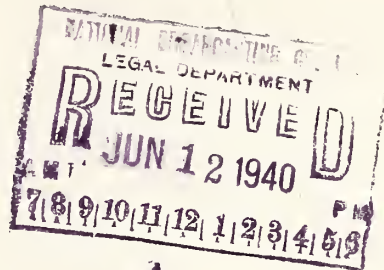


HEINL RADIO BUSINESS LETTER

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INDEX TO ISSUE OF JUNE 11, 1940

FCC Moves To Bar Radio Use By "Fifth Columnists".....	2
Butcher Answers Rep. Mundt On Radio News.....	4
Lohr's Successor To Be Elected July 12.....	7
Monopoly Report Promised This Week By Fly.....	8
Early Morning Local Broadcasts Are Authorized.....	8
Fly Unable To Attend RMA Convention.....	9
Changes Made In Standards Bureau Broadcasts.....	9
Trade Notes.....	10
Can't Put Anyone On Or Off The Air, Says FCC.....	11
Radio Revolutionizes Warfare Says WOR's Military Expert.....	12

No. 1241

Handwritten signature: L. H. S. g. H.

June 11, 1940

FCC MOVES TO BAR RADIO USE BY "FIFTH COLUMNISTS"

Step by step the Federal Communications Commission is tightening up on its regulations to forestall possible use of American radio facilities by "fifth columnists".

Some of its orders are merely precautionary, it appears, while others are the result of complaints. The amateurs, as in the European countries, were the first to be restrained although the Commission has great regard for the work of the "hams" as a class and has confidence in the self-policing of the amateur bands by alert and patriotic operators.

This week the Commission was understood to be studying the international broadcasts from this country and the domestic foreign language broadcasts.

Steps are being taken to revise the application forms for radio operator licenses, both commercial and amateur, to require definite proof of citizenship, rather than the mere statement to that effect required by the present forms. Commercial operators on shore and on shipboard, it was pointed out, are in a position to transmit information in code to foreign agents and therefore there should be more definite proof as to their citizenship claims.

"Fifth columnists", it was pointed out, would undoubtedly be willing to swear they were citizens. Even if they were later found to be aliens, it is doubtful if they could be found for indictment for perjury.

The Commission on Saturday took another step to block possible "fifth column" communications when it issued a sharp warning to all United States radio operators and ship station licensees that superfluous, unnecessary and unidentified communications from ship stations to other ships or to shore stations will not be tolerated, and added that violations in this respect will be vigorously prosecuted.

Both the general radio regulations annexed to the International Telecommunications Convention, adopted at Madrid in 1932 and the Communications Act of 1934 specifically prohibit the transmission of such communications. Moreover, the Commission announced, both the international regulations and the Communications Act place the radio service of a ship under the supreme authority of the master. This was taken as an indication that ship masters must keep a more stringent check on radio transmissions and receptions or suffer the penalties, along with their radio operators, for violations.

"The Commission intends to uphold vigorously these provisions of law and treaty and will hold ship station licensees, masters of ships and radio operators on board fully responsible for any violations", an FCC statement said.

Supplementing its earlier order prohibiting amateur radio communication with foreign countries, the Federal Communications Commission imposed an immediate ban on the use of all amateur portable and other amateur mobile stations operating in the continental United States, its territories and possessions except those stations using short-range frequencies above 56,000 kilocycles and except in the case of amateurs operating portable stations on June 22, and 23, 1940, in connection with the A.R.R.L. Field Day tests of portable transmitters which are designed for special use in time of emergency.

Several thousand stations are affected by the terms of this order; however, they did not operate regularly. Any amateur licensed by the Commission has been allowed to operate a portable station provided that advance notice, in writing, is given to the Commission inspector in charge of the district in which such operation is contemplated. Under suspended rules and regulations, this type of operation is now restricted indefinitely to the frequencies which, generally speaking, do not carry farther than the line of sight.

International broadcast stations, licensed to broadcast to particular countries, usually use foreign announcers because of their linguist ability. Although the broadcasting companies check closely on such announcers, the question has been raised as to whether veiled messages might be sent. These broadcasts could be checked by the Commission's monitoring stations, and it has been suggested that recordings be made of such broadcasts so there would be a permanent record to be checked by governmental agents.

One of the serious communications problems, which at this time appears to be insurmountable, is the reception of broadcasts in this country from foreign stations, many of which are believed to contain hidden messages to "fifth columnists" in this country. The only way of checking this is for close observation by Federal and local authorities of activities of individuals following such broadcasts.

