

# HEINL RADIO BUSINESS LETTER

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No. 1383

## NEW GROUP WARNED AGAINST 500 KW AGITATION

There was a call for swift action to combat what was described as a powerful lobby on the part of clear channel and network stations for 500 KW power by Paul D. P. Spearman, Washington radio attorney, addressing the final session of the newly formed Network Affiliates at Chicago. The meeting was held behind closed doors and only now are the facts as to all that was said there becoming known.

Mr. Spearman, who spoke to the Network Affiliates at their request and who was formerly General Counsel of the Federal Communications Commission, not only warned against the superpower advocates but also urged that recently organized group to try to work in a little closer harmony with the Commission and Congress.

Mr. Spearman said, in part:

"Those who favor a change in the rules of the Commission so as to permit the operation of a limited number of clear channel stations with 500 KW or more power, have been assiduous in their efforts. Those station licensees who want authority to operate with super-power are active, have been active, and will continue to be active. They have employed men who are neither lawyers nor engineers and have assigned to them the task of building and cultivating sentiment in the proper places with the hope that favorable sentiment built by them will result in their dreams coming true.

"One of the things they have tried to do has been to convince those in high places that the operation of stations with greater and greater power would be a valuable adjunct in support of National Defense during the present crisis. They have made the unsupportable claim that the operation of stations with greater and greater power would build a better and greater morale. What is worse, my very distinct impression is that in some agencies, and I do not refer to the Federal Communications Commission in this connection, they have gotten somewhere and have made an impression. While they were doing this, you who are opposed to the operation of stations with greater and greater power have been doing nothing, and I merely remind you that sooner or later this continued drive may result in your being faced with the competitive practicalities of just such operation with higher and greater power. When the interests of your communities and your listening audiences are to be considered, there can be no doubt about the wisdom of your preparing to meet and oppose this activity. Do not let anyone tell you that the activity on the part of those who are desirous of being permitted to operate with greater and greater power is not a real threat because it most definitely is, not only at present but as a continuing threat."

Mr. Spearman then urged the Network Affiliates to cooperate with the Federal Communications Commission and Congress as far as possible, saying:

"The greatest service which you could render to Congress and to the Commission, and especially to the Commission, would be to hold your organization in readiness to aid and assist the Commission in making such studies as will lead to correct conclusions. I believe the Commission would welcome your aid and assistance in working out the problems of regulation so long, but only so long, as you demonstrate by your action that you are willing to make the real facts of radio operation known to them. You will get nowhere if you attempt to deal with the Commission at arm's length. In this connection, you should determine to give the fullest possible aid and cooperation to the Commission and its members and you should realize that in doing this, you will most certainly owe a small obligation to be frank, fair and unselfish, in presenting facts for the Commission's consideration and guidance. This type of cooperation will beget the respect and confidence of the Commission and it will realize and know that it can depend on your Association to advise and counsel with it and especially to provide it with facts and in particular with facts based on experience in operating radio stations. When this kind of cooperative spirit is demonstrated by you, and the Commission begins to realize and appreciate it, as it must, you will find that the quality of regulation will go up in direct proportion to such cooperation.

"I might also presume to say that if you approach the Commission in this spirit and offered to aid and assist it in this fashion, the Commission will owe you as much consideration as you show it. I believe you will get that kind of reception and that character of cooperation from the Commission. If you do not get this, I will be greatly disappointed because I know you will be entitled to it.

"In this connection, therefore, I urge as strongly as I know how that you start and continue on the basis of a determination to work and cooperate with the Commission to the limit of your capabilities and then you will have every right to expect a reciprocal attitude at the hands of the Commission, and if the Commission should not meet you half way in this attempt, it will not be your fault. I am convinced that if you go about this with the unselfish determination to keep the public interest uppermost in your mind, and if you exhibit the necessary energy, you will reap great and beneficial rewards from following this fair and laudable line of conduct."

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It is believed the men the Navy is urgently seeking with technical experience in radio, are to operate the radio-locators now being installed upon ships for the purpose of spotting approaching aircraft.

