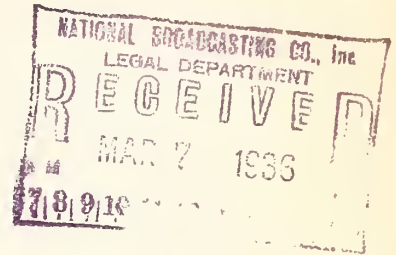


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HOUSE ATTACK ON CBS HINTS ROUGH ROAD AHEAD FOR RADIO

Preliminary outbursts in Congress and out indicate that the broadcasters, and especially the networks, are going to be between the devil and the deep blue sea until after the November elections. The trouble began when the networks declined to meet the demands of the Republican National Committee for time and facilities to match the address of President Roosevelt to Congress, which was broadcast at 9 o'clock at night to reach the largest radio audience. Since then the Republicans have been zealously watching all New Deal speeches over the air and have been quick to insist upon the right to answer in another G.O.P. broadside.

This week, however, the Columbia Broadcasting System again found itself in the center of the ring with Democratic Members of the House of Representatives doing the shooting because the network had scheduled a talk by Earl C. Browder, General Secretary of the Communist Party in the United States.

The outbursts in the House followed a vitrolic editorial attack on CBS and Communism in the Hearst newspapers. Immediately, anti-red Congressmen took up the cry and hurled charges of "treason" at the network for daring to follow the Communications Act and the United States Constitution.

Representative McClellan (D.), of Arkansas, was the most outspoken in his criticism of the network and William S. Paley, its President. Inviting his colleagues to join in a protest against the "un-American conduct" of CBS, he added:

"This action on the part of the Columbia Broadcasting System and its President, William S. Paley, constitutes a flagrant insult and defiance to every believer in Almighty God and every lover of our Christian institutions."

Congressman McClellan said he had learned from the Federal Communications Commission that "there are letters and telegrams pouring in to it from the American people throughout the nation protesting the free use of these facilities being made available to public enemies of this government."

Representative Pierce (D.), of Oregon, chided Mr. McClellan with lack of knowledge about Russia and added:

"Is the gentleman aware that the doctrine he is now preaching, if it had been in existence some years ago and been in force, there would have been no America, no independence?"

Mr. Browder is the first national official of the Communist party in this country to speak over a national hookup.

On the night following his address, CBS gave an equal amount of time to Representative Hamilton Fish, Jr. (R.), of New York, an arch Red-baiter, to answer Mr. Browder.

Besides the constitutional guarantees of free speech, CBS might well justify its action by Section 315 of the Communications Act, which requires a licensee who makes radio facilities available to one candidate for public office to afford equal opportunities to all other candidates.

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FCC ON SPOT AGAIN FOR LENDING AID TO SENATE LOBBY GROUP

The Federal Communications Commission was on the spot again in Congress this week but not for any reason of action having to do with broadcasting operations or control. The Commission, it developed, had rendered valuable aid to the Senate Lobby Committee in obtaining copies of private telegrams from offices of Western Union and Postal.

Representative Wadsworth (Republican), of New York, among others, took the floor of the House to denounce the FCC for its work. Before he had concluded, Representative Connery (D.), of Massachusetts, had obtained his endorsement of the Connery resolution calling for a thorough investigation of the Commission.

The Commission had access to all records and files of the telegraph offices, it was explained, under the Communications Act. Chairman Anning S. Prall denied having any part in the seizure of telegrams believed to be concerned with the public utility holding company bill of last year. He said that he understood the Telegraph Division, of which Irvin Stewart is Chairman, had "cooperated" with the Senate Committee. Commissioner Stewart declined to comment.

Representative Wadsworth, sometimes spoken of as a possible Republican candidate for President, had this to say, in part, about the disclosure:

"My information is that tens and tens of thousands of telegrams passing between citizens have been seized by the Communications Commission. They have been pawed over and examined. No warrant has been issued for the seizure of this private correspondence; no search warrant emanating from any court of competent jurisdiction. A Commission of the Government has taken upon itself the power to step into the offices of the Western Union Co. or the Postal Telegraph and to say, for example, 'We want a copy of every telegram sent by John Smith or to John Smith', and the companies, fearful of the regulatory power of the Commission over them, have handed over these copies.

