

HEINL RADIO BUSINESS LETTER

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FRANK E. MILLER

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July 31, 1942

SENATORS WOULD MAKE COMMENTATORS ANNOUNCE SPONSORS

As a result of the recent denunciation of radio commentators, newspaper columnists and editorial writers in the Senate for their criticism of Congress, it is reported that a definite movement is on foot to try to muzzle these critics to the extent of making them announce the names of their sponsors the same as the names of sponsors of advertising programs are required to be broadcast.

Senator Lucas, of Illinois, first brought this up when at the conclusion of the heated debate on the subject in the Senate he declared that something should be done about the commentators. He had previously suggested that Elmer Davis, head of the War Information Office, could very well call in the sponsor of an offending commentator and tell him that the commentator in criticizing Congress was not acting in the best interests of winning the war.

Later Mr. Lucas read a provision in a bill introduced by Senator Wallace White, of Maine, now pending before the Commerce Committee. Whereupon Senator White arose saying:

"The provision to which Senator Lucas has just referred to has not made progress in the Senate."

Evidently feeling that in view of the resentment of members of Congress at the way they are being criticized that there might be more interest in his bill now, Senator White went on to say:

"Under present law there is a requirement that advertising matter shall be announced so that it shall be known that the advertisement of any particular article or thing is by a particular advertising concern. There was no provision in the law, however, concerning that to which the Senator has made reference and the section which he has read was intended to fill the gap. There was no provision in the law which required the identification of a person who spoke and discussed a particular question.

"It seems to me that if it is important that it should be made known to the people of the country that an advertiser is paying for a program, it is even more important that the people of the country should know, when a man speaks over the radio, whether he is speaking for himself or some other person, or some organization. That was the underlying reason for the section in the bill which the Senator has read. "

"I heartily concur in what the Senator from Maine has said, and if the time ever comes when the bill reaches the floor of the Senate, I shall certainly support it, because I believe that the Senator is moving in the right direction", Senator Lucas replied.

"One of the troubles with many radio broadcasters is that they are not responsible to anyone, so to speak. One sponsor has them for 1 week or 6 weeks, and another sponsor has them for another 6 weeks. They are in a category wholly different from that of a newspaper, as I view it, and certainly we ought to have all the information we possibly can obtain in regard to the sponsor, the advertisement, and the individual who is commentating for 1 minute upon a particular article and during the other 14 minutes telling us what is wrong with the world."

Senator White's provision reads as follows:

"Sec. 330. No licensee of any radio-broadcast station shall permit the use of such station for the discussion of any public or political question whether local, State, or National in its scope and application, unless the person or persons using such station shall, prior to such use, disclose in writing and deliver to the licensee the name or names of the person or persons or organization upon whose instance or behalf such broadcast is to be made or conducted. Upon the making of any such broadcast the name of the speaker or speakers using the station, together with the other information required by this section, shall be announced both at the beginning and at the end of such broadcast."

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"READER'S DIGEST" SEEKS RADIO PROGRAM COMPLAINTS

A movement which is apt to cause immediate repercussions in the broadcasting industry has been started by the Reader's Digest, in seeking to establish a central clearing house for complaints on radio programs. The proposal is made in the August issue of the Digest, said to have a 6,000,000 circulation, in an article "Radio's Plug-Uglies" by Robert Littell, who starts out by saying:

"As you turn the radio's knob in search of entertainment, suddenly you hear a two-toned sound effect, like a bass fiddle in pain, and a voice says: 'There's nothing so dismal as a foghorn (sound effect) unless it's Beeee-Oh 'sound effect again). Livebuoy - from head to toe it stops B.O.' Then follows a drama in which one of the characters, 'Sad Sam the B.O.Man', is urged to use three cakes a day.

"The angry snarl of static that interrupts this pretty posy is probably Marconi turning over in his grave.

"To millions of people radio has given solace, laughter, immortal music, news from the whole wide world. But does that give it the right to shove the halitosis, varicose veins and suffering stomachs of mankind into the listener's ear? Do so many of the commercial plugs on radio programs have to be so insistent and so offensive?"

"A group of people who had been listening to radio's plug-ugliness with growing disgust decided to do something about it. As a first step they questioned at random over a hundred fellow citizens, from cooks to engineers. Result: 85 percent said they found most commercials completely obnoxious. The other 15 percent felt neutral. Not one had a genuinely good word to say for broadcast advertising.