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## PRESS-RADIO POSTPONED ANOTHER WEEK

Stating that counsel for the Newspaper-Radio Committee and for the Commission have indicated the need for additional time to work on the extensive statistical exhibits presented by the Federal Communications Commission, resumption of the press-radio hearing, scheduled for last Thursday has been postponed for one week - to December 4, the Commission announced, adding:

"It was felt that the utilization of this time in clarifying the material will tend to expedite the proceedings as a whole."

This hearing is pursuant to Order No. 79 making inquiry to determine what policy or rules, if any, should be promulgated in connection with operation of new high frequency (FM) broadcast stations and future acquisition of standard broadcast stations by newspapers.

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## WESTINGHOUSE TO GO IN FOR RADIO ON BIGGER SCALE

The Westinghouse Electric and Manufacturing Company plans to become active again in the field of radio, particularly in the development of new uses for radio equipment for National Defense, A. W. Robertson, Chairman of the Board of Directors, announced last week.

Increased activity and enlargement of the company's operations in the radio field, it was said in radio circles, would put Westinghouse Electric on a more direct competitive basis with the Radio Corporation of America and other concerns which, in addition to broadcasting operations, have specialized in radio manufacture, development and research work.

Military secrecy forbade revealing details of new developments now, Mr. Robertson said, but he declared that since the beginning of the emergency period the company's radio factory in Baltimore, Md., had increased its manufacturing space 400 per cent and its production 800 per cent. Virtually all the production there was for defense, he said, and unfinished orders of the radio division exceeded \$40,000,000.

"As a result of this activity", Mr. Robertson continued, "Westinghouse Electric is greatly expanding its activities in the radio field - in manufacture, development and research - a field in which it pioneered twenty-five years ago with the work that led to the development of commercial broadcasting. In 1937, foreseeing greater military interest in radio, we moved our radio factory from Chicopee Falls, Mass., to Baltimore to be nearer the headquarters of the Navy and Army officials who were sponsoring the newer developments in the field. Now, because of these developments, we plan to become active again in the broad field of radio."

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## DR. WATSON, ALLEGED FCC RED, DISPUTES DIES

Dr. Goodwin Watson, Professor of Education, Teachers College, Columbia University, recently appointed Chief Propaganda Analyst of the Federal Communications Commission, and denounced as a "Red" by Representative Martin Dies, of Texas, bangs back with a complete denial. Dr. Watson had been warmly defended by Chairman James L. Fly, who declared that at no time had Dr. Watson endorsed the Communist system and added: "It ought to be made clear that Dr. Watson did not seek the position he now occupies. We sought him."

Dr. Watson's denial was in the form of a letter to the New York Times, which read:

"On Nov. 19 you published a report of the attack made by Chairman Martin Dies on my appointment as Chief Analyst of the Foreign Broadcast Monitoring Service. Two lines of evidence for my alleged communism were offered in the Dies letter. One was a list of some thirteen organizations with which I was alleged to be connected.

"Passing over the disputed question as to the amount of Communist influence in many of these so-called 'fronts', the fact remains that I have been a member or been active in only one of the thirteen. That one is Consumers Union, a research agency with something more than 85,000 subscribers. Neither my secretary nor I could find in our files or memories any basis for the alleged connection with the other groups mentioned. Perhaps I have been on their mailing lists, or made a speech at a meeting they assisted in arranging, or signed some petition they were circulating for what seemed to me at the time a worthy cause. Certainly, I have been much more active in some other organizations which, in the usual view of the Dies Committee, might be thought to be subversive because connected with labor or consumer cooperation.

"The second line of evidence was my writing, which, according to Mr. Dies, had been that of an open propagandist for Russia and communism. Actually, among more than two hundred articles and books, I find only two brief articles devoted to the Soviet Union, those being reports of a trip, and full of both pros and cons. It is not surprising, although it is unfair, that Mr. Dies passed over all the criticism of the U.S.S.R., in my work, but it is strange that he should quote, as the one sentence supposed to be representative of my position, the following: 'I wish I knew whether it would take longer for the Soviet Union to develop efficiency or for the United States to develop socialism. Then I would know where I want to live.' Those words are in my article, but they are clearly stated there to be a direction quotation from Anna Louise Strong.

