



1626 K STREET, N. W.

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A. F. OF M. SITUATION

So far, James C. Petrillo, president of the American Federation of Musicians, has not translated into action his threat to stop his members from making recordings for radio, juke-boxes, and public consumption in general after August 1.

If and when he does, the NAB will not be caught napping.

Sanders Bill Hearings

MR. FLY TESTIFIES

With the resumption of the hearings on the Sanders Bill Wednesday and Thursday, Chairman Fly was queried at length by numerous Representatives when he got down to the Sanders Bill itself, after having spent about an hour discussing the general activities of the Commission.

Chairman Fly objected to dividing the Commission into two divisions; to what he alleged was the proposed repeal of the Commission's authority to delegate routine functions, to the proposal requiring hearings on applications; to changing the Commission's intervention rule; to requirements of an intermediate report by an examiner; to the provision that filing a protest or petition for rehearing would operate to stay Commission action; to the language alleged to curtail the Commission's issue of special authorizations; and to amendment of the transfer section which he alleged would permit of management contracts.

We quote from the unrevised transcript of the testimony:

"Commissioner Fly. I should like to take up now these specific provisions. Now, the thing I have tried to do thus far, gentlemen, is to give you a picture of the work of the Commission. Perhaps I ought to explain that while the vast amount of Commission's work does not pertain to this broadcasting licensing end of the thing, we have had here the situation where the only support for this bill has come from two or three special interests in the broadcasting field.

"No one has come in here from these communications companies and has said, 'You are not giving the communications companies enough attention.'

"The only suggestion that we are not giving telephone and telegraph and cable enough attention has come from the broadcasters, who apparently want less attention, and I think it is of considerable significance to the bill to effect a basic reorganization of the Commission and in the main to accomplish the purported objectives of giving attention to the common carriers has not been supported by a single common carrier.

"Mr. McGranery. Is there anything in this bill that is designed to in any way interfere with the common carriers?

"Commissioner Fly. Pardon me.

"Mr. McGranery. Is this bill designed in any way to interfere with the common carriers?

"Commissioner Fly. I think that it may impede the work with the common carriers somewhat, sir. I will discuss that more in detail a bit later.

"Mr. McGranery. Right at that point, do you not think it might be fair to say that inasmuch as it does not affect them, that they have no interest in it?

"Commissioner Fly. Well, I think it comes with ill grace on the part of two or three broadcasting interests to make the point

that that part of the service should be improved and that more attention should be given to it.

"Now, the thing that the broadcasters, those who have complained, or complaining about, is not too little attention. You know that, Mr. Congressman. They are complaining about too much attention.

"Mr. Sanders. Mr. Chairman.

"The Chairman. Mr. Sanders.

"Mr. Sanders. I might clarify that situation there, as author of the bill. With the exception of paragraph 7 of the bill, the balance of the bill was a recommendation of the Federal Communications Bar Association, which reached my desk, and I presume reached the desk of the other members of the committee.

"I was told by the members of the executive committee who discussed the matter with me that included in the Bar Association were members of the common carrier industry as well as the broadcasters.

"Now, the opinion of the witnesses who have appeared before the committee, of course, had been made known to the committee; but the recommendations of procedure and appeal largely, it seems to me, are technical matters that would come more to the attention of the attorneys involved than that of the lay witness.

"I merely mention that, because that was the genesis of this particular bill.

"Commissioner Fly. I think that I ought to make it clear, sir, that the Association is dominated by the broadcasters and the people who appeared here are primarily interested in broadcasting, and no communications company has appeared either directly or indirectly, in so far as I know.

"Mr. Chapman. Mr. Chairman.

"The Chairman. Mr. Chapman.

"Mr. Patrick. I want to ask Mr. Fly a question there.

"Mr. Chapman. Very well.

"Mr. Patrick. I do not understand him. As I understood, you said that the Bar Association is largely dominated by the people who are interested in broadcasting, and that that is the force, and particularly a certain special force in broadcasting, that has come forward here, and no representative of a communications company as distinguished from broadcasting, either directly or indirectly, or a representative of such company, has appeared here in support of the bill.

"Mr. Chapman. Mr. Fly, will you name those two or three special interests which you just referred to so they may go into the record?

