

HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

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No. 1139

July 11, 1939.

NAB PROPOSED CODE REVISED; BIG CONVENTION OPENS

Drastic revisions in the proposed Code of Ethics for the Broadcasting Industry have been made since the proposal was released a few weeks ago by a Special Committee, it was disclosed this week as the National Association of Broadcasters opened one of its largest conventions at Atlantic City.

Consideration of the Code for self-regulation was one of the first important tasks of the broadcasters, who convened Monday morning. Debate and probably final action on the code was scheduled to be taken late today (Tuesday).

The new proposals, approved by a Committee on Standards, eliminates many of the bans placed on radio material by the same committee three weeks ago.

The most significant change proposed will remove the earlier plan to force stations to refuse to sell radio time for discussion of issues arising from strikes. The new plan also reverses the Committee's previous objection to continuing the practice of selling program time to religious groups and denominations.

It provides that stations carrying broadcasts on controversial issues must provide opportunity for equal discussion of both sides of the topic, but will leave individual stations to decide when their programs are controversial.

The new code will be presented for discussion and action at a meeting of the convention's 400 delegates this (Tuesday) afternoon. Many members had objected that the original code was too detailed in its limitations on individual stations.

The code, a statement of general principles governing radio presentation of advertising, entertainment, news programs and controversial speeches and discussions, is intended to bind the 422 member stations of the NAB to practices which are ethical and in good taste.

Changes also were made in the definitions of standards of practice which accompanies the code.

The code was expected to find opposition on the convention floor. Operators of smaller independent stations charge the code has been dictated by major radio networks and large independents. Similar questions were raised by owners of stations affiliated with the networks.

A sectional meeting attended by the group representing some 100 stations owned and operated by newspapers voted to put up a vigorous defense against the demands of the American Society of Composers, Authors and Publishers in the negotiations for a new contract.

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PROFESSIONAL WOMEN URGE WOMAN MEMBER OF FCC

President Roosevelt was asked this week by delegates of the National Federation of Business and Professional Women, meeting in Kansas City, to appoint a woman to membership on the Federal Communications Commission.

Miss Myrtle Ellen Labarr of Greensboro, N. C., offered the motion, which was passed by acclamation at the opening business session in the Municipal Auditorium.

As a qualifying phrase, Miss Labarr specified a "business or professional woman" in the draft of the message she submitted to the convention. Her preliminary recommendation of the action emphasized that women make up so vast a proportion of the public whose interests are the concern of the Commission, that they should be officially represented, especially in decisions on radio programs. The designation of an experienced woman aligns the proposal with the organization's expressed policy of "more qualified women in public office".

There are at present no vacancies on the FCC, but should Chairman McNinch be transferred to another agency or retire from public life, as has been rumored frequently, vacancy will occur. Political observers believe that it would be a smart move on the part of the President to follow the suggestion of the business and professional women, who have 71,000 members.

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CANADA TO ALLOT FREE RADIO TIME IN ELECTIONS

The Canadian Broadcasting Corporation this week announced that free use of coast-to-coast networks for broadcasting political arguments in general election campaigns will be allotted the established national parties on a proportionate basis, according to the Canadian Press.

Between the time of dissolution of Parliament and the voting no time will be purchasable for broadcasting on the national networks, under a new statement of policy issued following meetings of the Board of Governors last week, with L. W. Brockington, Chairman, presiding.

Other aspects of controversial broadcasting, political and non-political, are covered in the statement of policy. Free time for Provincial campaigns is also contemplated once the system has been tried out in a general election.

Restrictions are placed on use of the national networks for controversial broadcasts on purchased time, but the corporation will make provision for wider expressions of opinion by private individuals.

When there is no election campaign in progress, time between an election date and the date of dissolution of Parliament may be purchased for political speeches.

None of the corporation's plans for election broadcasts alters in any way the regulations under the Broadcasting Act forbidding broadcasts later than forty-eight hours before the polls open and forbidding political dramatizations.

In its main features the plan is in accordance with the recommendations of the Special Committee of the House of Commons, which considered broadcasting problems last session. The plan is designed to place campaign broadcasts on a more orderly and democratic basis than in the past. From the listener's point of view, it also aims at keeping the total amount of political broadcasts within reasonable limits.

The plan was discussed before its adoption with the official representatives of the party organizations. It has been accepted on behalf of the Liberal, Conservative, C.C.F. and Social Credit parties as a fair and equitable basis for handling the problem.

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VIRGINIA ABSOLVES WJSV OF STATE TAX

The Virginia Corporation Commission, in a voluminous opinion written by Chairman William Meade Fletcher, held last week that radio broadcasting constituted interstate commerce and was not subject to State regulation.

