

WASHINGTON, D. C.

RECEIVED  
MAY 10 1939

No. 1123

g m p h

May 9, 1939.

## ISSUES DEFINED FOR HEARING ON REBROADCASTS

The Federal Communications Commission this week specified eleven issues that will be considered in connection with the proposal of Mayor LaGuardia to change the FCC rules so as to permit educational and governmental stations to rebroadcast programs of international short-wave stations.

A notice was sent out this week to all licensees on 550 to 1600 kc. and to all international station operators to appear at the hearing on June 7.

"For the purposes of developing information upon the question of modification of the rule as aforesaid", the FCC stated, "the following issues shall be determined:

- "1. To determine whether the Commission should amend its Rule 177.1 so as to permit the rebroadcasting of programs of international broadcast stations by regular broadcast stations whose licensees are universities, other educational institutions, municipalities, other governmental agencies, or other non-commercial, non-profit-making organizations.
- "2. To determine whether the Commission should amend its Rule 177.1(b) so as not to require authority from the Commission to rebroadcast the programs of high frequency broadcast stations by regular broadcast stations whose licensees are the same as those set forth in paragraph 1 hereof.
- "3. To determine the basis for the distinction between the types of licensees mentioned in paragraph 1 hereof and other broadcast licensees for the purposes therein set forth.
- "4. To determine to what extent, if at all, the amendment of the rules as set forth in paragraphs 1 and 2 hereof would affect the operation of commercial stations as to program service and listening audience.
- "5. To determine whether the amendment of these rules in the particulars mentioned in paragraphs 1 and 2 hereof is consistent with the purposes of international broadcast stations, as set forth in Rules 1010, 1011 and 1012(c).
- "6. To determine whether, in view of the long distance characteristics of international stations, and the unreliability of the short or national services of such stations, international stations should be permitted to be used to assist in the building of programs for regular broadcast stations.

- "7. To determine whether in view of the limited number of frequencies available throughout the world for international stations and the relatively large number of frequencies now used for regular broadcast stations in the United States, and in view further of the position taken by the Government of the United States of America at all international conferences that international broadcast stations should be used exclusively for international transmissions of programs, the amendment of Rule 177.1, as set forth in paragraph 1 hereof, should be made.
- "8. To determine whether the amendment of the rules in the particulars mentioned in paragraphs 1 and 2 hereof would be consistent with international agreements or treaties to which the United States is a party. (Article 7, Paragraph 19, of the General Radio Regulations, Annex 2, of the International Telecommunications Convention, Madrid, 1932; Article 7, Paragraph 22, of the General Regulations, Annex 2, of the International Radio Convention, Cairo, Egypt, 1938; and Section 2, Table IV, of the Inter-American Arrangement Concerning Radio Communications, Havana, 1938.)
- "9. To determine whether the Commission should change its basic policy of not authorizing the use of radio facilities where other facilities are available to render the same service.
- "10. To determine to what extent a sufficient signal can be delivered by international broadcast stations throughout the United States to permit a satisfactory rebroadcast service.
- "11. To determine whether the modification of the rules as set forth in paragraphs 1 and 2 hereof would serve public interest, convenience and necessity."

X X X X X X X X

#### FCC TELEVISION CONFERENCES CONTINUE

The Television Committee of the Federal Communications Commission reports that last week it conferred informally with representatives of the Majestic Radio & Television Corporation, the Crosley Corporation, and the Wald Radio & Television Laboratories, Inc.

The Television Committee, composed of Commissioners T.A.M. Craven, Chairman, Norman S. Case and Thad H. Brown, also announced that conferences will continue this week with the Don Lee Broadcasting System and the Zenith Radio Corporation.

In commenting on the situation, the Committee Chairman stated: "We are discussing frankly with the industry the problems inherent in this new visual means of communication. By proceeding deliberately we hope to make a logical and comprehensive report to the Commission concerning the various complicated aspects of television as a service to the public. The Television Committee will make its report to the Commission as soon as practicable after the conclusion of the series of conferences."

X X X X X X X X



## APPELLATE COURT DENIES FCC REHEARING

The United States Court of Appeals for the District of Columbia on Saturday denied, in a brief opinion, the petition of the Federal Communications Commission for a rehearing in the case of the Pottsville Broadcasting Co. for a new radio station at Pottsville, Pa.