"Commissioner Fly. Why, I should think perhaps the leader is Columbia Broadcasting System. I think that the bill also has the support of the National Broadcasting Company, and of the related organizations and the National Association of Broadcasters.

"Mr. McGranery. Mr. Chairman.

"The Chairman. Mr. McGranery.

"Mr. McGranery. There is nothing very feeble, Mr. Fly, about the telephone company or the Western Union. If they felt that this bill was designed to affect them in any way, I do not think they need either you or I to tell them to come in here and make a statement.

"Commissioner Fly. No, sir; but it ill behooves the broadcasters to put on a false front and come in here and make the statement on behalf of the communications companies. As you say, the telephone and telegraph companies are able to take care of themselves. I agree with you.

"Mr. McGranery. But, this has been spread around on all sides, as far as I can hear.

"Commissioner Fly. Now, to show the relative importance of this thing, since this subject has come up, you have got the Bell

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Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

SANDERS HEARINGS

(Continued from page 333)

System here in this field. There must be a plant valuation in that field running into the billions of dollars—about five billion dollars, as I understand it. Now, the entire plant investment in the broadcasting industry is not over 40 million. You can take the gold dust that is involved here, in the broadcasting industry, and blow it into the eye of the American Telephone and Telegraph Company, and it would never squint.

"Now, these fellows blow a big wind, and they make a big noise, but so far as their genuine importance in the field of regulation and in the field of communications is concerned, they do not compare.

"Mr. McGranery. You say 'these fellows come in and blow.' Who do you mean by 'these fellows'?

"Commissioner Fly. I have named them.

"Mr. McGranery. Well again, I mean, I would like to keep the record straight.

"Commissioner Fly. Well, you have seen them appear here. I do not know if I can name all of them that I would put in that classification, but certainly the three groups, who do blow the big wind, make the big noise and exert a strong political pressure are the Columbia Broadcasting System, the National Broadcasting Company, and the so-called National Association of Broadcasters.

"Mr. Kennedy. Mr. Chairman.

"The Chairman. Mr. Kennedy.

"Mr. Kennedy. Well, I take it from your statement, that you see no need for this bill whatsoever.

"Commissioner Fly. Well, I should rather give you a more orderly discussion of it, Mr. Kennedy. I will be glad to do that.

"Mr. Kennedy. I mean, you are so descriptive, and so emphatic a moment ago, that I do not know why you should require more than one word to sum it up, and is that 'no'?

"Commissioner Fly. I thought perhaps if the committee is going to take my word at all, they would want a rational explanation of what is in my mind. I do not know, though, whether you will take my word, but I doubt whether you would take it just on my say so, and if I cannot give you a logical line of reasoning here and convince you why, I still will not have succeeded with you.

"Mr. Kennedy. I know that the committee has unlimited time, but still I do think it would prefer a direct answer.

"Commissioner Fly. And, what is your question, sir?

"Mr. Kennedy. I think I asked you—at least I expressed the opinion after listening to your description of the proponents of this measure, that you can see no need for the proposed legislation.

"Commissioner Fly. I think there might be the need for some specific legislation; but not legislation that follows the basic philosophy of this legislation and this is bound to be a controversial piece of legislation. It has already consumed a vast amount of time of an agency that is devoting itself to war work, 24 hours a day, and not eight hours a day, and I do not think that this is the time to disrupt a war agency and put it through that sort of an extended controversy and affect the basic reorganization of the thing at this juncture.

"Mr. Chapman. Mr. Chairman.

"The Chairman. Mr. Chapman.

"Mr. Chapman. Mr. Fly, have you recommended, or do you intend to recommend, any remedial legislation?

"Commissioner Fly. I could, sir; but frankly, I think that apart from getting certain specific things like Major Bulwinkle suggested here the other day, that will enable us to do a better job on the war, the best thing to do is to leave this problem along, because whatever I suggest, these other gentlemen are not going to agree

to, and I just do not think that the Congress and the agency ought to devote their time to that in a period of stress.

"I could make specific suggestions, if the committee were in a mood to go ahead with controversial legislation, and I would do that.

"Mr. Sanders. Mr. Chairman.

"The Chairman. Mr. Sanders.