"Then, knowing they were not alone in their disgust, the group organized a committee to 'renovate radio advertising', gave itself the name of 'Plug Shrinkers', and wrote letters to a number of sponsors.

"The replies of the sponsors were rather lame: 'Repetition makes reputation.' . . . 'Our method has proved successful... 'We didn't invent sweat.'

"'Plug Shrinkers' also handed out a number of bouquets to sponsors whose advertising has been in good taste. For it can be done. Several years ago, Ed Wynn's heckling of the announcer and the plugs for Texaco was hilarious and refreshing. Milton Cross does a dignified, restrained job for 'Information, Please.'

"Radio is young. We listeners can make its advertising grow up - if we protest long and loud enough."

Along with the article was an application blank for membership in the "Plug Shrinkers" and the following appeal:

"Join the Plug Shrinkers and Purify the Air Waves!

"A Central Clearinghouse for Complaints

"The sponsor of a plug-ugly can't hear you when you snap off his program in disgust. But here's your chance to purge pent-up emotions. Simply join the Plug Shrinkers - the most painless organization to which you could belong. No dues, no officers, no obligations of any kind. Get something off your chest, and avoid high blood pressure, by filling out the coupon on the reverse side (or you may use a postcard) and mailing it today to Plug Shrinkers, 522 Fifth Avenue, New York City."

The application printed in the Digest reads:

7/31/42

"Dear Fellow Plug Shrinker: I am with you, heart, soul and offended ears. Enroll me as an Outraged Member.

Please tell _____ (give sponsor's or product's name) that his radio "commercials" are (check appropriate epithet) in bad tastehokum.... tiresome.....repetitious.....repulsivelong-winded.....too intimate.....too anatomical.....silly..... syrupy.....poor sales policy.....

I understand that this entitles me to enrollment as a Militant Member, in token whereof Plug Shrinkers will refrain from sending me one life-sized scientific drawing, reproduced in natural colors, of the contents of the Human Stomach after a hearty meal.

Name _____ Address _____
City _____ State _____ "

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BLUE NET ANSWERS CAPITAL PUBLISHER'S WINCHELL SUIT

The Blue Network Broadcasting Company filed an answer in District Court in Washington, D. C. last Tuesday to the \$400,000 defamation suit brought by Mrs. Eleanor Patterson, publisher of the Washington Times Herald, against the network, Walter Winchell, radio commentator and newspaper columnist, and the Andrew Jergens Company, sponsor of Winchell's programs.

Mrs. Patterson had charged in her suit of March 18 that Winchell had falsely implied in a broadcast that the Times-Herald was connected with the activities of the late Senator Ernest Lundeen (Farm-Laborite) of Minnesota, and the convicted Nazi agent George Sylvester Viereck. The newspaper publisher asked for compensatory damages of \$100,000 against each of the defendants and an additional \$100,000 for punitive damages against Winchell.

In its answer, filed by Attorney John J. Sirica, the Blue Network contended that Winchell had not intended to convey to his listeners "the innuendoes asserted by Mrs. Patterson."

"Insofar as Winchell's utterances were expressions of opinion, they are fair comments made in good faith as honest opinion, without malice, concerning matters of public interest", the petition stated in presenting grounds for dismissal of the suit.

Mrs. Patterson's action arose out of Winchell's broadcast of March 15 in which he asserted that the Times-Herald had deleted portions of his column on several occasions. Winchell also remarked that a Times-Herald editorial on foreign policy had been praised by Senator Lundeen and printed in the Congressional Record at the Senator's request.

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COMMUNICATIONS COPPER RATINGS RAISED TO A-1-J

Higher preference ratings to enable communications companies to obtain copper necessary for operating construction, maintenance and repair have been granted by the Director General for Operations.

The action was taken in amendments to Orders P-129 and P-130.

P-129 raises the rating for telephone, telegraph, cable and radio companies for copper from A-3 to A-1-J. Copper order M-9-a restricts deliveries of copper to A-1-k or higher and Tuesday's action enables these communications companies to obtain materials in conformity with that order.

P-130 gives a similar rating for deliveries of copper necessary for operating construction by telephone companies, such as connection of subscribers, changes in central office equipment, and the like.

The A-3 rating continues in effect for supplies other than copper.