Another problem is that of foreign language broadcasts over domestic stations. These are permitted and it is realized that messages to large groups of foreign listeners could be carried by using a language code, which would mean nothing to the casual listener, but would contain orders to those with the code key.

In planning a more thorough check on radio operator's licenses, the FCC is comparing present application forms with application blanks of the Bureau of Marine Inspection and Navigation for seamen and officers of ships. In order to obtain a

seaman's certificate the applicant not only must certify that he is a citizen, but must furnish proof in the way of a birth certificate, baptismal certificate or discharge from the Army and Navy, must furnish a picture to be attached to the records in the bureau and to the certificate and also fingerprints.

It was indicated this system undoubtedly would be used in applications for radio operator licenses. These licenses are for periods of three years each, so the Commission soon would be able to get a thorough check, even if it did not call for a complete relicensing in order to obtain proofs of citizenship in all cases.

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BUTCHER ANSWERS REP. MUNDT ON RADIO NEWS

Harry C. Butcher, Vice President of the Columbia Broadcasting System, last week told Representative Karl E. Mundt (R.), of South Dakota, that the radio networks are striving to keep the public informed on war news "honestly and conscientiously".

Mr. Butcher's letter, together with the CBS memorandum on war news broadcasts, issued at the outbreak of the war, were inserted in the Congressional Record along with further remarks by Representative Mundt, who earlier in the week complained that some of the radio news tended toward "hysteria".

Representative Mundt, in inserting the letter commented that Mr. Butcher had expressed "the keen appreciation which CBS has of the problems involved and the sincere steps which it has taken and is taking to guard against highly emotionalized speakers and programs whose broadcasts might render a disservice to the best interests of America".

Mr. Mundt added that "Mr. Butcher assures me that the other radio chains are also giving special consideration to the dangers of excesses in war broadcasting. Mr. Butcher's letter follows:

"Columbia Broadcasting System, Inc.
Washington, D. C., June 5, 1940.

"The Honorable Karl E. Mundt,
House of Representatives, Washington, D.C.

"Dear Mr. Congressman: As discussed with you on the telephone this morning, I am sending herewith a copy of a memorandum issued by the Columbia Broadcasting System, September 5, 1939, shortly after the outbreak of the war, governing general operations in connection with European war coverage. We have earnestly and conscientiously endeavored to follow the principles and instructions enunciated therein.

"I am also sending a copy of the NAB report for September 15, 1939, which carries on page 3717 the text of the memorandum of European war coverage as agreed to by all three networks. This agreement subsequently was approved insofar as it applied to individual station operations at the convention of the National Association of Broadcasters held later in September, in Chicago.

"I noticed in your statement in the Congressional Record, you state that Mr. Kaltenborn is on Columbia. Mr. Kaltenborn has not been on Columbia for some time.

"To repeat what I told you on the phone, I think your statement in the Congressional Record indicates that you have given a great deal of thought to this subject, as have the executives of the broadcasting networks and stations generally. We appreciate the responsibilities placed upon us by these trying times and are attempting, I believe with considerable success, to inform the public honestly and conscientiously. Certainly Columbia is making every effort in this direction.

"Of course, you realize that the networks and the stations largely obtain their news from the press associations. In the case of Columbia our press association news is supplemented by our own reports by our own men - incidentally all American citizens - from European points. The press associations in general have done their traditionally magnificent job and the service rendered by radio would be virtually impossible without benefit of services by these agencies.

"The nature and the facts of the war news definitely create grave concern with the listeners but neither radio nor the press has any control over the gravity of the news. Columbia, and I believe the other networks, have risen to their responsibility. Certainly our response from listeners everywhere indicates a generous approval of our efforts and a warm appreciation of the service rendered.

"With best regards, I am,

Sincerely yours,
(Signed) Harry C. Butcher"

Representative Mundt, in commenting further in the Record, said:

"Mr. Speaker, I am also attaching to these remarks the two enclosures which Mr. Butcher sent me, showing specifically how the radio industry is recognizing its responsibilities and endeavoring to exercise self-restraint, good taste, and justice in shaping its policies in the handling of war news. I am confident that a continuance of this careful attention to the problem by radio executives themselves, combined with a thoughtful re-dedication to the careful observance of the self-restraint they have imposed, can provide a far better solution to the problem than any congressional action which might threaten or restrict the use of free speech on the air. I believe a study of these self-imposed restrictions, together with a review of recent radio programs must convince any reader that with a few unfortunate - although rather conspicuous - exceptions, radio is now trying hard to live up to the standards of public service it has set for it-

self in the attached regulations. It is to be hoped that exceptions to the rule will not be permitted to mar the record.