Rendering the decision in the case of the Columbia Broadcasting System, Inc., which operates Station WJSV at Alexandria, Mr. Fletcher decided that CBS could not be required to domesticate in Virginia and pay the entrance fee of \$1,000. Station WJSV, whose studio is in Washington, is building a new transmitter in Maryland.

The opinion resulted in dismissal of a rule which had been issued against the company for violation of Section 3847 of the Virginia Code, which provides that all foreign corporations shall, before doing business in Virginia, secure a certificate of authority from the Corporation Commission.

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PRESS-RADIO FEUD TO BE AIRED AT BELLINGHAM

Station KVOs of Bellingham, Wash., accused by Associated Press of "pirating" news, has been ordered by the Federal Communications Commission to show cause why it should not be taken off the air, at a public hearing August 10th at Bellingham.

Commissioner George Henry Payne, "newspaper-minded" member of the FCC, has been designated to conduct the hearing which also will consider the application of Bellingham Broadcasting Company for facilities now held by KVOs.

Before Commissioner Payne will be the report of an FCC Examiner which charges KVOs does not operate in the public interest and recommends that its license not be renewed. The station broadcasts under a temporary permit which is subject to revocation in the event the Commission, after hearing Commissioner Payne's report, adopts the Examiner's recommendation.

A bitter fight between the broadcasting company and the Bellingham (Wash.) Herald will be reviewed. The newspaper was the original complainant in the new "pirating" suit brought to the Supreme Court of the United States by Associated Press. The charge was made that KVOs extracts material from the Herald for its daily feature "The Newspaper of the Air".

In its petition for hearing, the press association told the Supreme Court news stories are "lifted" not only from the Bellingham Herald, but also from the Seattle Post-Intelligencer and the Seattle Daily Times, other member papers, and that it goes on the air many hours before some subscribers receive their copies of the newspapers.

In the U. S. District Court, an injunction against the practice was denied on the theory that no property rights had been violated. The Ninth Circuit Court of Appeals took a contrary view and issued a preliminary injunction "restraining KVOs from appropriating and broadcasting any of the news gathered for the period following publication in the newspapers during which the broadcasting to the papers most remote auditors may damage the business of the publisher in procuring and maintaining their subscriptions and advertising".

The Supreme Court refused review on the ground that the press association had failed to set out ⁱⁿ its pleading a statement of monetary damages.

Station KVOs charges that "the Tacoma-owned reactionary Bellingham Herald" is attempting to destroy its rival for local advertising revenues. No question of public interest exists, the broadcaster contends, and the assertion is made that there is only local conflict.

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INDUSTRY LOSES COLORFUL FIGURE IN "SPORT" HERRMANN

In the death of Commander U. J. (Sport) Herrmann last week the radio industry has lost one of its most philanthropic and colorful characters, while Zenith Radio Corporation suffers the loss of one of its oldest and best liked Directors, according to Commander E. F. McDonald, Jr., President of Zenith. Mr. Herrmann had been a Director since Zenith's incorporation in 1923 to the time of his death at Sturgeon Bay, Wis., resulting from a taxi accident near that town two days prior.

For years "Sport" Herrmann, whose nickname, known to thousands, was given him as the result of his intense and sincere interest in sports of every kind - hunting, fishing, yachting, travelling, which were his principal hobbies - conducted the radio industry's shows both in New York and Chicago. During his operation of the radio shows, he paid many thousands of dollars in profits to the Radio Manufacturers' Association. During the Association's days of early struggle, he was one of its main supporters.

An examination of Mr. Herrmann's will by his co-executors, Commander McDonald and Robert J. Daly of Chicago, revealed that in death as in life he was generous to an unusual degree in providing for individuals less fortunate than himself. In his will he included many of his old friends and employees, some of whom have not been with him for years. There was hardly a newsboy, policeman or messenger boy in Chicago who did not claim friendship with "Sport" and his inseparable companion, his dog "Brownie".

While he lived there was always a big queue of callers at his office consisting of people who knew that they could rely on his help and "Sport" got a real kick out of helping. Whenever any of these people died in straightened circumstances, their relatives, if unable to afford a decent burial, were encouraged to take advantage of a standing arrangement Mr. Herrmann had made with his mortician to provide a proper funeral at "Sport's" expense. Thus he saw to it that those he had befriended in life were at last laid peacefully to rest in death.

Although best known in and around Chicago as the former owner of the old Cort Theater, and in Boston as the one-time part owner of the Boston Red Sox, Mr. Herrmann in later years became a citizen of the entire world. On his letterhead he inscribed the simple legend "U. J. Herrmann, Citizen", a reflection of his pride in being an American and a retired Commander of the U. S. Naval Reserve.

He was especially assiduous in insisting on keeping all questionable performances out of the Cort Theater and conducted what was literally a war on ticket scalpers during his ownership. He believed that the public should get its full money's worth at the box office without the necessity of paying a premium.