"The ordinary citizen has so little protection from the kind of misrepresentation practiced in these two 'charges' that I hope you will find it possible to give this some publicity."

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## ANOTHER RMA HUDDLE ON PRIORITIES

Paul V. Galvin, President of the Radio Manufacturers' Association, has called the meeting of the Association's Board of Directors at Chicago, on Thursday, December 4, for consideration of National Defense, priorities and other problems. The Board meeting follows the recent appointment of the OPM Industry Advisory Committee and also the recent radio price "freezing" action of the Office of Price Administration.

Advisory functions and organization of subcommittees of the OPM Industry Committee are expected to follow soon, and in the meantime the RMA Priorities Committee is continuing to function on immediate problems relating to supplies of material, allocations, etc. for industry operations. Fred D. Williams of Philadelphia has succeeded Mr. Galvin as Chairman of the Priorities Committee, with S. T. Thompson of Chicago as Vice Chairman.

Special allocations of aluminum, nickel and copper, to continue set production in January, February and March, 1942, also for maintenance and repair parts, have been requested recently of OPM by the RMA Priorities Committee. The Materiel Bureau of the RMA Engineering Department has been assisting the Priorities Committee in submission of the tentative industry operation program for the first quarter of 1942.

Emergency plastic allocations also have been arranged by the Manufacturers' Association, which also has secured official "interpretations" of the recent OPM copper conservation order. The latter rulings have largely exempted the radio industry from the copper restriction procedure and virtually restrict the use of copper in radio manufacture only in non-functional, non-essential usages.

At their Chicago meeting next week, the RMA Directors also will consider 1942 Industry promotion and other plans, including the date and program for the Association's annual convention next year.

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## FCC CLEARS UP MEANING OF "LEGALLY QUALIFIED CANDIDATE"

Rules governing political broadcasts have been clarified by the Federal Communications Commission so as to define a "legally qualified candidate". This is pursuant to Section 315 of the Communications Act which reads:

"If any licensee shall permit any person who is a legally qualified candidate for any 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 station, and the Commission shall make rules and regulations to carry this provision into effect: Provided, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate."

It should be noted that this section does not impose upon radio station licensees the obligation to give or sell time to any candidate for public office unless the station has afforded such use of its facilities to other candidates for the same office. In that event, the station must then provide equal opportunities to all other such candidates for that office.

A person whose name is not included on the printed ballot, but possesses the requisite legal qualifications to hold that particular office, is a "legally qualified candidate" within the meaning of this section of the Communications Act and the Commission's related rules. The names of such persons can be written in by voters and a valid election result. It is evident that the Section should be construed also to include candidates for nomination for office where the names of candidates are not required on printed ballots.

In consequence, the Commission has changed Section 3.422 of its rules to define a "legally qualified candidate" as follows:

"A 'legally qualified candidate' means any person who has publicly announced that he is a candidate for nomination by a convention of a political party or for nomination or election in a primary, special, or general election, municipal, county, state or national, and who meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate, so that he may be voted for by the electorate directly or by means of delegates or electors, and who (a) has qualified for a place on the ballot or (b) is eligible under the applicable law to be voted for by sticker, by writing in his name on the ballot, or other method, and (1) has been duly nominated by a political party which is commonly known and regarded as such, or (2) makes a substantial showing that he is a bona fide candidate for nomination or office, as the case may be."

In so doing the Commission is cognizant, of course, that the mere fact that any name may be written in does not entitle all persons who may publicly announce themselves as candidates to demand radio time under Section 315, for the obvious reason that the limited broadcast facilities will not accommodate all who might desire to speak. The Commission also recognizes that broadcast stations may make suitable and reasonable requirements with respect to proof of candidacy of an applicant for the use of facilities under Section 315.

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Since determination as to who shall appear on programs is a matter resting in the first instance with the individual broadcast station, Section 315 does not require stations to give broadcast time to any candidate unless that station has previously permitted a broadcast by another candidate for the same office.