"Mr. Sanders. Did I understand you to include the Mutual in the very edifying classification of the networks, or do you exclude them from that classification?

"Commissioner Fly. All of the big broadcasting companies, of course, make a big noise and blow the big wind.

"Now, I do not exclude any of the big broadcasting interests from that.

"Now, let me explain there: You all know how close broadcasting is to public opinion. Here we have, for the first time, the only practical mechanism for what has been to this point a more or less—I say more or less—theoretical right of free speech. But now we finally have gotten away to the employment of free speech and to exert an influence upon the local public opinion, and upon national opinion.

"Now, the man who has his hand around the throat of that transmitter and can control speeches across this country, can exert a mighty big influence, far beyond that of any other industry with a comparable investment or comparable physical operation.

"Now, as I understand the Mutual people did not support the bill, but in the main, it is not merely a theory of mine. It is an obvious fact that these people come in there and on special interest exert an influence far beyond their normal size, and they get that influence, gentlemen, from the grants which you and we give them; and I do not think you want them to come back and control the government through that grant of power.

"Mr. McGranery. Mr. Chairman.

"Mr. Sanders. Mr. Chairman, I have not finished.

"Mr. McGranery. Excuse me.

"Mr. Sanders. I gather then from your remarks—of course we all agree as to the power of the radio—but I gather from your remarks that your failure to include the Mutual in naming the broadcasting companies, when you were classifying them so illuminatingly a moment ago, was purely inadvertent and you would include them in the same classification?

"Commissioner Fly. No, sir; I include them in the same general description. Let us make that clear. All of the general description applies, in proportion to size. It applies just as much to Mutual as it does to the other networks. The reason why I did not name Mutual in support of this bill when Mr. McGranery asked me that question is because I understand that they have not supported the bill.

"Mr. Chapman. Mr. Chairman.

"The Chairman. Mr. Chapman.

"Mr. Chapman. Mr. Fly, you referred to these gentlemen—

"Commissioner Fly (continuing). I just want you to understand, gentlemen, that I have no brief for Mutual here. Mutual will disagree with me tomorrow, and they will be in here demanding a change in the law. That is the history of this industry. Every time one of these big broadcasters runs into something he does not like—this has been true up to this point—they run to Congress and start investigations, and what not. I spend half of my time before Congressional committees—not half, but a tremendous lot of my time, gentlemen.

"Mr. Chapman. Mr. Fly, you referred to the great power in the hands of these broadcasting companies through their ability to influence public opinion, and you referred to them as having their hands about the throat of this broadcasting. Do you not think also that a commission having control and virtually the power of life and death over these broadcasting companies, exerts a power and has a strangle hold far beyond any power that was ever intended to be granted here by Congress in creating the Commission?

"Commissioner Fly. If this Congress ever granted such a power to the Commission, I would say, 'yes,' and I think that sort of power over a mechanism of free speech, that sort of power would be just as vicious in the hands of the Government as it would be in the hands of two or three monopolists, and private industry. I draw no distinction there. I think you are entirely right.

"If this Commission ever endeavored to exercise those controls over the contents of what goes out over these various networks, then I think there would be strong grounds for complaint, and I think this committee ought to do something about it.

"Mr. Patrick. Mr. Chairman.

"The Chairman. Mr. Patrick.

"Mr. Patrick. I do not know just how far you intend to extend the meaning of your statement as to these broadcasting companies controlling public voice. That is—

"Commissioner Fly (interposing). I will develop that in some detail, sir.

"Mr. Patrick. My observation has been—I had the idea—I may be away behind the moving herd—but I had the idea that broadcasting companies have been most liberal in lending their services to the public interest; allowing public questions to be discussed. I just never have gotten the idea that the broadcasting companies—I am not speaking for any one of them—but as a whole, had been trying to subvert or change the course of speech in the Nation. I have felt that any matter of public opinion—you can hear any of them and they will be giving considerable time to public service and to matters of public interest, and to helping to get matters before the public now during this war. I have been impressed by how much service they have rendered in allowing all these matters, without any cost to anybody but them, to be brought to the people. Any man in any remote section of this country knows what Uncle Sam is calling upon him for; knows where volunteers are needed; knows things that are being brought forth.

