

# HEINL RADIO BUSINESS LETTER

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WASHINGTON, D. C.

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No. 1456

August 18, 1942.

## RADIO SERVICE NOT IMPAIRED BY WAR, FLY REASSURES

That there would be a minimum of impairment to the broadcasting service or curtailment of broadcasting hours was the assurance given by Chairman James L. Fly of the Federal Communications Commission at his press conference last Monday. Mr. Fly referred particularly to the recommendations made by the Communications Division of the War Production Board that all radio stations with the exception of a number of key stations scattered throughout the country should shut down operations at midnight each night in order to conserve materials. This was first printed in a New York newspaper and the suggestion of such a sharp curtailment of broadcasting hours caused wide comment in the press generally to the evident displeasure of Mr. Fly, who said:

"I have seen some rather alarming news accounts in the press generally, that is particularly in the daily papers, and I only want to reiterate that those accounts are markedly out of order. No measure has been suggested by anyone in the Government or in the industry which is not aimed toward establishing stability and durability - establishing and maintaining stability and durability of broadcasting service and coverage. No suggestion has been made which would result in any real impairment of the service being rendered to the public by radio or the service rendered to advertisers.

"There have been a number of points raised for consideration from different sources, including our own staff and including the staffs of the War Production Board, but all of those suggestions are aimed along constructive lines. There are a number of dope stories in the industry press that are pretty accurate in terms of matters under consideration. For example, the article in today's Broadcasting (August 17) and the article in Radio Daily - I suppose of August 15.

"This morning's issue (August 17)", Edgar Jones, Acting FCC Public Relations head put in.

"Well today's issue of Broadcasting and of Radio Daily Now, the various suggestions will be given study by the Domestic Broadcasting Committee of the Board of War Communications. That will be done quite promptly. The Committee will have the benefit of the survey of tubes which was conducted by the Board. I don't think that returns are complete yet and, of course, it is essential that the Committee have the benefit of that survey since the tubes are almost undoubtedly at choke point. I have great confidence that we shall come off with some constructive results in terms of conservation and in the renewed assurances of continuity and stability. In light of the job which broadcasting has been doing for the war effort I don't think anyone will sit by and permit that service to be impaired."

The program now under consideration by the Board of War Communications and the FCC, as set forth by Broadcasting, (one of the "dope" stories mentioned by Chairman Fly "as pretty accurate in terms of matters under consideration") was as follows:

1. A possible sign-off of all stations at midnight, except key stations which would be maintained on a stand-by basis.
2. Revision of FCC regulations to allow stations to divide time.
3. FCC authorization to enforce the reduction of output by  $1\frac{1}{2}$  DB (compromise may produce a 1 DB reduction).
4. FCC amendment of the engineering standards to allow relaxation of distortion and performance standards for the duration.
5. FCC amendment of regulations to allow stations to suspend service for the duration, without loss of license.
6. Coordination of police radio systems.

The recommendations of the War Production Board suggesting the closing of the stations at midnight which brought the present discussion to a head has not yet been considered formally and probably will not be until the BWC meets later in the week. It was reiterated, however, that this was but one of the many letters of recommendations and suggestions along similar lines; that even the WPB recommendations were not nearly "as drastic as they appeared to be" and that there was no occasion for alarm on the part of either the broadcasters or the advertisers at this time.

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#### WANTS PUBLIC CENSORED SAME AS RADIO AND PRESS

Stating that radio and the press were doing their part, Byron Price, Director of Censorship, addressing the Indiana State Bar Association at Indianapolis, last week, asked how about the public?

"We have been able to preserve freedom in this nation because we have looked upon it as a relative, and not an absolute principle. Our free Constitution has stood the test of time because our courts have viewed its provisions as fluid and elastic, to be applied for the greatest good of the greatest number according to the circumstances and requirements of our recurring national crises. The right of free speech is a relative right. I need not point out to a group of lawyers that no one can maintain a constitutional right to commit libel or slander, or indulge in indecency of expression. Neither can any one contend successfully that the press, the



radio, or any individual has a right in wartime to be criminally careless with information, or preach sedition."

"No one should be deceived into believing that a voluntary censorship will ever function perfectly. With every publisher and every broadcaster his own censor, there will always be honest differences of judgment within the framework of the Codes we have provided", Mr. Price declared. "Yet so universal has been the loyal cooperation of these industries that incalculable good is done every day by the withholding of information about troops and ships, and munitions and tanks and planes.