"Sport" Herrmann travelled widely, hunted, fished, sailed and collected a vast number of treasures, trophies and exhibits from all parts of the world, from the frozen wastes of the Arctic to the South Sea Islands. His apartment on the thirty-first floor of Chicago's Medinah Club through the years became a private museum known far and wide to collectors all over the globe.

"Sport" was not only a traveller but a sailor in his own right, one of the best on the Great Lakes, the son of a sailing ship captain, the late Charles Herrmann, owner and master of the schooner "Surprise".

As a result of his adventures in various parts of the world "Sport" developed a forceful and descriptive literary style. He became interested in literature and writings of all kinds. He was known in Chicago as the watch dog of the library fund, an honorary position he continued to occupy under three different mayors, both Democratic and Republican.

Several of "Sports" adventure trips were made on the yacht "Mizpah" in company with Commander McDonald, his close friend. In 1923 when Commander McDonald was in command of the steamship "Peary" which was a part of the Donald B. MacMillan Arctic expedition of that year, Mr. Herrmann accompanied him North. MacMillan at the time commanded his own ship, the "Bowdoin".

Mr. Herrmann was sixty-seven years old when he died. He was a retired Commander of the United States Naval Reserve, a Past Potentate of the Medinah Shrine, a Director of Zenith Radio Corporation and other organizations. He was unmarried. Most of his estate, as has been mentioned, will go to old friends and employees, to a surviving brother and niece, to a fund for crippled children, and to various charities and hospitals in which during his life he took a daily interest.

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FINNS BUILDING 100 KW STATION FOR OLYMPIC GAMES

Finland is building a new 100 KW short-wave transmitter for the 1940 Olympic Games, according to World-Radio. About twelve separate directional aeriels will be provided. The transmitter will be ready for tests early next year.

According to the decision of the Olympic Games Committee the Winter Games will take place in Garmisch-Partenkirchen in January-February, 1940. German Broadcasting is fully prepared to make arrangements for the radio side, as all installations from the 1936 games are still on the spot.

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TESTS SHOW RADIO BETTER THAN TEACHER

In an experiment conducted in ten New York City Junior High Schools, Board of Education officials found that classroom radio broadcasts are more efficient than the ordinary teacher instruction, according to the New York Times.

Four thousand pupils participated in the experiment. Half this number heard radio broadcasts on health for one school term, while the other half, listed as the "control group", did not receive this supplementary program. The health broadcasts, sponsored by the American Medical Association and the National Broadcasting Company, included thirty weekly dramatized health lessons.

When the examinations were given at the end of the term it was found that the pupils who had heard the broadcasts were superior to those who did not get the radio lessons. The listeners had a 3 percent higher average in the health knowledge test over the non-listeners.

It was found, the report declared, that the radio reception in individual classrooms, using a small radio and small listening groups, was more satisfactory than radio receptions before larger groups in assembly halls, auditoriums or gymnasiums.

In classes where the teachers had the benefit of the radio broadcast script before the broadcast, the percentage of correct answers in the test proved to be higher compared to the groups of students who did not have this additional instruction.

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NEW RADIO TRIED IN INDIAN VILLAGES

A new type of radio receiver for mass listening is being tested in India, according to the American Trade Commissioner at Calcutta.

"Much has been said in the past two years in regard to providing broadcast receiving sets to the unprivileged in India's many villages", he said. "In fact, several installations have been made which have not been entirely satisfactory for several reasons, viz. inaccessibility, service facilities and finding a set which approaches the point of being fool-proof.

"Reports are now to the effect that two village receivers have been manufactured by local concerns under the specification drawn up by the Research Department of All-India-Radio. These sets are now under test by the radio authorities to see if they will prove suitable for Indian villages and are the result of three years research by All-India Radio. They are super-het types with automatic gain control and are equipped with a special time switch. It will be interesting to watch this development as it may lead to several commercial opportunities for American part and accessory manufacturers."

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CHARLIE MOWS 'EM DOWN AT WORLD'S FAIR

Charlie McCarthy, wise-cracking in characteristic fashion with Mayor LaGuardia, Grover A. Whalen and scores of other persons, was received with more spontaneous acclaim by the crowds at the World's Fair Monday than any other distinguished visitor since King George VI and Queen Elizabeth paid their visit a month ago, according to the New York Times.

"Although numerous celebrities - Cabinet members, Senators and Governors, distinguished foreigners, even including royalty, and men and women of outstanding accomplishments in many walks of life - have been entertained at the Fair since its opening, it took the little red-headed dummy with the top hat and the monocle to arouse the crowds to yesterday's high peak of enthusiasm," the Times said.

"Even the barkers in the amusement area halted long enough to crane their necks in Charlie's direction when his motorcade went past. Restaurants were temporarily halted while kitchen employees, waiters and customers hastened to doors and windows for a glimpse.