"It seems to me their service has been so fine that we ought to forget that whenever we are going into things of this kind.

"Commissioner Fly. I think that is true, sir. I think on the whole that the broadcasting industry has done a very good job. I think they have done a good job in terms of bringing in the news; bringing it in from remote international points, for example, and in terms of delivering the news and the information—now, omitting entertainment and that sort of thing to the people. I think that they have entered into this war in the same spirit that all the rest of us have entered into it and that they have made great contributions to it, and I think that you will find the rarest of instances where any of the broadcasters have been other than generous in terms of giving those facilities for war purposes.

"Mr. Patrick. But, have they been trying to control public speech?

"Commissioner Fly. Well, it is—let me put it this way, sir. As the scheme is presently operated, they must control it. They do control it.

"Mr. Patrick. Of course they have to sell the time that they do sell. They have to sell enough time to exist and yet have control over their own commodity, sufficiently to be able to make it work, but other than that—I just do not want to get into the place where we are forgetful. They must have a method for living. All of us have to have that.

"Commissioner Fly. Yes, but you asked me about control and I say yes, the control is necessarily there, and the only issue we have on control comes down to the very simple point. Now, the control must be in the hands of the broadcasters and it cannot be elsewhere. You are entirely right on that. And, the only issue is whether all of the control shall be on strings pulled from New York, or whether there will be certain freedoms of control left to the individual station operators, who operate the 900 stations, and owners and operators throughout the country. Now, that is really the main problem.

"Mr. Simpson. Mr. Chairman.

"The Chairman. Mr. Simpson.

"Mr. Simpson. Mr. Fly, do you find a connection in your judgment between the opposition, apparent opposition to the Commission on the part of the broadcasters; do you find any connection between the issuance of certain regulations of the Commission in the past year and that opposition?

"Commissioner Fly. Oh, yes, I think their support here is motivated by the objections to those regulations and those regulations have been up before the committees of Congress on a number of occasions, and we have had very extensive hearings on them. The promoted investigations before the Senate Interstate Commerce Committee on that specific subject. We have had very extensive hearings on it before the Senate committee.

"Mr. Simpson. And those regulations, as I understand it, are not in effect today?

"Commissioner Fly. No, those regulations are not in effect today. They are in litigation. They are pending, after a recent decision, in which the Supreme Court held that that court had jurisdiction, they are pending now before a special Three Judge Court in New York, and I imagine will be adjudicated in the Supreme Court during the next term. So, so far as that problem is concerned, and as I say, that is the thing that has brought those people here, now, so far as that problem is concerned, as to whether or not it is within the scope of the law; whether or not they are outside the bounds of reason and ration, and that

sort of thing, will be finally decided in the course of months by the courts.

"Mr. Simpson. I have concluded, perhaps erroneously, that you are pretty much of the opinion that this legislation should not be considered today, and in general, that the status quo should be continued for the duration.

"It occurs to me, and I merely observe, that perhaps the withdrawing of those regulations will lessen considerably the agitation for legislation which I recognize might not be desirable at this time.

"Commissioner Fly. That would lessen half of the agitation—that is perhaps the biggest cause for the agitation. But I believe, perhaps, a simpler and a more wholesome method of settling it would be if those two networks were to set down and write a one-paragraph letter to their affiliated stations stating that their affiliation contracts are to be construed in accordance with the rules and regulations of the Commission, and that would settle the whole business. It would take about one minute to get that letter off.

"Mr. Simpson. Of course, that is giving you the whole cake and not oppose the regulations.

"Commissioner Fly. I understand that you are suggesting that we throw the cake the other way. I want to make it plain—

"Mr. Simpson. I understand, Mr. Fly, your suggestion is that for the duration of the war the matter be left more or less in status quo.

"Commissioner Fly. Let me make this clear sir. These rules were issued more than a year ago and before this war started. The investigation—I did not originate this investigation—had its origin in Congress, on the floor of the House and on the floor of the Senate, and that investigation started four or five years ago, and hearings were extended over many months, and before a committee of Commissioners, and reports were made, those representing the networks appeared there and testified, over thousands of pages of record, and the proceedings went through various stages, various arguments, filing of briefs, and that sort of thing, and the final rules of the Commission were issued on May 2nd of last year, which was long before the war started, and the Commission has been ready to put an end to the problem from that day on; but these other gentlemen wanted to try it on a number of grounds. They tried it before two or three committees, including the Senate Interstate Commerce Committee and then they came here to try it again, and in the meanwhile they are trying it in the courts also.