The decision, considered adverse to the Commission's authority to administer the radio broadcast provisions of the Communications Act, is held to be of such far reaching importance that William J. Dempsey, General Counsel of the Commission, announced that a petition will be filed with the Supreme Court of the United States for a writ of certiorari.

It is the contention of the Commission that the local court's original decision strikes at its administration of the law, alleging that the directions contained in the original opinion are a usurpation of the powers of the executive branch of government by the judiciary.

The Pottsville company sought a broadcasting license, which was denied, and the case was appealed. During the pendency of this litigation, another firm, the Schuylkill Broadcasting Co. applied for a station in the same town, but the Commission withheld action pending the court determination of the Pottsville case. In the court's original decision on the Pottsville case, it directed that the Commission reconsider the case on the original record in that case.

The regulatory body decided that it was its duty to consider both the Pottsville and Schuylkill cases at the same time, to reach a decision as which of the two applicants were likely to give the best service in the public interest. This right was denied by the court, which insisted that the Commission could only consider the original case on the record made at the original hearing.

X X X X X X X X

## NBC BILLINGS CONTINUE RISE FOR APRIL

Gross expenditures by advertisers on the NBC networks showed an increase for the seventeenth successive month when April billings rose 7.6 percent over billings for April, 1938. The total for April, 1938, was \$3,560,984 compared to \$3,310,505 for the preceding April.

The cumulative billings for the first four months of 1939 were up 7.7 percent over the four-month period in 1938 with a total of \$15,514,431 compared to \$14,408,905.

X X X X X X X X



## TWO TELEVISION PATENTS GRANTED TO RCA

Two patents designed to improve television transmission were granted last week by the U. S. Patent Office to persons associated with the Radio Corporation of America. One enables television to pierce fog, while the other effects a clearer picture by means of a "back drop".

The television transmitting tube that can pierce fog and haze to pick up scenes for transmission through the ether was developed in the laboratories of the Radio Corporation of America, it is indicated in a patent (No. 2,156,392) granted to Harley A. Iams of Berkeley Heights, N.J.

The screen of the new tube picks up scenes by the heat waves given off by objects in the scene. Technically, these are known as infra-red rays and unlike light waves, they pierce fog and haze. Thus, what is primarily projected on the screen is not a light image of the scene but a "heat" or infra-red image.

Instead of being photo-electric as the ordinary "tele-eye" or Iconoscope of the television pick-up cameras, the screen is thermo-electric, that is, electric potentials are generated in it when heat waves strike it. The thermo-electric sensitive screen is disclosed as being a fine film of germanium, a rare earth metal, mounted on a thin sheet of mica.

When the heat image is projected on it localized potential differences appear in the film as a result of temperature differences in different elemental areas of the heat image. These correspond to lights and shadows of the scene. Now when the image on the screen is scanned by a pencil beam of electrons, electrical currents are released from the film corresponding with the lights and shadows of the scene. These impulses are amplified and broadcast. At the receiver they are converted into a visible image corresponding to that broadcast.

With the new tube it would be possible, for example, to televise a hot electric iron or a stove in a dark room.

A black "back drop" for the screen of television transmitting tubes results in more sharply focused and detailed television images, according to a patent (No. 2,156,391) issued to Willard Hickok of Bloomfield, N. J. The patent is assigned to the Radio Corporation of America.

The "back drop" is a film of graphite at the back of the transparent mica support on which are mounted the photo-electric elements that convert the scene being televised into an electric image which is broadcast through the ether.

It is explained that when the scene is focused on the ordinary photo-electric screen of the "tele-eye" tube, light from the image is reflected, bounces off the walls of the tube back on

the screen so that a double image may be formed. At the same time the photo-electric elements scatter the light. All this, it is indicated, blurs and makes hazy the image to be broadcast.

The black "back drop", which is the subject of the patent, on the other hand, absorbs the light which would thus ordinarily be reflected. The result is a sharper, more detailed image.

X X X X X X X X

#### ASCAP SUES BARBECUE STAND IN COPYRIGHT CASE

A suit charging copyright violations involving the alleged unauthorized playing of "The Umbrella Man" and "Sweet Sue" has been filed in the United States District Court for the Eastern District of Virginia against Harry Riganis, proprietor of Harry's Bluebird Barbecue, Alexandria, Va., just outside the National Capital.