"Is it too much to ask that the process now be carried one step further and that the public itself participate in censorship? If restraints can be accepted by publishers and broadcasters, whose livelihood depends upon disseminating facts, why should any individual consider himself above a similar cooperation with his Government? In a sense, every one of us became a broadcaster as soon as he was old enough to talk, and he became a publisher as soon as he learned to write. No American is doing his share unless, as a part of his self-discipline, he remembers always that the enemy is listening and is thankful for even the smallest scraps of military information."

Mr. Price then went on to say:

"Essentially the Office of Censorship has two functions. One the one hand it censors all communications entering or leaving the country, by mail, cable, radiotelegraph, radiotelephone, or any other method of communication. On the other hand, in the domestic field, it administers Codes of Wartime Practices for press and radio and so withholds certain information of military value from circulation even at home. In a legal sense these operations are of a distinctly different character although in a practical sense they are interwoven intimately with one another.

"The Censorship of international communications rests upon a solid legal foundation. We are censoring the mails and cables under specific Congressional enactment, embodied in the First War Powers Act by which the wartime authority of the Commander-in-Chief was defined. In this field a very wide discretion is placed in the hands of the censor; in fact, even 'absolute discretion' is conferred by the Executive Order creating the Office of Censorship, and the Director of Censorship is made responsible to no one but the Commander-in-Chief."

"The second part of the responsibilities of the Office of Censorship relates, not to international communications, but to the circulation of harmful information within the country itself. This undertaking rests, in essence, upon the voluntary enlistment of newspapers, broadcasters, and other agencies of dissemination. The Government, by consent, plays the part of umpire. It informs press and radio what classes of information would be helpful to the enemy if disseminated freely within the States. It asks that such information be kept out of circulation unless disclosed by an official source; but there is no compulsion unless the information concerned



is of so secret and vital a nature that its disclosure would constitute violation of the long-existing statutes dealing with espionage.

"Two guiding principles govern this entire procedure. The first is that the requests for suppression must not be so restrictive that they will keep the American people in ignorance of the progress of the war. In a democracy, the public is entitled to essential information. It is entitled to know about the tough realities of this war, and it must not be subjected to such a black-out of news as now pervades totalitarian countries. In its approach to this problem the Government has followed consistently the democratic belief that American news columns and American broadcasting can remain the freest in the world and still keep vital information from the enemy."

"Another principle underlying domestic voluntary censorship is that it deals only with information, and does not invade the realm of editorial or other opinion. Every request made by the Government has been confined to some topic of factual information. There has been no request that any publisher or any broadcaster refrain from expressing his opinion or from indulging in criticism."

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#### BROADCASTERS SEEK TO FILE BRIEF IN PETRILLO CASE

Definite action was taken by the National Association of Broadcasters in New York yesterday (Monday) to seek permission of the Federal Court in Chicago for the NAB to file a brief as the court's friend in the Government anti-trust suit against James C. Petrillo, President of the American Federation of Musicians.

Neville Miller, President of the NAB, said he had been assured that the Department of Justice would welcome the intervention of the broadcasters.

"Evidence that the broadcasting industry's interests are concerned with the problem", asserted Mr. Miller, "is that over 75 per cent of the broadcasting stations in the country have already returned a questionnaire sent out only about 10 days ago by the NAB, questioning broadcasters with respect to the musicians' union situation.

"The material so obtained is being assembled and will prove useful in connection with the Government's suit \* \* \* as well as informative to the public."

In the meantime the Federal Communications Commission has asked all standard broadcast stations to report under oath their labor relations with musicians and musicians' unions, and to detail their use of transcriptions and recordings in broadcasting.

Among the 23 questions were some relating to the employment of colored musicians, including the number and the periods for which they have been employed.

Radio stations are asked to say whether they operate under a written contract with a musician's union and if they do, to submit a copy of the contract. In the absence of a written contract, they are asked whether they have a verbal agreement or understanding and if so, to describe it.

The stations must describe the use made of non-professional musicians, including amateurs and such organizations as the United States Army Band. The FCC is asking also whether at any time in the past three years the station has had instances where amateur musicians have been kept off the air or permitted to broadcast only after professional "stand-bys" were specially employed for the occasion.

Stations are asked to say whether they ever have been denied a network program for reasons believed to have been connected with a labor dispute involving musicians.

The injunction petition is to be argued in Chicago September 16, and it is understood that a summary of the information obtained from the questionnaires will be made available to the Justice Department. The questionnaires must be returned within five days after receipt.