"Mr. Kennedy. Mr. Chairman.

"The Chairman. Mr. Kennedy.

"Mr. Kennedy. Mr. Fly, you referred to New York about the question of whether or not the control would rest in New York or with the 950 stations, or whatever number you give. What did you mean by that? Will you amplify that statement?

"Commissioner Fly. I want to give the balance of this problem later, if the Committee is interested in it; but I will answer that question, sir. The New York corporations, particularly the two, the Columbia and the NBC, have exclusive contracts with all of their affiliated stations and they control all, or all of the desirable time of the stations by exclusive options and in that way—

"Mr. Kennedy. Can you answer the question?

"Commissioner Fly. I want to answer it.

"Mr. Kennedy. It seems to me that you can answer that with one word.

"Commissioner Fly. And in that way, that is what New York has to do with it. They have control over what goes out over those local stations.

"Mr. Kennedy. Then, the point that you are referring to in connection with New York is the fact that the main offices of these companies are located in New York.

"Commissioner Fly. That is where they are run from, sir.

"Mr. Kennedy. All right. Is it not a fact that one of the greatest forces in controlling public opinion is the voice of the commentator who speaks many times a day, and so forth?

"Commissioner Fly. I think he is an important factor; yes, sir.

"Mr. Kennedy. Well, is it not your opinion that those men speak freely and express the views of the press and the reports of the hour rather than the views of any individual group or station owners?

"Commissioner Fly. Oh, I think in the main that those are responsible, independent commentators.

"Mr. Kennedy. So there should not be any fear of public opinion being throttled when you have commentators such as we have, who have been getting out the news.

"Commissioner Fly. Well, that is one pocket of this whole problem, and, of course, if you are going to have a dictatorship, it is not an entire answer that for the moment, if you could make the answer, and there are some arguments on that, if you could make the answer that you have a benevolent dictatorship. You still have not justified it because I do not think that this great essential in our democracy, this system of free speech, should hang by such a narrow threat as the continuance of benevolence from New York.

"Mr. Kennedy. I do not get your point. If we have these outstanding commentators addressing the public day in and day out, what effect would New York have upon that, upon their view? Do you not believe that they are free to express their own views on current events?

"Commissioner Fly. Well, there are instances, I am sure, where they have not been free. Some of the commentators have been taken off of the air by the networks.

"I think on the whole they have done a very good job and a very wholesome job.

"Mr. Kennedy. I think that the President of the United States paid them a great compliment the other day and that that would be a complete answer to your question, the very fact that he picked out a commentator to place at the head of this division down here it would indicate that the President has confidence in that type of person.

"Commissioner Fly. It would indicate that the President had confidence in Elmer Davis, and so do I.

"Mr. McGranery. He is not owned by the networks?

"Commissioner Fly. He is not owned by Columbia, if I know Elmer Davis.

"Mr. Sanders. Have you finished?

"Mr. Kennedy. Yes.

"The Chairman. Mr. Sanders.

"Commissioner Fly. Even I practiced law for a while on Wall Street.

"Mr. Sanders. You do not want us to gather from your remarks, where you said a while ago that people are running down here to Congress, that you think that there is anything wrong with the public requesting Congress to investigate the necessity for remedial legislation?

"Commissioner Fly. Oh, I would think this, sir, that you are dealing there with an awfully important right of individual citizens to petition Congress, and I think you would certainly be very slow in cutting down on that right to do that. I would think this, that realistically, when the vice president of one of these big networks comes in and talks to you, that he is not talking with you in a personal capacity simply. He is wielding a much greater influence than he is as John Doe, who originated in Iowa, or in North Dakota, or Brooklyn, and you know that.

"Mr. McGranery. You mean that he might deny you some time on his network if you made application for it; is that it?

"Commissioner Fly. I mean that he speaks with a great deal of authority, far beyond his personal abilities and fancies.

"Mr. McGranery. Well, I should think, Mr. Fly, that the integrity of the men I have met in Congress would not justify your remarks.