"Mr. Chairman, it strikes me that we have reached a strange stage in the development of demoralization when, without a search warrant issued by a competent court, a Commission of the United States Government can seize private correspondence without limit and restraint and make any use of it it pleases."

After Congressman Wadsworth had concluded, Representative Rankin (D.), of Mississippi, arch foe of the power trusts, defended the FCC.

"The Federal Communications Commission was entirely within its rights", he said, "and, instead of being subject to criticism, they should be supported for doing their duty."

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NEW POWER TUBE DEMONSTRATED BY FARNSWORTH

An amplifying and power tube for use in radio and television, described as capable of tremendous current amplification in a fraction of a second, was demonstrated March 4 by Philo T. Farnsworth, youthful television inventor, at a meeting of the Institute of Radio Engineers at the Engineers' Club in New York City. The demonstration as reported by the New York Times follows:

Using a tube about the size of a quart container, fitted with a cylindrical cold cathode rather than the usual hot filament, Mr. Farnsworth produced 1,000 watts of power. He explained that in the design of his tube he had taken advantage of the secondary emission of electrons - an effect hitherto avoided by radio tube designers.

Pointing out that it had long been known that metals have electrons in suspension on their surfaces which may be released when bombarded by other electrons, Mr. Farnsworth explained that the elements of many of the present tubes are purposely coated with graphite or carbonized so secondary electrons will not be given off.

In the newer-type tube, which Mr. Farnsworth called the Multipactor, the sides of the cylindrical cold cathode act as opposing surfaces for bombardment of these secondary electrons. When the current is turned on the primary electrons bombard the metal surfaces, striking them at high speed, and act as recruiting sergeants to pick up the secondary electrons in suspension on the metal.

These in turn join the army and perform the same function, swinging back and forth across the cylinder so that the multiplication is by geometrical progression. The trips across the tube, Mr. Farnsworth said, are at such astronomical speeds that fantastic increase in current is achieved in fractions of a millionth of a second.

Because it operates without a hot filament, the tube has a greatly increased efficiency, it was declared, and future radio transmitters can be built with fewer tubes, which, Mr. Farnsworth pointed out, is of particular importance in airplane radio sets.

He also emphasized the importance of the tube in the development of television transmission and its virtually noiseless amplification. The tubes are especially suited to the amplification of high frequencies, he said. The tube owes much of its success, he said, to the discovery of a metal of high efficiency as an emitter of secondary electrons.

Mr. Farnsworth said "These tubes will give any power they are called upon to give instantly", but added that he did not yet know what their life was. Each one was different, he said, and they had not been in use long enough to determine their useful life.

In answer to questions, he said the tube had produced frequencies of 300 megacycles.

"I see no reason why it should not produce 1,000 megacycles", he declared. "It is an electronic oscillator, and I see no limit to it."

He declined to reveal the nature of the metal of the surfaces, though he said the new metal's efficiency was due both to the use of an alloy and to the manner in which the surfaces were coated.

Mr. Farnsworth is Vice-President of Farnsworth Television, Inc., which has done much experimentation and development in the radio and television field. A tube somewhat similar to the one he showed, but described as a "multiplier", was demonstrated before the Institute of Radio Engineers last Fall by Dr. V. K. Zworykin, television research expert of the RCA Victor Company.

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NETWORKS WATCH NON-TELEPHONE HOOKUP IN CORN BELT

Both the National Broadcasting Company and the Columbia Broadcasting System will watch with interest the inauguration of what has been called the "Corn Belt Wireless Network" on March 9 in the Middle West.

Under the leadership of Station WHO, Des Moines, a hookup is being arranged for the first time without utilizing telephone lines. Other stations reputedly in the network, to be linked by short-wave circuits, are: WNAX, Yankton, S. D.; KOIL, Omaha; KFAB, Lincoln, Nebr.; KMA, Shenandoah, Ia.; KFJB, Marshalltown, Ia.; WOC, Davenport, Ia.; and KMBC, Kansas City.

Kellogg's is the first sponsor to accept the network and will present Gene and Glenn, former NBC team now on WHO staff, in the initial program for a half-hour March 9.