Despite the threat of Mr. Petrillo to blacklist the Springfield, Mass. Municipal Orchestra if the Boston Symphony Orchestra plays there, Springfield City Property Committee voted two to one last week that it lacked authority to bar any musical group from the hall where the Boston orchestra has been booked for a Winter concert by the Community Concerts Association.

The Committee Chairman, William S. Lowe said that the city might obtain an injunction against Mr. Petrillo if the auditorium were blacklisted, preventing union organizations from playing there.

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#### USO ASKS FOR RADIO SETS FOR SOLDIERS

An appeal for 50 radio sets to be used by small military units on detached duty around Washington, D. C., was made yesterday by Philip Coyle, Director of United Service Organizations mobile services for the Washington area. The sets would be used for the entertainment of men cut off for periods from community contacts and usual sources of news, Mr. Coyle said in his appeal to Washington residents.

"Individuals or organizations giving them at this time will be rendering a great service to units which are a vital part of the defense of the Capital", he said.

People having sets they wish to donate are urged to communicate with the Washington office, 1615 H St., N.W.

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## ILLINOIS BOOMS IN WITH ALMOST 2,000,000 RADIOS

Also among the leaders in the big league, Illinois has very nearly 2,000,000 radio equipped homes. Chicago has almost a million itself.

## OCCUPIED DWELLING UNITS WITH RADIO, FOR COUNTIES, AND FOR SOME CITIES OF 25,000 OR MORE: 1940

(A dwelling unit was enumerated as "with radio" if it contained a usable radio set or one only temporarily out of repair)

AREA - ILLINOIS	Total	With Radio	No Radio	Not Reporting On Radio
Total dwelling units (including urban)	2,192,724	1,974,604	164,421	53,699
Rural-nonfarm dwelling units	310,446	261,420	41,458	7,478
Rural-farm dwelling units	249,261	195,614	47,541	6,106
Chicago	949,744	891,841	36,434	21,469
Cicero	17,918	17,389	368	161
Danville	11,248	9,963	934	351
Decatur	17,298	15,898	920	480
East St. Louis	21,148	18,215	2,224	709
Evanston	18,150	17,364	336	450
Oak Park	19,104	18,738	142	224
Peoria	30,459	27,626	1,797	1,036
Rockford	24,822	23,136	909	777
Springfield	21,585	19,050	1,217	1,318

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## PATENT ISSUED FOR ONE-TUBE RADIO RELAY STATION

What may be a one-tube radio relay station is revealed in a patent (No. 2,291,767) issued to Henry Shore of New York City and assigned to the Radio Corporation of America.

Picking up weak radio signals, the tube amplifies them, and sends out revitalized signals. Basis of the new tube is an electron multiplier, a device comprising a series of parallel plates between which electrons are bounced back and forth, each bounce knocking out new electrons from the plates and thus multiplying the number of original electrons. In this way it is held that powerful electrical impulses can be built up from weak ones, without the use of a number of conventional amplifying tubes.

A feature of the new tube is the building right into the electron-multiplying tube of a receiving antenna to the output of the electron-multiplier, and a broadcasting antenna to the output of the electron multiplying tube. This makes the construction of the relay station more compact.

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## IN WARTIME WHAT NEWS SHALL THE NATION HAVE?

In a joint interview with Arthur Krock in the New York Times last Sunday (August 16), Elmer Davis, Director of the Office of War Information and Byron Price, Director of the Office of Censorship gave their answers to pertinent questions. Here are some of them.

Question - How well has the censorship been functioning under the code?

Mr. Price- The operation has not been 100 percent. The Army and Navy have continued in some cases to lay down prohibitions, but there is less and less of that as time goes on. At the present time, our worst difficulties arise from Army sources, that is, the activities of lower-ranking Army officers in the field. In almost every case where a newspaper or a broadcast station complained to me that a local Army officer has attempted to lay down unreasonable prohibitions, the War Department has agreed with me that the request was unreasonable and has taken steps to work it out.

If the curtain is drawn too tightly on the official side, so that there is a blackout and nothing is given out, of course newspapers and broadcasters will not go along voluntarily. We do have an interest, because if our voluntary effort is to succeed, there must be ample official news given out.

Question - Has the cooperation with you by the press and radio been good?

Mr. Price- I should say that cooperation has been better than good. It has been excellent. There have been some violations, but in every instance where we investigated such a violation we have received a complete acknowledgment of error, an apology, and assurances that effective steps have been taken to prevent recurrence.

There is no penalty we can impose and we have not attempted to impose any. We try to make the point so forcefully that the offending newspaper or radio station will take measures to see that it will not happen again.