"Commissioner Fly. They are a fine bunch of people. They are a very smooth and effective bunch of operators. I admire them. They are really very good men.

"Mr. Kennedy. Are you referring to the Congressmen or the broadcasters?

"Mr. Sanders. Pursuing that same inquiry further, Mr. Fly, you do not mean for us to gather from your remarks that you believe Congress should consider legislation only which is initiated by the Federal Communications Commission or the other bureaus, would you?

"Commissioner Fly. Oh no; I hardly think that I would go that far, to that extreme. I should think that it ought to consider suggestions for legislation from all sources, but when you come to appraise the sources, I think you ought to be realistic.

"Mr. Wolverton. Mr. Chairman.

"The Chairman. Mr. Wolverton.

"Mr. Wolverton. May I ask a question right there?

"Commissioner Fly. Yes, Mr. Wolverton.

"Mr. Wolverton. You have just stated that we should give due consideration to the sources that make the recommendations. Any one who has served on a Congressional committee is conscious of the fact that those who have special interests to serve appear before the committee, and I do not take it that that is derogatory.

"Commissioner Fly. No, I do not think so, sir.

"Mr. Wolverton. I think that is truly American.

"Commissioner Fly. I think so, too.

"Mr. Wolverton. The only point for the committee to consider is whether their recommendation is right or wrong, taking into further consideration the interest of the person who made the suggestion.

"Commissioner Fly. I entirely agree with you, sir.

"Mr. Wolverton. In other words, that is merely weighing the problem. On the other hand, I hope I will not be misunderstood in what I am about to say. The amount of credit that you give to an individual expressing opinion depends somewhat upon the background of experience of the person who makes the recommendation or the suggestion. I have been very much impressed with the character of the witnesses who have appeared in behalf of this bill, from the standpoint of their ability to express opinions. The legal questions that have been raised have been well presented to this committee by Judge Burns. He represented Columbia, I believe.

"Mr. McGranery. Columbia, yes.

"Commissioner Fly. He is a good lawyer.

"Mr. Wolverton. And by Mr. Caldwell, who spoke on behalf of the Mutual.

"Each of those who have appeared on behalf of the companies, either from a practical or administrative standpoint, as well as those who have appeared from a legal standpoint, have seemed to have a background of experience that entitled them to express opinions and have a right to expect the committee to give some consideration to them.

"Now in order that we may have the picture just as complete as is possible, in order that this committee may be able to weigh the different suggestions for and against, would it be possible for you to give us a description of the background of the Federal Communications Commission, with particular reference to the individuals who hold the position of Commissioners, so that we might judge that when they oppose a suggestion or make a suggestion of their own, that we may know just how much importance to attach to it.

"Commissioner Fly. Yes, I think we could do that, sir, and I should be interested in developing that.

"While we are dealing with this one particular problem, I want to say—

"Mr. Wolverton. Pardon me for just a minute. How would you do that? Could you give us that information?

"Commissioner Fly. I will give you a biography.

"Mr. Wolverton. What?

"Commissioner Fly. I will give you a biography.

"Mr. Wolverton. Yes, that is what I had in mind.

"I would like to know, when a commission has power to exercise authority that has to do with freedom of speech, which is a very serious matter, whether that power is exercised by a commission or whether it is exercised by a broadcasting company, I would just like to know what the background and experience of the Commission has been so that we may appraise its standing; so that we may put its views, so to speak, over against the views of the others who have testified.

"Commissioner Fly. I think also, sir, you would be interested in the fact which, of course, is true, in all these commissions, and that is that the backbone of the technical, the expert work, is done by the staff.

"We have in the many hundreds of employees virtually no one—that is, apart from the clerical staff and so on—virtually no one except competent technicians—a department headed by the chief engineer; a department headed by a chief accountant; a department headed by a chief lawyer, and on down throughout those staffs, are men who are experts in those fields. And, of course, those are the people upon whom the Commission must rely for constant consultation; for conferences and reports and studies, and for assistance in hearings and that sort of thing, and I might say that in this particular instance, Mr. Wolverton, that the Commissioners as a whole have literally spent years of time studying, having these experts from the various sources, and particularly from these network sources, come before it and testify, and the process has been carried on through the years, and a huge record has been built up of that expert and informed testimony, and in addition to the work of the staff, in cooperation with the Commissioners in giving that personal attention, we had the assistance; the advice; the arguments, the briefing of counsel and of everybody for the networks.