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MISS KELSEY, OF ZENITH, COMPILES HIGH FREQUENCY GUIDE

A "Reference Guide to Ultra High Frequencies" has just been compiled by Miss Elizabeth Kelsey, Engineering Correlator, of the Zenith Radio Corporation. A foreword to the guide by G. E. Gustafson, Assistant Vice President in Charge of Engineering, reads:

"Radio Engineers all over the country are becoming increasingly interested in the ultra-high frequencies, because of their important application to war time uses.

"Many articles on ultra-high frequencies have been written that make valuable reference material for radio engineers. They are scattered throughout engineering literature and if time is pressing rather difficult to find.

"The need for a bibliography and consolidated reference information was recognized many months ago by Miss Elizabeth Kelsey of Zenith Radio Engineering Division. Miss Kelsey, a Fellow of the Royal Society of Arts and Sciences, associate member of the Institute of Radio Engineers and the International Television Society, has spent many patient months in reading the literature, compiling, and collating the present bibliography on ultra-high frequencies. She has been notably successful in this type of self-imposed task. Her bibliography on frequency modulation is regarded as a definite contribution in this field, and is included in, although separated from the present bibliography on u.h.f.

"The present bibliography covers 593 articles on ultra-high frequencies and associated subjects. These are to be found in leading physics, engineering and electronic publications in English. There is also included a comprehensive list of foreign publications.

"We present the results of Miss Kelsey's labors to you with the compliments of the Zenith Radio Corporation in the interests of the Victory program."

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BELLIGERENTS SPAR AS PETRILLO DEADLINE APPROACHES

On the eve of the Petrillo ban going into effect - if indeed it is to go into effect August 1 - both sides are sparring for an opening.

Mr. Petrillo came back at Chairman James L. Fly of the Federal Communications Commission with a vigorous defense of his ultimatum and declared "Our order to cease making records has not changed."

A reply was also expected from the Music Federation head to Elmer Davis, Director of the Office of War Information, who had appealed to Petrillo on patriotic grounds and urged him to desist until after the war.

A dispatch from St. Paul said that KSTP, whose musicians were the first to be called out by Mr. Petrillo, had signed a contract with the St. Paul Musicians' Union for a period of two years from March 15. The station said that the Union finally agreed to its claim that its orchestra should not be frozen through a requirement that the station retain a man for a whole year after he had worked for a period of four weeks, regardless of how the man fitted into the musical organization. This was the sole matter in dispute, the station said.

On the other hand, Mr. Petrillo ordered out all remote control dance bands over the Mutual Broadcasting System discontinued as a result of a dispute between musicians union and two of the network affiliates - KRFC in San Francisco and WARM in Scranton, Pa. Fred C. Weber, General Manager of Mutual, said that Mr. Petrillo had ordered the move without notifying the network, and that the ban, stopping pickups of the orchestras had been put into effect through local unions,

Mr. Petrillo offered no comment on the action, which followed a walkout of 12 union musicians in a controversy over wages and hours at San Francisco and a similar dispute at the Scranton station. William Pabst, KRFC station manager, said the union demanded unspecified wage increases and the doubling of musicians' employment from six hours a week to 12.

An opinion was expressed that the defense of Mr. Petrillo against the injunction of the Attorney General might be the Norris-LaGuardia Injunction Act limiting the jurisdiction of the Federal courts to issue injunctions in labor disputes.

This reference was made to the situation in an editorial in the Washington, D.C. News, a Scripps-Howard newspaper:

"Saying that he wants to create work for members of his union, James Caesar Petrillo, President of the American Federation of Musicians, has banned making recordings for radio broadcasts and juke boxes and is issuing other high-handed decrees.

"Contrast Petrillo's tactics with the attitude of Daniel J. Tobin, president of another A. F. of L. union, the International Brotherhood of Teamsters. War shortage of rubber, making restriction of trucking necessary, threatens to destroy the jobs of many men in his union. To them Mr. Tobin says, in the brotherhood's monthly magazine:

"Our people everywhere must try to understand that we are to be called upon to make sacrifices. . . . Complaining or grumbling will bring us nothing. We must be good soldiers, like the men across the water. We must prove that we can take it.

"We will have, perhaps, before the end of this year, 100,000 of our members unemployed. I repeat what I have said - if you are laid off don't wait around complaining; go out and get a job at anything you can get and fill.

"It isn't a question of picking out our employment or deciding to stay where we are. We must face this battle that confronts us as real men, real Americans, because if we lose the battle the slavery that will confront us is awful even to think about.' "

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PETRILLO SAYS GOVERNMENT PROTECTS RADIO STATIONS

Banging back at James L. Fly, Chairman of the Federal Communications Commission, James C. Petrillo, President of the American Federation of Musicians charged that the Government was on the side of the radio stations' advertising agents and record makers.