Operating under Rule 177 of the Federal Communications Commission, which permits the rebroadcast of programs, the Corn Belt network will be fed from WHO by short-wave. Individual stations will then put the program out over long-wave. WHO has short-waved sustainers to WOC, Davenport, for years. WLW, Cincinnati, and WSM, Nashville, also feed smaller stations similarly by short-wave.

Estimates of the cost of telephone wires to link the same number of stations for the same program on a 13-week contract run between \$6,000-\$7,000. Substantial savings as compared with electrical transcriptions are promised. An odd feature of the setup is that members of the Corn Belt group are both NBC and CBS affiliates. However, the Mutual network in the East provides precedents in that Mutual links are also links for NBC (WLW) and CBS (WNAC, Boston).

Advertising rates for Corn Belt is the total of the national card rates of all its members. Such individual discounts as would ordinarily be earned by any national spot advertiser will accrue individually, but there will be no over-all discount.

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SHARP EXCHANGE IN HOUSE AS SIROVICH RAPS DUFFY BILL

Although public hearings are still in progress on the Duffy and other copyright bills, Chairman Sirovich, of the House Patents Committee, on March 3 made an hour's speech on the House floor attacking the Duffy bill, favored by the broadcasters, and praising his own measure, which is endorsed by the American Society of Composers, Authors, and publishers.

At the conclusion of his address several members jumped to their feet to defend the Duffy Bill and the point of view of the organized broadcasters.

ASCAP was charged by Representative Zioncheck (D.), of Washington, with using the \$250 minimum penalty for copyright infringement "as a club to blackmail people into damages", while Representative Boileau (Progressive), of Wisconsin, criticized ASCAP for assessing dance halls and other places of amusement in Wisconsin for playing copyrighted music.

Mr. Sirovich made a spirited defense of the Society and authors, of whom he claimed to be one, and argued at length against any legislation which would make the United States join the Berne Convention. He said that his bill would "protect the innocent infringer", would protect an author from losing his copyright

except by his own act, and provides a single term of 56 years in place of the dual terms of 28 years for copyright holders.

The New Yorker challenged any member to bring as a witness before his Committee any owner of a tavern, beer saloon, hotel or restaurant who has ever been called upon to pay any copyright assessment unless he staged a public performance for profit.

Representative Zioncheck in a subsequent five-minute talk pointed out that Sirovich refused to hold hearings on the copyright bills until a petition to discharge the Committee had been filed in the House.

"Hearings have been going on, somewhat in the nature of a circus, I admit, and somewhat out of order, for I have never yet in my brief experience in Congress known of a Committee to start hearings upon a bill and have the opponents of the bill testify first."

Congressman Boileau suggested that ASCAP, if it insists upon more revenue, might get it from the broadcasting stations and the orchestras rather from hotels, restaurants, and the like that merely turn on loudspeakers.

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SENATOR BONE ANSWERS SIROVICH ON COPYRIGHT CHALLENGE

Senator Bone (D.), of Washington, answered the challenge hurled by Representative Sirovich (D.), of New York, in the House this week for any member to produce an instance in which ASCAP has called upon any tavern, beer saloon, hotel owner, or restaurant keeper to pay for copyright music unless that music was played in a public performance for profit.

Senator Bone, after quoting Representative Sirovich from the Congressional Record, said:

"Mr. President, just so that the Record may be straight, because Mr. Sirovich has referred to the State of Washington, I wish to say that I happen to have personal knowledge of one instance in which the American Society of Composers, Authors, and Publishers compelled a small inn-keeper on what is known as the Seattle-Tacoma Highway to pay money because he had a little radio in his very small roadside inn, a dinky little place of no size at all and very inconspicuous. I wired the owner of that inn yesterday, and I have this answer from him:

"Yes, we have paid to Clark R. Belknap, attorney for account of ASCAP, at the rate of \$6.60 per month for using radio in dining room.

J. O. Gates.'

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"I want this in the Record and I want to add also, Mr. President, that upon a number of occasions and from a number of groups in the State of Washington I have had very bitter complaints that they have been approached by men representing the society and threatened with lawsuits that might have occasioned them all great financial loss had the lawsuits been pressed to the conclusion which the law seemingly permitted."