"Now, this is not something you see that comes out over night that some one suggested. And, as I say, this was going on for years before I got there. In no instance did anyone move in there with the assumption that he knew all about it.

"What they did was move in there with a committee of Commissioners; with a staff of expert technicians, and study this

problem from the ground up, and take their information, their advice and their arguments from those people who know the subject best, and finally, after years of that process came forth the report.

"Mr. Kennedy. Mr. Chairman, just one question.

"The Chairman. Mr. Kennedy.

"Mr. Kennedy. Can you tell what percentage of the work of the Commission is devoted to radio and broadcasting?

"Commissioner Fly. Is devoted to broadcasting?

"Mr. Kennedy. What part of your whole set-up; would say five per cent, ten per cent, twenty per cent, or what?

"Commissioner Fly. Well, in view of the war work—

"Mr. Kennedy. Well, forget the war work and let us go back before the war. I mean in times of normal operation.

"Commissioner Fly. Oh, normally I would say that the broadcasting problem enveloped 60 per cent of the work; maybe more.

"Mr. McGranery. Mr. Chairman.

"Mr. South. Mr. Chairman.

"The Chairman. Mr. McGranery.

"Mr. McGranery. Mr. Fly, while we are talking about the right of free speech, do you have any specific instance where that right was transcended, where there was any violation?

"Commissioner Fly. Well, we have so many complaints on that score, Mr. McGranery.

"Mr. McGranery. I mean, after—

"Commissioner Fly (interposing). I got a complaint from a Senator just the other day. And sometimes those complaints have real merit and sometimes they do not.

"Now, I would be reluctant to take those and to spread them out. I could prepare a statement for you, if you wanted it, of instances that have raised that question seriously.

"Mr. McGranery. Well, of course, I would not be interested any more than you would be in the right of complaint; but the investigations, and the reports, or the conclusions after you followed them up. Is there any specific case where that complaint has been justified?

"Commissioner Fly. You mean in connection with this network investigation?

"Mr. McGranery. Yes.

"Commissioner Fly. That was not—that rather had its origin in terms of the monopolistic control that was exercised by the two dominant companies. That was what the Congress drew attention to and what the Senators drew attention to, and this is what it urged the Commission to look into.

"Now, as to your relation to free speech, that comes in terms of the controls exercised broadly across the country by the limited number of people. Now, we have had numerous complaints, Mr. McGranery—some good and some very bad. I would not like to air them. We have had complaints. Take the sort of a case that must arise: We had a complaint from the Communist organization during the last campaign and beginning with that, we got numerous complaints of a less startling character.

"Mr. McGranery. But, is there any, after you complete your investigation of the complaints, is there anything that would indicate to the Commission that some of the networks had violated the right of free speech?

"Commissioner Fly. Well, the Commission arrived at no judgment of that point and it was not essential to the Commission's report that it do so. As a matter of fact, the essential thing is that those controls are unnecessarily concentrated and lodged in single hands, and it has never been the policy of the Congress to support enterprises so concentrated and controlled, except where by legislation you have granted the monopoly for good reasons."

In a colloquy between Chairman Fly and Congressman Brown the Chairman said:

"In this field of radio . . . the experts are pretty much all, let us say, run of the mill 'experts' who are mighty good men, but you take the vice presidents of these national networks, they would not, they really would not know a relay circuit or a certain type of transmitter, if they met it in the street."

Representative Hinshaw sought to bring out the differences between the regulation of public utilities and broadcasting.

"Mr. Hinshaw. I see no similarity in the business or management of the two different systems, one being a public utility and the other a private industry

"Commissioner Fly. I know, but the point I am making, sir, is these decisions are not based to any exclusive degree and particularly not to any predominant degree, upon the business aspects of the thing.

"Mr. Hinshaw. You are not interested in that?

"Commissioner Fly. You are going to use a frequency, for example, for relays for broadcasting, and it is not a business question. That is an engineering question.

"Mr. Hinshaw. I am not discussing the engineering aspect of it.