Question - Do you not feel from past experience that if any newspaper or broadcaster did defy the code, others in the industry would back you up?

Mr. Price- I have every reason to think so. The codes, before publication, had been approved by representatives of the industries affected and the attitude of those representatives has been all on the side of doing what they could to enforce discipline in the industry.

Question - Mr. Davis, will you discuss for a moment the functions of the Office of War Information?

Mr. Davis - Mr. Price tells them what they can't print. We give them stuff we hope they will print.

Question - What about the general public?

Mr. Price - The newspapers and broadcasters are doing a much better job in keeping information from the enemy than private individuals and public officials are. A friend of mine came back recently from Latin America where he had heard in various countries everything that was going on in Washington - all about the troops in Australia, about the details of the damage at Pearl Harbor. Yet none of this had gone out of this country over any cable or by radio or mail, or been printed in any newspaper or broadcast by any radio station in this country or in Latin America. The information got around from travelers, including public officials talking their heads off.

Question - Mr. Price, the other day in your press conference we had a discussion about the difficulty of keeping members of Congress from talking so much.

Mr. Price - It is a large subject. We sent a copy of the Press Code and a copy of the Broadcasting Code to every member of the House and Senate with a covering letter. I think the vast majority of members of the Senate and House have taken these restrictions to heart and are doing what they can to avoid dangerous disclosures of military information. Naturally, I wish more of them would do so, but there is little we can do about that. If a Congressman is determined to say something, he has the privilege of putting it into the Congressional Record, and we would be in a most untenable position if we asked newspapers not to print something which is printed in The Congressional Record.

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#### RADIO SILENCE MAKES HURRICANE DANGER GREATER

Hurricane danger in Gulf and Caribbean regions is increased this year because of the radio silence imposed on ships at sea by the submarine menace. In pre-war times, ships' reports of encounters with violent storms gave warning of their approach long before they reached land. Now, the only radio reports that can safely be made are those from West Indian islands.

With the number of Army camps, flying fields and Navy stations greatly increased in the South, especially in Florida, special precautions are being taken to guard against storm damage and to be ready to move swiftly to the relief of any locality where a hurricane might strike.

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## CLAIMS F.D.R. GAVE RADIO FRIENDS RUN AROUND

In his column "The Washington Merry-Go-Round", Drew Pearson writes:

"The President's Committee on Fair Employment Practice, appointed to handle the delicate problem of color and race discrimination, is complaining bitterly, backstage, that it has been given the run-around by the White House itself.

"The committee faces one of the most difficult tasks of the war - trying to assure Negroes and other racial groups a fair break at war jobs. Chairman of the Committee is Dr. Malcolm S. MacLean, white, who is President of a Negro college, Hampton Institute. Other committee members include Roosevelt's close friend, David Sarnoff, head of the Radio Corporation of America; Mark Ethridge, former President of the National Association of Broadcasters, and Manager of the Louisville Courier-Journal; William Green of the A. F. of L.; Phil Murray of the C.I.O.; Milton P. Webster and Earl Dickerson.

"About a month ago they began holding hearings in Birmingham, Ala., regarding complaints of discrimination against Negroes in war jobs. Witnesses were brought from Mobile, New Orleans, Savannah, and Chattanooga, under a procedure adopted in other cities.

"However, Alabama's Governor Dixon, seconded by Georgia's Gene Talmadge, launched a barrage against the Committee, especially against the fact that its Chairman is the President of a colored college - even though Dr. MacLean is white.

"The protests began to spread. And when the Committee announced hearings in El Paso, Tex., on discrimination against Spanish-American workers, Texas got as excited as Birmingham.

"By this time a deluge of protests had been received at the White House. And very quietly, the President transferred the Fair Employment Practice Committee from the WPB, where it was semi-independent, to the War Relocation Authority. Under the new set-up, the Committee will be directly under the thumb of Paul McNutt.

"Inside the Committee, this is interpreted as a move to throttle activity, make it mere window-dressing. As a result, some of the President's best friends, including David Sarnoff of the Radio Corporation, are sore, threaten to resign."

In protest against the placing of the President's Fair Employment Practice Committee under the War Relocation Authority headed by Paul V. McNutt, a mass meeting was held in Washington last Sunday under the auspices of the Washington Committee of the Negro March Movement. Cooperating with the Committee in the meeting were the Industrial Union Council of the C.I.O., the B'nai Brith and the National Association for Advancement of Colored People.



A resolution was passed asking the President to rescind the order placing the Committee under the Man Power Commission and seeking further extension of the powers of the Fair Employment Practice Committee.