"I have every confidence that American radio is trying to do a sincere and sensible job of reporting war news to America. In conversation with Mr. Butcher, he told me of how certain radio commentators had been discontinued because their methods were on the side of the hysterical rather than the factual, and he assured me that radio was constantly watching its programs to keep them in harmony with the best interests of the country. It is encouraging to us all to be assured that so young an institution as radio in the field of reporting is already building a tradition and establishing standards which indicate it is paralleling the record of the American press in richly meriting the important responsibilities reposed by the rights and privileges which it enjoys.

"I am frank to say that I do not quite share Mr. Butcher's enthusiastic endorsement of the degree to which radio is conforming with the admirable code it has established for itself. As vice president of the Columbia Broadcasting Co., however, Mr. Butcher may be excused for being somewhat inclined to play down radio's excesses and errors and to stress its commendable features.

"I have heard too many Members of Congress condemning 'hysterical radio commentators' and 'upsetting radio programs' and have read too many editorial complaints and letters of protest to believe that radio is blameless and that its self-imposed restrictions are either quite inclusive enough or quite sufficiently respected. But radio is young in this field of public service, and I am encouraged and gratified by the fact that, first, it has recognized that the war situation reposes unusual responsibilities upon it; second, it has set up a set of voluntary regulations to govern its handling of war news; third, it has replaced some of its more hysterical and least stable announcers and commentators by men and women with a greater devotion to factual reporting and less of a flair for amateur dramatics; and, fourth, it is keeping alert to the situation and is endeavoring to further regulate itself as new needs for such restraints become evident.

"Radio has thus demonstrated its desire and determination to protect its privileges by the intelligent course of establishing its own restrictions against public-benalizing excesses. As a firm believer in the significance of free speech, I am sure this method has many advantages over the various proposals for intensified Government regulation and supervision which are beginning to be discussed informally, and rather too generally, in the congressional cloakrooms.

"If war should come to America or if America should inject itself into foreign war, complete Government censorship and perhaps Government ownership and operation of radio would probably follow as the night the day. Personally, I would abhor this action but there is little reason to doubt its eventuality. It is altogether too possible that privately owned and operated radio would never again prevail in America should we be drawn or driven into war.

"One has only to look at the harrowing experience of the railroads since the Government took them over in the World War to realize what Government-operated radio would do to this great industry if we should go to war again. Too, once a political administration tasted the intoxicating blood of power which would come from Government radio, it is extremely unlikely, and contrary to all the lessons of history, that private businessmen would ever again be given the right to own and operate the radios, determine what programs to use or decline, and hold virtual monopolies over favored airwaves for private profit. Private radio would, in all likelihood, be one of the first and one of the permanent casualties of another war involving America. But America is at peace.

"I know it is the hope of Members of Congress and radio executives alike that the peaceful progress of this country can go ahead without new regulations and restrictions being placed on the radio industry. I hope a faithful devotion to the following self-imposed radio regulations (C.B.S. European war coverage - a Memorandum Governing General Operations for the Information of the Organization, September 5, 1939) and a frequent revaluation of their adequacy by radio itself will prevent emotional excesses and broadcasting bad taste which might goad a disillusioned America to insist on Congressional action to prevent abuses which I am sure radio itself is ready, willing, and able to prevent."

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LOHR'S SUCCESSOR TO BE ELECTED JULY 12

A new President of the National Broadcasting Company will be elected at the next regular meeting of the NBC Board of Directors on July 12, David Sarnoff, Chairman, said this week.

Lenox R. Lohr tendered his resignation as NBC President last Friday. He informed the Board that he had received an invitation to become President of the Chicago Museum of Science and Industry and desired to accept the position. He requested that he be relieved of the NBC presidency which he has held since 1936, as soon as convenient so that he can return to Chicago, where he was previously engaged as General Manager of the Chicago Century of Progress.

Mr. Lohr, in his letter of resignation to Mr. Sarnoff, wrote:

"It is an action which I cannot take without expressing, both to you and to the Board, my appreciation for your kindnesses to me and my deep sense of obligation to the members of NBC's staff who so loyally and faithfully have worked to maintain the company's preeminence in radio."

Mr. Lohr accepted the Chicago post, according to Col. A. A. Sprague, because of his "devotion to Rufus Dawes" and is giving up a highly remunerative position at a "great financial sacrifice to himself".