The plaintiffs are listed as Gene Buck, President of the American Society of Composers, Authors and Publishers, and the music publishing firms of Shapiro, Bernstein & Co., Inc., and Harmes, Inc.

It is charged that both pieces were played on and before February 23 at the Bluebird for the public and for private profit. The copyright owner of "The Umbrella Man", currently a dance favorite, is listed as Harmes, Inc., which claims it purchased the lyrics and music from James Cavanaugh, Vincent Rose and Larry Stack.

The owner of "Sweet Sue", the petition states, is Shapiro, Bernstein & Co., Inc., which was assigned the rights from Will J. Harris and Victor Young.

The suit asks damages of \$250 on each of the two counts and asks the court to restrain Mr. Riganis from using the songs in public

X X X X X X X X

#### ULTRA-HIGH FREQUENCY APPLICATIONS REQUESTED

The Federal Communications Commission this week ordered all holders of licenses for frequencies above 30,000 kc. to submit applications for renewal of authorizations by June 1. This action amends a previous order which set August 1 as the final date for receiving these applications.

Because of the limited number of frequencies available for these fixed services, the Commission plans to use the additional time for careful consideration of the needs of this radiocommunication service before October 1, 1939, which is the effective date of the new allocation of frequencies.

X X X X X X X X

# RADIO OFFICIALS LISTED IN 1938 SALARY LISTS

Executives of the Columbia Broadcasting System, the Radio Corporation of America and the American Telephone & Telegraph Company were included in the list of corporation salaries for 1938 reported this week to the Securities and Exchange Commission.

Among those reported were the following:

William S. Paley, President of Columbia Broadcasting System, Inc., \$171,849; Edward Klauber, Vice-President, \$78,304; Paul W. Kesten, Vice-President, \$43,804.

David Sarnoff, President of the Radio Corporation of America, \$100,900; James G. Harbord, Chairman of the Board, \$60,640, and Otto S. Schairer, Vice-President \$30,160.

Walter Gifford received \$209,350 as President of the American Telephone & Telegraph Company. Those in the same company in addition to Mr. Gifford were: C. P. Cooper, Vice-President, \$102,699; C. M. Bracelen, Vice-President, \$75,000; F. B. Jewett, Vice-President, \$66,000; A. W. Page, Vice-President, \$67,500; K. S. McHigh, Vice-President \$35,714; T. G. Miller, Vice-President \$38,000; K. W. Waterson, Vice-President, \$55,000; J. F. Behan, Treasurer, \$33,000; C. A. Heise, Controller, \$50,000, and W. H. Harrison, Vice-President, \$45,777.

X X X X X X X

## LARGEST TELEVISION SCREEN PUT IN LONDON THEATRE

Cabled advice to Ian C. Javal, Commercial Director of Baird Television, Ltd., in New York, preparatory to the introduction of large screen television in Broadway motion picture theatres, states that the big Gaumont British New Victoria Theatre in London has been equipped with the world's largest television screen. The screen is 20 by 15 feet in size as compared with previous installations of 15 by 12 foot screens.

Baird engineers are working night and day to make as many installations as possible in London theatres before the telecast of the Derby at Epsom Downs on May 24. Twelve theatres are expected to be ready. Advance reservations for this event forecast its tremendous popularity and success.

Work is also progressing rapidly in New York in the installation of the apparatus at the Gaumont British offices at 1600 Broadway.

X X X X X X X



## FCC PLANS RECESS ON SUMMER HEARINGS

Hoping to clear its docket of pending cases during the Summer months, the Federal Communications Commission has decided that it will not hold hearings between July 15 and September 5, except in special cases.

There are a number of cases pending before the Commission, particularly in the radio broadcast sections, involving applications for new stations and for changes in existing frequencies and power. Under the new procedure, which abolished the examiner system, these have more or less become bottled up, and it has been decided to try to clear all of them up during the Summer months.

The Commission also has before it the Walker telephone report to Congress, and is meeting at regular intervals to revise sections in connection with the investigation of the American Telephone & Telegraph Co. It also has before it the voluminous record collected during the six months of public hearings on monopoly in broadcasting.

The Commission has announced that it has changed its regular meeting day from Mondays of each week to Tuesdays, beginning May 16th.

X X X X X X X X

## DAILY FACSIMILE PAPER PUBLISHED AT FAIR

The New York Herald Tribune, in conjunction with the Radio Corporation of America, is publishing a daily facsimile newspaper on the grounds of the New York World's Fair. The paper, each edition of which consists of three sheets, is called the Radio Press.