Edward E. Grusd, editor of the National Jewish Monthly, urged cooperation of Negro and Jewish people in fighting Fascism here and abroad. The fight of the Negro and white members of the C.I.O. in the South against a "reactionary poll-tax Congress", was reviewed by Jack Zucker, Vice President of the Industrial Union Council.

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#### INTERNATIONAL COMMUNICATIONS MERGER EDITORIAL CITED

Senator Truman of Missouri had printed in the Congressional Record (Aug. 13) an editorial from the Washington Post dealing with the merger of American companies engaged in international communications which read in part as follows:

"Back of the bill before Congress to merge the telegraph companies is the same sound common sense which 20 years ago brought about the merger of the telephone companies. But it has one hole in it, and a very big one. The bill does not include provision for a merger of the American companies engaged in international communications. There are 12 of them, all told; and the corrosive competition of these companies is a drag upon the prosecution of the war.\*\*\*

"Yet, if our communications remain in a state of disunity, we shall find ourselves in difficulty in making new installations and generally in adjusting our communications to our war career.\*\*\* Under a unified system our radio and cable facilities could be pooled to meet these eventualities.

"The argument in favor of a merger of the companies operating our international communications is reinforced by our requirements in the post-war world. Our many have to compete with one in every other country. That one is either a government concern or a private monopoly. What would happen to our unintegrated system after the war would be precisely what happened in pre-war days - there was a playing-off of our companies one against the other by the single, strong organizations of our foreign competitors.

"An example of what this means was given recently by David Sarnoff, President of the Radio Corporation of America. For 18 years one American radio communications company operated a service to Japan on the basis of equal division of tolls with the Japanese monopoly. In 1934 another American company established a duplicate service. This company offered more than half the tolls to the Japanese and took less than half for itself. Obviously the first company could not obtain any business from the Japanese monopoly unless it met the new terms. The result was more revenue for the Japanese and less for the American.

"The bill providing for the merger of the telegraph services has passed the Senate and is now awaiting action in the House. The provision for a merger in the 'international' field slipped out of the Senate measure.\* \* \*But unification in communications as in command is a vital wartime need, and moreover, the only way to be ready for the post-war world is to get ready now."

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 ::: TRADE NOTES :::  
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Officials of the United Electrical, Radio and Machine Workers of America (C.I.O.) in New York said their annual convention, scheduled to open in Indianapolis on Labor Day, has been taken away from that city because hotels refused to admit Negroes. No new convention site has been selected, the Union said.

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 The National Broadcasting Company has just completed an arrangement with the Australian Broadcasting Commission which will make available to American troops Down Under a series of broadcasts featuring leading NBC sustaining shows. For several months, a number of NBC's commercial programs have been available to American troops in Australia by shortwave. However, under the new arrangement, NBC shows will be broadcast for the first time over stations operated by the Australian Radio Commission.

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 Station WLAB, Larus & Brother Co., Inc., Richmond, Va., has been granted modification of construction permit which authorized construction of a new relay broadcast station, for changes in transmitting equipment and decrease in operating power from 100 watts to 31.4 watts.

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 A patent (2,292,307) has been issued for a television "juke" box on the screen of which can be viewed any one of a number of pre-selected films, to Matthew P. Warner and Selig S. Liese, of Freeport, N. Y.

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 C. L. Menser, NBC Vice-President in Charge of Programs, is spending the week-end with Dr. James Rowland Angell at "Firwood", the Summer home of NBC's public service counselor, at Seal Harbor, Me. Messrs. Menser and Angell will discuss public service programs planned for the remainder of the year.

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 "Boake Carter, radio commentator has disclosed that he has embraced an informal 'Biblical Hebrew' religion, which is not an organized faith", the Washington News states. "He adopted this creed about a year ago while seeking causes of the world's troubles, after a re-examination of the original Hebrew texts of the Old Testament. Carter previously was a member of the Church of England."

PM, Marshall Field's New York newspaper, recently charged that Mr. Carter in the New York Mirror, which publishes his column, had said in a Biblical reference that "we should not be surprised if England may make a separate peace." "This", PM adds, "is the standard Goebbels line. It was also the standard isolationist line before Pearl Harbor."

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 William E. Leigh, communications expert, has been appointed Director of the USO Overseas Service Division.

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 Station KAOY, Don Lee Broadcasting System Portable-Mobile, area of Los Angeles, Calif., has applied for a modification of construction permit which authorized construction of new relay broadcast station for extension of commencement date to 8-27-42 and completion date from 8/27-42 to 1/23/43.

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