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#### ARCTIC EXPLORERS BRING VALUABLE RADIO DATA

The Louise A. Boyd Arctic Expedition, which sailed from Washington, June 11, brought back from Greenland, Baffin Land and Labrador scientific data of great value in connection with the radio work of the National Bureau of Standards.

Aside from Miss Boyd, who contributed her long experience as an arctic explorer to the Bureau on a "dollar a year" basis, personnel of the party included A. S. Taylor and F. R. Gracely of the Radio Section of the Bureau of Standards, a radio operator detailed by the United States Coast Guard, a physician, the famous Capt. "Bob" A. Bartlett, master of the ship "Effie M. Morrissey", and a crew of eleven.

The principal purpose of the expedition was to secure data on radio wave propagation in the regions covered. Special radio recording equipment and apparatus for determining characteristics of the ionosphere operated continuously throughout the voyage. The ionosphere is the electrically conducting region high in the earth's atmosphere which makes long distance radio transmission possible.

Indirect evidence had indicated that radio transmission conditions in the arctic regions differ considerably from those elsewhere. As the paths traversed by radio waves from the United States to many parts of the world include the arctic regions, the Bureau considered it important to secure data on radio conditions there. This objective was very satisfactorily achieved by the expedition.

The same conditions in the ionosphere which affect radio transmission also affect other physical happenings, especially terrestrial magnetism. For this reason the expedition carried magnetic measurement equipment, loaned for the purpose by the Department of Terrestrial Magnetism of the Carnegie Institution of Washington. Valuable data were secured on magnetism, and also on the aurora, the effects of which are closely related to magnetism and to radio transmission. Continuous measurements were also made on ultraviolet light intensity.

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## ACTION BY THE FCC

Applications Granted: W3XTF, Philco Radio & Television Corp., Philadelphia, Pa., granted special temporary authority to install and operate special experimental television relay transmitter at Wyndmoor, Pa., on 230,000-242,000 kilocycles with power of 15 watts in order to conduct experiments relative to reception and retransmission of television programs to Television Station WPTZ.

Also, KHJ, Don Lee Broadcasting System, Los Angeles, Cal., granted construction permit to move present licensed auxiliary transmitter to new site of main transmitter (7 miles west of business district, Los Angeles, Cal.); KGA, Louis Wasmer, Spokane, Wash., granted modification of construction permit for changes in directional antenna system, and change in type of transmitter; KTNM, Krasin & Krutzner Broadcasting Co., Tucumcari, New Mexico, granted license to cover construction permit for new station and granted authority to determine operating power by direct measurement of antenna input; WAKR, Summit Radio Corp., Akron, Ohio, granted authority to determine operating power by direct measurement of antenna input, for special service authorization using 5 kilowatts power daytime.

Also, Bartlesville Broadcasting Co., Bartlesville, Okla., granted construction permit for new station to operate on 1400 kilocycles, 250 watts, unlimited time; Brainerd-Bemidji Broadcasting Co., Brainerd, Minn., granted construction permit for new station to operate on 1400 kilocycles, 250 watts, unlimited time; granted subject to selection of a transmitter site which will meet Commission approval; WKZO, WKZO, Inc., Kalamazoo, Mich., granted construction permit to increase night power to 5 kilowatt and make changes in directional antenna; KWLK, Longview, Wash., placed in pending files pursuant to Order No. 79, application for consent to the voluntary transfer of control of Twin City Broadcasting Corp., Station KWLK.

Applications Received: WCLE (Amended), United Broadcasting Co., Cleveland, Ohio, amended to request 640 kilocycles, 50 kilowatts, unlimited hours, directional antenna day and night, move and install new transmitter; WBIG, North Carolina Broadcasting Co., Inc., Greensboro, N. C., construction permit to install new transmitter, new directional antenna for day and night, change frequency from 1470 to 640 kilocycles and increase power from 5 to 50 kilowatts and move transmitter; KFFA, d/b as The Helena Broadcasting Co., Helena, Ark., license to cover construction permit for a new broadcast station and authority to determine operating power by direct method.; KSO, Iowa Broadcasting Co., Des Moines, Iowa, modification of construction permit as modified for move of transmitter, directional antenna for night use, new transmitter and increase in power, requesting extension of completion date from 12/9/41 to 1/9/42 (1350 kc.)