Mr. Sarnoff expressed his high regard for Mr. Lohr and for the faithful services rendered by him to the company and to the broadcasting industry and added that in accordance with his request, Mr. Lohr's resignation will be accepted at the next regular meeting of the NBC Board July 12th.

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MONOPOLY REPORT PROMISED THIS WEEK BY FLY

Chairman James L. Fly, of the Federal Communications Commission, stated at his weekly press conference Monday that the long-delayed monopoly report probably will be submitted this week by the FCC Committee to the full Commission. The FCC will decide whether or not to release it before acting, but it is expected that the report will be made public.

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EARLY MORNING LOCAL BROADCASTS ARE AUTHORIZED

Early morning broadcast service to many rural sections now denied such service is invited by Federal Communications Commission action in authorizing daytime and limited-time standard broadcast stations to begin operation at 4 A.M., local standard time.

Many farmers and other dwellers in rural areas arise before sunrise and in the past have had to rely upon distant broadcast stations for program service. The new ruling will permit local stations generally to start broadcasting earlier, thus furnishing farm communities with general news and vital information concerning local weather conditions and agricultural market reports at the beginning of the work day.

Although some interference may result from this new opportunity to broadcast between the hours of 4 A.M. and sunrise, the Commission believes that the overall effect of its order will be to benefit particularly those residents of farming areas who have heretofore not had such early local program service.

The new order of the Commission does not change any of the rules and regulations regarding standard broadcast operations which apply to the regular broadcast day, which is defined as that period of time between local sunrise and 12 midnight local standard time. Additional hours are granted during the experimental period which is defined in Section 3.10 of the Commission's rules as that time between midnight and local sunrise; consequently, any interference which may result to standard broadcasting will be experienced chiefly during the "experimental period".

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FLY UNABLE TO ATTEND RMA CONVENTION

Chairman James L. Fly, of the Federal Communications Commission, stated this week he would be unable to attend the RMA convention in Chicago this week due to the pressure of business before the Commission.

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CHANGES MADE IN STANDARDS BUREAU BROADCASTS

The U. S. Bureau of Standards announces that the following changes have been made in the standards of frequency and musical pitch broadcast from the Bureau's radio station WWV at Beltsville, Md.: (a) The frequency of 20 megacycles per second has been replaced by 15 Mc/sec; (b) announcements are given by voice only, not by telegraph keying; (c) announcements during the musical-pitch broadcasting are given every 5 instead of every 10 minutes; (d) the ionosphere bulletins have been discontinued.

The standard-frequency broadcasts now include: Standard radio frequencies; standard time intervals (seconds pulses); standard audio frequency; and standard musical pitch (440 c/sec). The last-named, and its carrier, a standard, 5 Mc/sec., are broadcast continuously, day and night.

Those desiring full details should write to the National Bureau of Standards, Washington, D. C., for a copy of Letter Circular LC591, "Standard of Frequency and Musical Pitch Broadcast by National Bureau of Standards".

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The Potomac Electric Power Company of Washington, D.C., has been given permission to erect a special short-wave transmitter east of the Benning power plant to give emergency calls to company repair trucks and other emergency vehicles.

The plan contemplated by Pepco is intended to expedite the company's emergency repair services, but the plan also anticipates eventualities such as sabotage should the United States become embroiled in war, officials said. It was explained the plan envisioned use of the transmission to emergency vehicles in any need that might arise in case of sabotage or bombings.

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 ::: TRADE NOTES :::
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David Sarnoff, President, and Edward J. McGrady, Vice President, of the Radio Corporation of America, have been elected to an Advisory Committee that will advise George A. Sloan, newly-appointed Commissioner of Commerce for the City of New York.

Fifty-seven graduates of the Capitol Radio Engineering Institute, Washington, were urged to prepare themselves for a totally different world with new industries and opportunities by Prof. Louis Denton Bliss, head of the Bliss School, at their graduation dinner Friday night in the Willard Hotel,

The New York Curb Exchange has removed from listing the old common stock of the National Union Radio Corporation, \$1 par value, and admitted to listed trading the new common stock, thirty-cent par value, which has been issued in share-for-share exchange.

Complying with an order of the Federal Communications Commission that all international stations operate with a minimum power of 50 kw., the National Broadcasting Company this week applied to the Federal Communications Commission for permission to double the power of its two 25,000 watt short-wave stations serving Europe and Latin America.

A spokesman for NBC explained that with doubled power and other improvements specified in the application, the stations WRCA and WNBI at Bound Brook, N.J., "will increase their effectiveness in acquainting foreign listeners with world news and American official attitudes."