"It may be surprising to the public to know that 95 per cent of the music in the United States and Canada heard today is canned music", Mr. Petrillo wrote Chairman Fly. "Only 5 percent is left for the poor professional musician who studied all his life so that he might make a living for his family. This is not a question of being a 'czar' or a 'dictator'. It is a question of a large group of men fighting for their very existence,

"I shall encourage action on the canned music situation until such time as these people who are getting rich on our services while our people get no money, see fit to employ members of the American Federation of Musicians.

"Not one recording or transcription company has approached the A. F. of M. with any suggestion to overcome this problem.

"They sit back and say, 'We will all combine - the radio stations, recording companies, advertising agencies - and we will bring pressure on Washington to fight our battles for us.' That is just what has been done.

"No agency, not even the agencies of the government have asked the A. F. of M. to explain the situation. All we have been getting are threats through the press that unless we do this or that, we are going to have this or that done to us."

The Music Federation chief said the 500,000 juke boxes in this country and Canada had thrown 8,000 musicians out of work.

Mr. Petrillo estimated there were 500 radio stations which did not employ a single live musician. He said that it was not the aim of the Federation to put the stations out of business.

"Nevertheless, I ask why should all big revenues go into the pockets of these radio station officials and others without paying one dollar to the musician?"

As for the Interlochen Camp, Mr. Petrillo said that he regarded the school there as a "commercial proposition". Unlike public schools offering free tuition, he said, it charged \$275 for an eight-week instruction course. Fees paid by some pupils, he said, ranged as high as \$400.

Despite the ban Mr. Petrillo said his musicians will continue to make recordings and transcriptions for the armed forces of the United Nations and any records requested by the President of the United States.

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ELMER DAVIS CITES WAR IN PETRILLO PLEA

The appeal of Elmer Davis, Director of the Office of War Information to James C. Petrillo, President of the American Federation of Musicians, was in the form of a letter, which follows:

"On December 27, 1941, you wrote an open letter to the President and the People of the United States. In that letter you said:

"Each and every member of the Federation and its officers pledge themselves on this occasion to do everything possible to aid in the fight for Freedom . . . to fight with every weapon at their command.

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In this fight we realize that morale plays a most important part. And in the building of morale the Federation and its members can and will do its share. For music has always been and is today one of the finest media for maintaining high public morale and the business, the profession, the very life work of the Federation and its members is Music.

To this new slogan, this new theme for the new year, then, the Federation dedicates itself: MUSIC FOR MORALE."

"Despite this public and published pledge you sent a communication on June 25, 1942, to all companies engaged in the making of phonograph records, electrical transcriptions, and other forms of mechanical recording of music advising them as follows:

"From and after August 1, 1942, the members of the American Federation of Musicians will not play or contract for recordings, transcriptions, or other forms of mechanical reproductions of music."

"I am informed that if you enforce this edict three direct consequences will be the elimination of new electrical transcriptions for the use of radio stations, the elimination of new popular records for so-called 'juke boxes', and the elimination of new popular and classical records for home consumption. I am further informed that this move in all probability will lead to court fights, possible strikes, and definitely curtailed musical service to the public in the critical months ahead - months which may well decide the fate of this country's war effort.

"Since several hundred small, independent stations which are cooperating wholeheartedly with the Government in the war effort depend for their major sustenance on electrical transcriptions, your order may well force them out of business and thus seriously interfere with the communication of war information and messages vital to the public security. Since, as you say yourself, 'music is today one of the finest media for maintaining high public morale', the elimination of records for home use, for use in restaurants, canteens and soda parlors where members of the armed forces go for recreation, and for use in factories where war workers use juke boxes for organized relaxation, can scarcely fail to have a negative effect on morale.

"Therefore, on behalf of the people of the United States and on behalf of the War Department, the Navy Department, The Marine Corps, the Coast Guard, the Treasury Department, the Office of Civilian Defense, and the Office of War Information, I sincerely urge that you consider it your patriotic duty to stand by your pledge of December 27, 1941, and withdraw your ultimatum of June 25, 1942."

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 ::: TRADE NOTES :::
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Leo T. Crowley, Alien Property Custodian, has announced the vesting by his office of more than 1,500 patents, all German-owned, in the fields of radio, television, chemicals and aircraft propellers.