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TELEPHONE HEARINGS SCHEDULED TO START ON MARCH 17

The initial public hearing in the investigation of the American Telephone & Telegraph Company authorized last year by Congress was scheduled this week for March 17 at 10 A.M., before the Telephone Division of the Federal Communications Commission.

The hearing will cover all other companies engaged directly or indirectly in telephone communications in interstate commerce, including all their subsidiary, affiliated, associated, or holding companies. The procedure, the FCC said, will be informal and similar to that of special investigating committees of Congress.

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JANUARY RADIO ADVERTISING \$8,035,160; ABOVE 1935

Total broadcast advertising volume in January amounted to \$8,035,160, according to the National Association of Broadcasters. The usual seasonal declines occurred during the month, gross time sales slumping 7.5 per cent from the December mark.

The radio advertising volume, nevertheless, exceeds that of January, 1935, by 8.7 per cent. The heaviest increases were in the regional network and national non-network fields. National network volume was approximately the same as during the corresponding month last year.

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ASCAP ENDS DIRECT TESTIMONY; RADIO TO BE HEARD NEXT WEEK

The American Society of Composers, Authors, and Publishers concluded its direct testimony before the House Patents Committee on the pending copyright bills March 5 after being allowed two weeks.

While the agenda for next week has not been prepared, it was said that radio interests and others will be given an opportunity to be heard next week. James W. Baldwin, Managing Director of the National Association of Broadcasters, expects to take the stand Tuesday morning. ASCAP representatives will have a chance for rebuttal testimony at the conclusion of the hearing, the Committee Clerk said.

E. C. Mills, General Manager of ASCAP, was the principal witness this week, the other two principal witnesses being showmen - Rudy Vallee and George M. Cohan.

"Pride of authorship is inherent in a creator", Mr. Mills said, "and the creator should be protected and adequately compensated for his work."

Appearing in opposition to the Duffy Bill, which the broadcasters favor, he said: "Without music, the radio is inarticulate."

He told the Committee that copyright laws were passed for the public and not for creators, "because it is the public which accepts or rejects a man's creation, is entitled to its benefits and in turn should provide compensation for the creator."

He assailed copyright provisions which, he said, specified the same remuneration to the author of "Flat Tire Papa, Mamma's Gonna Give Him Air", that John Philip Sousa received for phonograph renditions of his marches.

Mr. Mills urged the Committee against approval of adherence to the Berne Convention which provides automatic copyrights in all countries which are signatory.

"We would be no better off under the Berne Convention despite the fact there is no nationality in music", he said. "It is impossible for United States citizens to protect their rights in Italy or Germany, for example.

"Why not an aristocracy of these people who create?" he asked. "Give them protection and encourage them as guaranteed under our Constitution. Or if you do not believe in that theory, then let's kill all copyright laws and kill creation with it."

Mr. Mills told the Committee that \$80,000,000 worth of radio time was sold on the air in one year, that \$50,000,000 was paid by radio listeners to power and light companies for energy to operate their sets, and that \$500,000,000 was spent for radios.

"Yet the 45,000 composers and authors who are members of our Society received only \$2,680,406.46 out of what must have been a billion dollars' worth of business", he said. "The radio is inarticulate until created material is made available."

Rudy Vallee, while admitting that he had not read the Duffy Bill but was familiar with ASCAP views on it, said the Duffy Bill would "damage irreparably" the creative inspiration of the country. While he talked the House members on the Committee bickered.

Representative O'Malley (D.), of Wisconsin, questioned Mr. Vallee and placed into the record complaints of small beer parlors in Wisconsin that ASCAP had used "hijacking tactics" on.

Coming to the defense of ASCAP, Representative Daly (D.), of Pennsylvania, said dryly:

"Mr. O'Malley saw 'Roberta', and the 'smoke' is still in his eyes."

George M. Cohan got a great reception from the Committee members, who expressed deep interest in his colorful career.

"I'm not a poet laureate or anything like that". Mr. Cohan said. "I'm just a handy man to have around - or at least Sol Bloom seems to think so."

Mr. Cohan also admitted he had read neither the Duffy nor the Daly bills, but he protested against the provision in the Duffy Bill which would eliminate the \$250 minimum penalty for copyright infringement.