"A bodyguard of twenty World's Fair policemen - the same squad that guarded King George and Queen Elizabeth during their visit to the Fair - escorted Charlie and his partner, Edgar Bergen, through the grounds, and at times the blue-shirted policemen had their hands full holding back the enthusiastic admirers of the little comedian."

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NOTES

Short-wave international programs of the National Broadcasting Company appeared in a new form this week. The programs, in several languages, are printed on a single large sheet for clipping. Frank Mason, NBC Vice-President, is in charge of the international broadcasting activities of the network.

Harry C. Butcher, Vice President of Columbia Broadcasting Company in Washington, and Louis Caldwell, prominent radio attorney, were among the prominent guests at a dinner given last week at the Burning Tree Country Club, near Washington, for District Commissioner George E. Allen.

Station WABC New York outlet of the Columbia Broadcasting System, was silenced for three hours and thirty-one minutes beginning at 8:01 A.M. Monday, because of a power failure at the station's transmitter in Wayne Township, N.J. The rest of the network was not affected. The current supply was cut off when a short-circuit burned out the main circuit-breaker in the power supply room of the transmitter, causing a fire that lasted an hour.

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INDICTMENT RETURNED IN FLAMM EXTORTION

Allen Zoll, 43 years old, who became conspicuous recently through his activities in the American Patriots, an anti-radical organization, was arrested for the second time last Friday in the Criminal Courts Building on an indictment charging that he tried to extort \$7,500 from Donald Flamm, President of Station WMCA, with an offer to call off the picket line of adherents of the Rev. Charles E. Coughlin.

The picketing began on Dec. 18th at the entrance to the station, 1,657 Broadway, after further use of its facilities had been denied to Father Coughlin. Zoll, it was charged, frequently appeared in the picket line with hundreds of Coughlin supporters on Sundays, but nothing developed after his arrest to indicate that he ever had been affiliated directly with the Coughlin broadcasts.

Zoll was taken on a bench warrant by Detective Edward D. Fitzpatrick, who is attached to District Attorney Thomas E. Dewey's office, after Zoll had appeared before Magistrate Dreyer in the Felony Court on a tentative charge.

The evidence on which the indictment was returned was presented by Robert H. Thayer, Assistant District Attorney. Mr. Flamm, Detective Fitzpatrick and Detective Joseph Petrosino, also of Mr. Dewey's office, were among the witnesses. Mr. Fitzpatrick, in an affidavit signed in the Felony Court at Zoll's arraignment last Saturday said that Zoll had been arrested that day in the Hotel Lexington after he had accepted \$200 from the head of the radio station as the detectives watched.

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DROP IN BRITISH LICENSES DISTURBS INDUSTRY

"The Financial News", of London, recently carried an article regarding the setback in radio licenses issued during April. The editor of "The Wireless and Electrical Trader" has made the following reference to the decline: "License returns, which seemed well on the way to the 9,000,000 mark, have taken a surprising turn, for the preliminary figures issued by the Post Office show a decline during April. There is bound to be a great deal of speculation in trade circles to account for the April drop, but the decrease is likely to be only temporarily and (in "The Trader's view) is no cause for alarm. It is almost certain that there are no fewer sets in use. The real worry will be for the Post Office and the B.B.C., whose revenue has fallen off. The present position is merely another reminder that in future the industry has to cater more definitely for the replacement market."

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ZENITH GETS PATENT ON "WAVEMAGNET"

Zenith Radio Corporation, Chicago, has obtained a U. S. patent on its new invention, "The Detachable Wavemagnet", which is built into the back of the new Zenith portable.

The cover containing the Wavemagnet may be snapped off the set and by means of rubber suction cups may be fastened to the window of a railroad car, steamer, airplane, automobile, bus or other conveyance, with the assurance that excellent radio reception will be obtained, despite the usual obstructive shielding effect on ordinary portables of such metal-constructed vehicles.

The new Zenith portable with Detachable Wavemagnet is said to be effective also for office buildings, apartment houses and other edifices where reception is difficult owing to a preponderance of metal in the building construction, or where the erection of outside aerials is either impractical or forbidden by the owners.

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AUSTRALIA TO MAKE OWN TRANSMITTING VALVES

The manufacture in Australia of radio transmitting valves will soon be undertaken by Amalgamated Wireless (A'sia.) Limited, according to the American Trade Commissioner at Sydney.

Tubes for radio receiving sets have been made in Australia for several years, but up to this time Australia has depended entirely on imports for its requirements of transmitting tubes. The Chairman of Amalgamated Wireless (A'sia.) Limited is reported to have said that he regarded transmitting tubes as being of as much importance in an emergency as actual munitions, and that his company intended to commence their manufacture of transmitting tubes, hoping to progressively develop the industry until Australia is able to produce even the largest of water-cooled transmitting tubes.

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