 in magazines.

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ZENITH FACTORY TO PAY EXTRA TAX

Zenith Radio Corporation, through its Vice-President and General Manager, Paul Klugh, announces that there will be no extra tax on the list prices of the products made by his concern, but that said list prices will stand and the factory will pay the tax. This arrangement simplifies the tax matter for Zenith distributors and dealers and places the burden of taxation where it should be places, namely on the factory.

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APPLICATIONS RECEIVED BY FEDERAL RADIO COMMISSION

July 23 - WDEL, WDEL, Inc., Wilmington, Dela. modification of license to increase power from 250 w. 500 w. LS to 500 w. day and night on experimental basis; WHAS, The Courier-Journal Co., and The Louisville Times Co., Louisville, Ky., license to cover C.P. granted June 24, 1932, for auxiliary transmitter; KWEA Hello World Broadcasting Corp., Shreveport, La., C.P. to install new transmitter; KTSM, WDAH, W. S. Bledsoe and W. T. Blackwell, El Paso, Tex., voluntary assignment of license to Tri-State Broadcasting Co., Inc.; WKFI, J. Pat Scully, Greenville, Miss., license to cover C.P. granted May 24, 1932, for changes in equipment and change power from 100 w. 250 w. LS to 100 w. day and night, (formerly WRBQ); KLO, Interstate Broadcasting Corp., Ogden, Utah, C.P. to move station to Salt Lake City, Utah; R.W. and D. P. Lautzenheiser, Prescott, Ariz., C.P. to erect a new station to use 1500 kc., 100 w., unlimited time, facilities of KPJM, Prescott, Ariz.

July 25 - WCAU, Universal Broadcasting Co., Philadelphia, Pa., modification of C.P. for 50 KW, request extension of completion date to 9/17/32; WSM, National Life & Accident Insurance Co., Nashville, Tenn., license to cover C.P. granted 11/17/32 for 50 KW; WRBL, WRBL Radio Station, Inc., Columbus, Ga., license to cover C.P. granted 4/1/32 for changes in equipment and increase power from 50 to 100 watts; Armand Ralph Gamache, Newton, N. C., C.P. for a new station to use 1500 kc., 7 watts, 7 A.M. to 5:30 P.M.; WIAS, Iowa Broadcasting Co., Ottumwa, Iowa, modification of license to change from specified hours to unlimited time; KFGQ, The Boone Biblical College, Boone, Iowa, modification of license for changes in specified hours of operation.

The following applications were returned to the applicant: KGIX, J. M. Heaton, Las Vegas, Nevada, automatic frequency control (request of applicant); KMTR, KMTR Radio Corp., Los Angeles, Calif., direct measurement of antenna power (request of applicant).

Applications Other Than Broadcasting

July 23 - WLXC, R.C.A. Communications, Inc., Marion, Mass., renewal of general experimental license for 1594, 2398, 3492.5, 4797.5, 6425, 8655, 12862.5, 17310 kc., 10 kw.; WAL, American Radio News Corporation, Carlstadt, N. J., modification of license for increase in power from 10 kw to 20 kw.; WAK, same as for WAL; John M. Wells, new license for aircraft on 60000 to 400000 kc., less than 50 w., general experimental service.

July 25 - Robert J. Wood, NC-8450, new license for 56000 to 60000 kc., 15 watts, general experimental service; WBEN, Inc.: W8XH, portable within 25 miles WBEN, Martinsville, N. Y.; also for another portable - licenses covering C.P. for 51400 kc. and 60000 kc. respectively, 10 watts, general experimental service; W10XM, Ford Motor Co., NC-8405, renewal of general experimental license for 6425 kc., 7.5 watts; Howard A. Seyse, Mobiles in Erie Co., N. Y., new C.P.s for 55500 kc., also 55500, 60500, 70500, 80500, 90500, 100500 kc., respectively, 10 watts, general experimental service.

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DECISIONS OF THE FEDERAL RADIO COMMISSION

Applications Granted (July 25, 1932)

Britt A. Rogers, Jr., Tupelo, Miss., C.P. for new station to operate on 990 kc., 500 w., daytime; WHBQ, Broadcasting Station WHBQ, Inc., Memphis, Tenn., C.P. to move transmitter locally from 3rd St. Memphis, Tenn.; WCGU, United States Broadcasting Corp., Brooklyn, N. Y., authorized to cease operation for 30 days while installing frequency control equipment; WJBY, Gadsden Broadcasting Co., Inc., Gadsden, Ala., authorized to extend period of silence from July 22 to Aug. 20, 1932, to establish selection of proper transmitter site; WKBF, Indianapolis Broadcasting, Inc., Indianapolis, Ind., authority to operate specified hours to Sept. 24, provided Station WCMA remains silent; KUMA, Albert H. Schermann, Yuma, Ariz., 30 day extension of program test period.