"I'm not here to plead for myself", he said. "I'll get along all right, but I am here to plead for those whose only source of revenue is the compensation they receive through ASCAP for their performed works."

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MPPA VOTES TO CHANGE NAME TO NACO

The Music Publishers' Protective Association will cease to exist under that name as soon as Francis Gilbert, General Counsel for the organization, has obtained legal permission to make a change. The trade group is to be known as the National Association of Copyright Owners. Decision to assume a new title was made at a general meeting of publishers last week in New York.

The change in names was motivated by two reasons, it is reported. One was to relieve the organization of its original purpose, the enforcement of a code of trade practices or ethics. The other had to do with the realization by the publishers of the movement started among writers to establish themselves as the real owners of the copyrights to their works.

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::: INDUSTRY NOTES :::

Charging that the International Broadcasting Company, operators of KWKH, Shreveport, La., performed a breach of contract in consenting to move from half-time sharing of 850 kc channel to 1100 kc in order to allow WWL, New Orleans, the cleared full-time channel, the Hello World Broadcasting Company last week was victor in a breach of contract suit. A jury awarded \$21,500 damages to the Hello World Company and the judge of the court overruled objections to reading of the decision pending outcome of a motion by defense for a new trial which is as yet pending approval.

Glen Parker has joined the announcing staff of Station WMCA, New York City. He started in radio while in High School at Erie, Pa., when he wrote continuity for Station WERE of that city. Later he became an announcer at WIBO, Chicago, and then was connected with WCAU, Philadelphia, and WPG, Atlantic City, going to New York from WIP, Philadelphia.

Charging unfair representations in radio programs, newspapers and other printed matter concerning washing machines sold in interstate commerce, the Federal Trade Commission has issued a complaint against Taylor Washing Machine Co., 2921 West Madison St., Chicago. Friday, April 3, next, is the final date for the respondent to show cause why the Commission should not issue against it an order to cease and desist from the practices alleged.

NBC has issued a folder which quotes the "NBC early bird" as saying: "In 1935 advertisers invested \$5,452,890 in NBC daytime hours." The figure does not include Sundays, it is explained.

Copies of the annual report of the American Telephone & Telegraph Company for 1935 are now available at A. T. & T. headquarters, 195 Broadway, New York City.

The place of radio in the modern war against crime will be discussed by David Sarnoff, President of the Radio Corporation of America, in a talk on "Radio as a Force in Crime Control" over an NBC-WJZ network on Thursday, March 12, from 2:30 to 3:00 P.M. EST

A direct radiotelegraph service between the United States and Haiti was opened today, March 6, for all classes of telegraph service, between the stations of the Mackay Radio and Telegraph Company here and the government stations of Haiti at Port au Prince.

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So great has been the popular appeal of the informal talks, according to Columbia, by W. J. Cameron on the Ford Sunday Evening Hour over CBS that a total of 5,130,000 copies of his remarks have been printed to meet the demand created by the series of the past and present years.

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CBS ISSUES REPORT ON AUDITORY ADVERTISING

Investigations over a period of 34 years concerning the effectiveness of the spoken word are summarized in a report just published by the Columbia Broadcasting System under the title of "Exact Measurements of the Spoken Word, 1902-1936." The findings of 21 scientists in all are tabulated in the booklet, which is presented, in a non-competitive spirit, as a scientific tabulation of available material.

The last group of findings is concerned with advertising copy specifically. Included here are Dr. Henry N. DeWick's experiments at the University of North Carolina in 1933; Dr. Frank N. Stanton's experiments at Ohio State University in 1934, and Mr. Frank R. Elliott's summary, in 1936, of experiments conducted with Columbia University students and a group of non-university adults. Taken together these three experiments show conclusively that the auditory presentation of advertising copy is superior on the counts of pure recall, aided recall, and recognition.

An appendix contains a summary of the elaborate experiments conducted over an 18-month period at Harvard University, on the psychology of radio. These resulted in much the same conclusions as the previous work cited, and have been presented in a book entitled "The Psychology of Radio" by Dr. H. Cantril and Dr. G. W. Allport.

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