The service is expected to demonstrate the possibility of printing parts of newspapers in the homes of readers by means of facsimile broadcast. Inauguration of the Herald Tribune-RCA service marks the first experiment in this field carried on jointly by an unassociated newspaper and a broadcasting organization, according to the newspaper. While similar experimental operations have been conducted by the Buffalo Evening News, the St. Louis Post-Dispatch and the McClatchy chain of papers in California, this is the first newspaper-sponsored test in the metropolitan area, it was explained.

The Radio Press is being published in the RCA's World's Fair building. Operations are conducted in full view of the public from 10 A.M. to 10 P.M. John A. Bogart, radio editor, and Whitelaw Reid, of the Herald Tribune staff, are editing the paper.

The Radio Press is being published four times daily. The first edition is devoted wholly to World's Fair news supplied by the Herald Tribune's World's Fair staff. Later editions carry other news furnished by wire services. The paper also uses pictures.

The paper is three columns wide, although the columns are somewhat broader than the ordinary newspaper column. One sheet of the paper can be transmitted every twenty minutes.

X X X X X X X X

#### CLEVELAND CUTS CRIME 50% BY USE OF RADIO

Modernized radio, telephone and teletype communication systems have enabled the Cleveland Police Department to reduce major crimes in that city by 50 percent in one year, according to Lloyd N. Chatterton, Superintendent, Radio Division, Cleveland Department of Public Safety.

He addressed the Institute of Radio Engineers, Washington section, this week.

Elimination of roll-call and arrangements for scout car crews to relieve each other at pre-arranged meeting places instead of reporting to their stations makes possible uninterrupted 24-hour patrol in Cleveland, Mr. Chatterton declared.

Gerald C. Gross, Chairman of the local group presided. Among other guests were Donald Manson, of the Canadian Broadcasting Co. and H. Lubke, Don Lee Broadcasting System of Los Angeles.

X X X X X X X X

#### BBC DENIES GOVERNMENT WILL TAKE OVER RADIO

The British Broadcasting Co. has branded as "entirely erroneous" The London Daily Mail story of April 22 in which it was reported that on June 7 the British government would take over the BBC network for use as a Government news agency and as a potential, and to some extent actual, propaganda machine.

A letter signed by Felix Greene of New York, BBC's North American representative, quoted the British government's denial of The Daily Mail's story:

"There is no foundation for the report that the Government is contemplating the adoption of any special measures of control over the BBC", the denial said. "I wish to inform you quite definitely that these reports are unfounded", Mr. Greene's letter added.

X X X X X X X X

## TELEVISION SHOWS DRAW THROGS AT N. Y. FAIR

The public at the New York World's Fair is so interested in television that it occasionally creates a traffic problem in the exhibits of General Electric, Westinghouse and Radio Corporation of America, according to the New York Times.

The magic word "television" piles up crowds so heavily that demonstrations scheduled by the half-hour are giving way to continuous performances all day. Special policemen have been hired by the television companies to keep the visitors politely moving.

At the General Electric, in an effort to conserve the energy of the demonstrators, signs were first put up saying there would be no demonstrations until 1 P.M. each day. The visitors would not be put off, however; they sat in the lobby until it was necessary to send a hurry-call for the demonstrators, to get an early start.

The television companies survey this public insistence, not in resentment, but in pleased surprise. The question whether the public was ready for television is rapidly being answered. The visitors at General Electric, for instance, want to know immediately what the television receivers cost and where they can buy them. And thereby they are somewhat embarrassing the General Electric. For its machines are being manufactured, but the introductory price is still under discussion.

Meanwhile the visitors have an opportunity to try television on their companions. At one side of the General Electric lobby there is a studio for telecasting - the World of Tomorrow. As the visitors look into the studio through the glass walls, Bill Mulvy, the General Electric interviewer, entices one of a group inside, to be telecast across the lobby into receivers lined up on the other side.

Mr. Mulvy says it's easier to induce men to be televised than women. He says women are inclined to doubt his assurance that under a newly developed mercury vapor lamp that is used, no special makeup is required now for telecasting.

The Westinghouse company conducts a television demonstration in somewhat the same manner. The Radio Corporation of America periodically sends out a roving telecasting car which picks up visitors from the crowd and interviews them wherever they happen to be on the Fair grounds.