Also, WPDH, Police Department, Richmond, Ind., C.P. to install new equipment; W3XAU, Universal Broadcasting Co., Newton Township, Pa., modification of C.P. to extend completion date to Oct. 13, 1932; WPEK, Police Department, New Orleans, La., license for police station 2430 kc., 100 w.; KGTH, Aeronautical Radio, Inc., Salt Lake City, Utah, KGTH, Las Vegas, Nev., licenses aeronautical and point-to-point 2720, 2732, 4110 kc., unlimited; 6510, 6520, 6530, 8015 kc., day only, 150 w.; WPI, Inland Waterways Corp., Memphis, Tenn., renewal of coastal telegraph license, 163 and 438 kc., 1 kw., for one transmitter, 100 w. for other transmitter; John M. Wells, Southbridge, Mass., special authority to operate a new station for experimental test purposes during August and September in connection with transmission measurements during solar eclipse.

The Texas Company: WGED, WIEV, WJEB, WJEA, ships "Major Albatross", "Petrel", "Hobson", and "Tampico" third-class ship station licenses to authorize operation of low-power tube transmitter aboard vessels listed, 2738 kc., 15 w.; Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y., authority to operate broadcast pickup station on 2342 kc., 10 w., July 28 to August 10 inclusive, for purpose of rebroadcasting results of international yacht races on Lake Ontario (Action taken July 21); Metro-Goldwyn-Mayer Corp., portable, Point Barrow, Alaska, and vicinity, 3 C.P.s for portable service in Alaska to communicate with other portable stations of same licensee in Alaska and with Army Signal Corps station at Point Barrow, 4140 and 6210 kc., 2.w. power, granted one C.P. same as above except 50 w. power, granted licenses to cover the above; WCMA, General Broadcasting Corp., Culver, Ind., authorized to operate from July 15 to Oct. 1st inclusive specified hours, provided Station WKBF remains silent; WQDM, A. J. St. Antoine and E. J. Regan, St. Albans, Vt., authorized to operate from 9 to 11 A.M. and from 2 to 6 P.M., E.S.T., July 28 and 29, 1932.

Renewal Of Licenses

The following stations were granted renewal of licenses for the regular period: WEW, St. Louis, Mo.; WKAR, East Lansing, Mich., KGU, Honolulu, T.H., and KXA, Seattle, Wash.

Set For Hearing

KLO, Interstate Broadcasting Corp., Ogden, Utah, C.P. to move transmitter from near Ogden to 8 miles west of Salt Lake City, and studio from Ogden to Salt Lake City; Thirty-first Street Baptist Church, Indianapolis, Ind., C.P. for new daytime station to operate on 600 kc., 250 w., daytime, heretofore granted, has been set for hearing because of protest filed by Station WFBM (action taken July 25); W2KE, Kenneth J. Stanford, Brooklyn, N. Y., application for amateur station license set for hearing because of violations of amateur regulations.

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DECREASE IN EXPORTS AND IMPORTS

Exports of radio receiving sets for May, 1932, which the Bureau of Foreign and Domestic Commerce has just reported on, were valued at \$493,831 - a decrease of \$677,109 from last year. Some of the foreign markets have been curtailed by the imposition of high duties and the establishment of quotas, but on the other hand other countries are gradually becoming more interested in radio sets and are developing into fair markets. Recent information from China, for instance, states that the outstanding activity in the Shanghai import trade is the interest in radio receiving sets, despite the unfavorable outlook for a wide scale of broadcasting, owing to Government restrictions.

During the month under review Spain was the largest individual purchaser of American radios, shipments going to that country being worth \$57,364. Brazil was next taking \$51,934 and Belgium imported 1,515 sets valued at \$40,040. Argentina purchased radio receiving sets in the amount of \$41,917 and the Union of South Africa accounted for \$31,041 worth. Argentina also purchased \$38,902 worth of components and \$26,729 worth of loud speakers; the value of these products being taken by the other countries mentioned were comparatively small.

Purchases of electrical equipment made abroad during the month under review amounted to \$169,210, as compared with \$235,728 for last year.

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