Commissioner George Henry Payne this week submitted a report to the Federal Communications Commission recommending that the revocation orders issued against Stations KSAM, Huntsville, Texas, and KAND, Corsicana, Texas, be affirmed.

Transradio Press Service and the British United Press had had their licenses cancelled in Canada as of July 1, according to Transport Minister C. D. Howe, with the proviso that such permits would be granted as usual on that date if those two services produced proof of the bonafides of their news sources.

WLWL, new 1,000 watt radio station in Minneapolis-St. Paul, becomes a Mutual network affiliate on June 17, the day the station begins operations. This affiliation will give Mutual full-time coverage in the Twin Cities. The new station is Mutual's 131st affiliate. It is operating on 1,300 kc.

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CAN'T PUT ANYONE ON OR OFF THE AIR, SAYS FCC

Recent events have prompted the Federal Communications Commission to reiterate that, having no authority to censor radio programs, it can neither put anybody off the air nor on the air. The FCC release apparently was an answer to complaints against the broadcasts of the Communist convention.

In the matter of broadcast time for candidates for public office, the FCC pointed out the Communications Act specifies: "If any licensee (station) shall permit any person who is a legally qualified candidate for public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting stations. . . ." and shall have "no power of censorship" over the material so broadcast. However, there is no requirement that the station must give such time in the first place, for Section 315 of the Act stipulates: "No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate."

Under the statute injunction against interference with individual radio programs, the Commission has had to advise inquirers that it is equally without authority to:

Censor statements of radio commentators, as requested by a New York man.

Require a national network to grant time to a Florida man to discuss national defense.

Deny the radio to "pressure groups interested in involving the United States in the present European conflict", as demanded by a New York woman.

Accede to request by a California woman that "pressure be put on radio stations to allow only 'sane' and 'unbiased' programs, which cut out all propaganda for war".

Pass on the type of wording of advertising announcements, as suggested by many listeners.

Likewise, the Commission has no authority to handle a New Orleans request that a radio station be made to employ six musicians instead of a trio.

Take action on complaint of a Peoria, Illinois, property owner relating to the height of his neighbor's aerial.

Help a New York woman develop a radio device for detecting and destroying enemy airplanes - or perfect a District of Columbia inventor's radio horn.

FCC's first printed general information booklet, "An ABC of the FCC", 13 pages, pocket size, is now being distributed on request.

RADIO REVOLUTIONIZES WARFARE SAYS WOR'S MILITARY EXPERT

Radio broadcasting, along with the gasoline engine, has revolutionized warfare more than anything else since the invention of gunpowder, according to Major Leonard J. Nason, whose military analyses are a feature of WOR-Mutual's coverage of the European War.

While most people realize the importance of broadcasting as a weapon in the international propaganda battle between the Allies and Germany, the fact that radio plays an even more important war role as an actual instrument of battle has been generally overlooked, Major Nason pointed out.

Use of pack transmitters by front-line infantry, and larger two-way sets by artillery, aerial, and mechanized units have greatly facilitated the German advances, he said.

Radio is a far more effective means of battle communication than the telephone. "In the first World War", Major Nason recalled, "the first thing that happened in any offensive was the destruction of phone lines by the enemy bombardment." The Major cited the case of the second Battle of the Marne in 1918: The Germans crossed the Marne at four in the morning but many of the Allied units did not receive news of the crossing until 9 A.M., and some commanders were not able to get a complete picture of the situation until late in the afternoon.

"Such a situation would not happen in modern warfare if the army is radio equipped", Major Nason explains. "Today front line units are equipped with portable radios and transmitters, and are in direct communication by voice with their units and division commanders and also with the chief of operations. A verbal order can be given and heard simultaneously by every unit in a large field army. A battlefield movement that, under old conditions, would have taken two or three days now can be completed in an hour!"

The Germans, according to Major Nason, are reported to have arranged some audible signal from GHQ by radio, so that every unit of the army down to the platoon can be launched simultaneously into a major offensive. This is extremely important, because if necessary the attack can be postponed by radio at the last minute. In the last war, the Major pointed out, general attack orders were transmitted by messengers, and once they had left GHQ there usually was no stopping the attack, even though the enemy might have discovered the plans.

"It is highly probable that in the recent battles, the British and French Armies in the field were not able to apply radio voice communication as widely and effectively as the German Army", Major Nason stated. "In fact, I don't believe that before this War, the British and French had any voice radio installations for infantry at all. The French and British had planned to fight a position, or static war, where they would have ready facilities for communications by telephone."

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