NBC's International Division has announced the addition of fourteen New Mexican affiliates to the NBC Pan-American Network, bringing total affiliation to 139 stations in the Americas, North, Central and South.

"Neville Miller's tenure of office as paid president of the National Association of Broadcasters, is again a matter of rumored deadlines", says Variety. "The latest deadline is about Sept. 15, with Miller then supposedly getting some sort of a cash adjustment on his contract. Miller weathered a previous drive against him last Spring and had no real trouble at the Cleveland convention. Now the latest rumors of his retirement do not mention Chairman Fly of the FCC as the primary cause, but another trade issue of more direct war reference.

"Meanwhile the gathering clouds of another industry fight (A. F. M.) currently engages the paid president's attention and his leadership therein seems to contradict rumors of his being seriously jammed. Miller was interviewing possible public relations assistants for the NAB's fight with Petrillo over the week-end."

John C. Wooden has been named Supervisor for the Mid-Western District of ASCAP, succeeding R. W. Rome who is now a Lieutenant, J.G. in the Navy. Mr. Wooden was formerly District Manager for ASCAP with headquarters in Des Moines, Iowa. He will be succeeded in Des Moines by Martin Meltzer, formerly of ASCAP's New York staff.

Someone asked what the nationality of James C. Petrillo was. This led to a reference to "Who's Who in America" where it was revealed that Mr. Petrillo had one of the shortest biographies in the 1942-43 edition of "Who's Who". It read:

"Petrillo, James C., Union official; married; 1 son, LeRoy. Pres. Chicago Federation of Musicians since 1922; also pres. American Federation Musicians. Home: 1039 N. Austin Boulevard; office 175 W. Washington Street, Chicago.

The largest class in the history of the Signal Corps Officers Training School at Fort Monmouth, N. J., many majoring in radio was graduated from there recently. Commissioned were 855 second lieutenants. The 90day classes are expected to be the immediate forerunner of monthly graduations of 1200 men or more.

A semi-plastic material, made from alcohol has been pressed into service to release large quantities of rubber heretofore required to operate machines used to build RCA radio tubes.

Intense fires are required for several steps in the manufacture of modern radio tubes now needed so urgently for communications equipment in every branch of the armed services of the United Nations. Custom has made rubber tubing standard for the flexible hoses needed to feed the fires with gas. In addition, moulded rubber sections of almost pure gum have long been used as connectors between valves, traps, pumps and gauges in evacuating lines.

RCA engineers took steps to see that as much rubber as possible would be saved. Trials of flexible plastics and synthetic rubber-like materials were made to develop an alternate. All were discarded as unsuitable except "resistoflex", a semi-plastic made of polyvinyl alcohol.

Charles Singer, in charge of WOR's 50,000 watt transmitter at Carteret, N. J., is leaving shortly to take a civilian Signal Corps post in the War Department in Washington, D. C. He will be the Director of the Maintenance Unit of the Optional Research Group of the U. S. Signal Corps.

The work of the Optional Research Group is military in nature, but its members are civilians who have volunteered their services. The Group is headed by Professor Everett of Ohio State University.

Idella Grindlay, Office Manager of the NBC Production Division in New York, has been appointed Administrative Assistant to the Army Air Force's Chief of Radio, Public Relations. In private life she is Mrs. Edgar P. Kempf, wife of a former NBC supervisor of master control now on active duty with the Navy. Her superior in the War Department post will be Capt. Howard L. Nussbaum, former NBC Assistant Production Manager.

Hygrade Sylvania Corporation - Six months to June 30:
Net income, \$483,062, or 79 cents a common share, against \$530,693, or \$2.19 a share, last year; the stock was divided two for one on Sept. 16, last.

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NAVY RADIO CONTROL FORCED BY U-BOATS, KNOX SAYS

Secretary Knox said that anti-submarine operations and security requirements made Navy control of coastal ship-to-shore radio stations essential. Operators, he added, must be naval personnel.

His statement was made in a telegram to Chairman Bland of the House Merchant Marine Committee, in response to an appeal from Mr. Bland that whatever steps necessary be taken to forestall closing of 15 commercially operated stations along the Atlantic and Gulf coasts.

Mr. Bland's appeal followed hearings earlier this week before his Committee at which representatives of the American Communications Association, radio operators' union, protested the closing as an additional serious threat to the safety of the Merchant Marine. The stations were being forced to close, they explained because of the lack of commercial business, although they handled 75 percent of the distress calls received from ships at sea.