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 :::: TRADE NOTES ::::  
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An FM station, authorized by the Federal Communications Commission, is to be constructed by Hughes Productions, a division of the Hughes Tool Company, in Los Angeles. Employing the call letters K49LA, the new transmitter will be required to serve an area of 7,000 square miles, operating 18 hours daily. This is the second FM construction permit issued to the Hughes group, headed by former round-the-world flyer Howard Hughes. K455F, another full-fidelity station, was approved for San Francisco several months ago.

Headquarters for NBC's International Division Sales staff will be moved from the second to the seventh floor of the RCA Building immediately. The move is being made to allow for expansion of the International Division staff, which already exceeds 60 members.

The radio amateur operator license of Edward Davis Wells of Grand Rapids, Mich., was suspended for two months for violating emergency regulations by using his station W8A00 to communicate with stations XE1AM and XE1)M in Mexico.

Directors of the Stromberg-Carlson Telephone Manufacturing Company voted a dividend of 50 cents a common share and the regular quarterly dividend of  $6\frac{1}{2}$  per cent on the \$1.62 $\frac{1}{2}$  preferred stock. Both dividends are payable on Dec. 24 to holders of record of Nov. 29. The common dividend is the first since 1937.

Colonial Dames, Inc.'s renewal - coming after almost a year of continuous broadcasting on the Columbia Pacific Network, CBS states, is the result of its sales having soared 100% in one leading department store, 93% in an important drug chain, 76% in another drug chain, and 68% in a third.

Steere Mathew has been appointed Assistant Manager of the NBC Traffic Department. Mathew has been with the Traffic Department fourteen years.

Edrolax Company of New York, laxative, to Charlew W. Hoyt Company, Inc. Advertising plans include a radio test campaign in Richmond, Va.

Durward Kirby, NBC announcer on the staff of Station WENR, Chicago, will receive the H. P. Davis Announcers Award for 1941. It was created in 1933 by the widow of the late Harry P. Davis, former Westinghouse official who contributed greatly to the development of network broadcasting in America.



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The largest network of FM stations carrying a single program to date will be formed for the dedication broadcast of W71NY's new 10-kilowatt transmitter Sunday night, November 30. Stations linked to W71NY will include W2XMN, Alpine, N. J.; W65H, Hartford; W4WB, Boston; W53PH, Philadelphia; W39B, Boston; W47A, Schenectady. Some of the stations have arranged "salutes" to the New York transmitter and these will be woven into the gala official opening of the transmitter between 7:30 and 11:30 P.M.

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Facts, drama and nationally known guest speakers are some of the elements in a timely new series of six public service programs, "Defense and Your Dollar", to be heard over the NBC Red Network on Saturday afternoons, 3:00-3:15 E.S.T., starting Dec. 6th.

The programs are produced by the National Broadcasting Company in collaboration with The Twentieth Century Fund, a privately endowed, independent institute for research in economic questions, which was founded in 1919 by the late Edward A. Filene.

The aim of the series is to provide tips for patriotic Americans on how to regulate their daily buying and spending so as to protect their own pocketbooks and help out the defense program at the same time.

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#### RESINS FOR RADIO-TUBES - B4

Two new amendments to General Preference Order M-25, governing the supply and distribution of formaldehydes and the synthetic resins made from them were announced by the Priorities Division.

Amendment No. 3 places bases for radio tubes under Classification 1 of the permitted uses, as no suitable substitute for plastics for this purpose has been discovered - deliveries of the resins for the production of bases are assigned a rating of B-4

Amendment No. 4 assigns a preference rating of B-8 to deliveries of synthetic resins molding powder to radio manufacturers in the amounts required to produce molded cabinets for their existing inventories of radio chassis.

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