The thousands who come to these various demonstrations of television daily, seem remarkably well informed about it. They examine the transparent television receiving set in the lobby of the RCA Building and discuss it with evident knowledge of its vital parts. They seem already familiar with the principle of the new kinescope or picture screen, and the iconoscope or scanning eye, which turns scenes into linear successions of electric pulses,



5/9/39

capable of re-establishing the same scenes at the receiving end.

Evidently the radio public served by some 700 broadcasting stations throughout the nation, with an estimated audience of 70,000,000 persons daily, has grown accustomed to ordinary American sound broadcasts, short-wave foreign broadcasts, police and aviation listening; now it is impatient to see what it has grown accustomed to hearing.

X X X X X X X X X

### DUKE'S RADIO AUDIENCE FAR BELOW THAT OF 1936

The Duke of Windsor - without the oomph of love in his voice and a throne at stake over a woman he loves - is no longer a serious threat to America's own crooners, if the National Capital can be adjudged a fair sample of the U. S. listeners.

National Broadcasting Company officials said that people are pretty busy from 4 to 4:30 P.M., and opinion otherwise was that love - and love alone - is capable of emptying the Government buildings and attracting the lawyers' girls from their briefs; the shop girls from the counters, the waitresses from their counters, the high school girls from their classes, sending them all to the radio sides.

This time the duke had peace for argument and an inquiring reporter and photographer, of the Washington Post, who went after opinions all the way from the suburbs to the door of the British Embassy, returned with only a water haul and the opinion that the duke, like a movie plot, had better rely on love.

They posted themselves in the swirling hurly-burly of F Street at 5 P.M., asking scores of persons if they had heard the duke.

"What duke?" some of them replied. "I didn't have time", replied others. None said he had heard the broadcast from Verdun.

One of the largest hotels in Washington said it had received no requests from its guests for radio sets in the rooms. Several downtown radio stores said they had not tuned in on the speech. One restaurant proprietor said he was about to tune in, but somebody said that Cleveland was on a scoring rampage so he got that instead.

No listeners along the streets, nothing like December 12, 1936, when the big buildings, stores, meat markets and beauty shops unloaded to hear. . . "that I have found it impossible to carry the heavy burden of responsibility and to discharge my duties as King as I would wish to do without the support of the woman I love . . ."

X X X X X X X

:::  
 ::: TRADE NOTES :::  
 :::

Vinton K. Ulrich, formerly managing editor of Radio Today, has been named Sales and Advertising Manager of Hytronic Laboratories, division of the Hytron Corporation, Salem, Mass.

-----

Edward Samuel Rogers, Vice-President of the Standard Radio Company and the Rogers Radio Tubes, Ltd., died in Toronto last week at the age of 38.

Mr. Rogers became interested in radio broadcasting through the early Toronto station, 3-BF, which grew into the present GFRB, which he headed.

-----

W3XAL, the National Broadcasting Company's short wave station at Bound Brook, N.J., is now transmitting a more powerful signal to Argentina than any other American station operating in the 9500 kilocycle area, according to information just received from Buenos Aires by Frank E. Mason, Vice-President in charge of NBC's International Division.

-----

The NBC Interval Plan, by which advertisers on the NBC networks may suspend their broadcasts for a limited period at any time during the fiscal year, was announced last week by Roy C. Witmer, Vice-President in Charge of Sales. Outstanding feature of the plan is the fact that it does not alter the established current published rates, discounts or rebates.

The plan provides that the rate for each interval week, in the case of large advertisers, will be 28 percent of the weekly gross billings of the facilities used during the last week of regular service before the interval. Although the agency commission will be allowed on the gross billing, the billing will be subject to no other discount.

-----

Maj. Gen. James G. Harbord, retired, Chairman of the Board of RCA, accepted last week Charles Willson Peale's portrait of Lafayette, as an officer in the Continental Army, on behalf of the Robert E. Lee Memorial Foundation. The ceremony took place in Stratford Hall, Va. The French Ambassador, Count Rene de Saint Quentin, made the presentation.

-----

Station WLW, Cincinnati, won a total of six awards in four division of the American Exhibition of Recordings of Educational Programs, featured at the Institute for Education for Radio at Columbus, Ohio, last week.

X X X X X X X X X