"Commissioner Fly. But, we have to live with it and that is what the decision is based upon.

"Mr. Hinshaw. Well, decisions apparently are being based upon other things than engineering questions, upon business practices.

"Commissioner Fly. Of course, we try to consider all factors; but in the main, on this great sweep of the problems, including broadcasting, the main considerations are engineering in character.

"Mr. Hinshaw. The main considerations, so far as the broadcasting angle and broadcasting is concerned, yes; but so far as these regulations which have been proposed are concerned, that has nothing to do with the technical aspect of it.

"Commissioner Fly. Well, the networks case is something quite apart.

"As I say, I have tried that case before in two or three Congressional committees already and it is being tried in the courts today and—

"Mr. Hinshaw. Well, do you think that the Commission should be concerned with the business aspects of the broadcasting systems?

"Commissioner Fly. Well, I would want you to define 'business'; but if you are suggesting, sir, that the Commission should have nothing to do with any of the business of broadcasting systems, I should say that would be a very, very unfortunate thing.

"Mr. Hinshaw. But what part of the business of the broadcasting system do you think that the Commission should be concerned with?

"Commissioner Fly. Well, let us take one angle. Have you read that monopoly report, sir?

"Mr. Hinshaw. Have you? No, I have not read it at all.

"Commissioner Fly. I suggest that it is good reading.

"Mr. Hinshaw. It is good reading. I understand that there are 17,000 pages in it.

"Commissioner Fly. No, the report is not that long.

"Mr. Hinshaw. You mean the report that you made?

"Commissioner Fly. Yes, sir.

"Mr. Hinshaw. Yes; I have read a part of it.

"Commissioner Fly. There is something I think very essential to be done in the public interest. I do not think we can promote through the licensing process the monopolistic conditions in the industry and in response to your question, I would say that a thing like that must be done; either the Commission must do it, or somebody else must do it.

"Mr. Hinshaw. Who else might do it, besides the Commission?

"Commissioner Fly. The Department of Justice has moved since the Commission moved under the anti-trust laws.

"Mr. Hinshaw. Do you not think that it might be a proper place for it?

"Commissioner Fly. I think that is the proper place for it, sir.

"Mr. Hinshaw. Do you not think it is also the province of the Commission to—

"Commissioner Fly. Pardon.

"Mr. Hinshaw. Do you think it also the province of the Commission to enter into that as a trust case?

"Commissioner Fly. I think the mandate of the statute is clear, sir. If you read the monopoly provision of the statute, I think you will find that function was laid down upon the shoulders of the Commission.

"There was great fear of monopoly of this field from the very outset and when you gentlemen wrote the legislation here you took extraordinary steps to avoid that.

"That is in the Communications Act as distinguished from the anti-trust laws.

"Mr. Sanders. Mr. Chairman—

"The Chairman. Mr. Sanders.

"Mr. Sanders. That raises an interesting question there, Mr. Fly. Would you not have a great deal of confusion if in some particular case, if your Commission decided one way and the Department of Justice decided another? Do you not think that as a matter of practice, it would be better to leave the monopoly question, we will say, in the hands of one department?

"Commissioner Fly. I do not think, sir, that we ought to be left where we are required to build up the monopolies just in order to throw the duty upon the Department of Justice to tear them down, and I do not think the licensing function of the Commission should be utilized except in terms of public policy—and quite apart from the provisions you have written into the statute. I do not think this licensing provision should be utilized

to build up monopolies which are unlawful, and I think that if the Commission used that licensing power to build up those monopolies, then something ought to be done about the Commission.

"Mr. Sanders. I would take it for granted, of course, that your Commission would follow the rulings of the Department of Justice. You certainly would obey the law.

"Commissioner Fly. The Department of Justice does not issue rules, sir. The Department of Justice tries cases, and I must say that the mills of the gods grind awfully slowly in elucidating the various specific problems in the various industries, and I should think it is conceivable that you might wait a long time for detailed clarifications in that field.

"This measure has some of the benefits of the Federal Trade Commission Act, and that is the very reason that the Trade Commission Act passed, so that some degree of definitions could be brought into the field of unfair trade practices, and that sort of thing.

"Mr. Sanders. I thank you for your information about the Department of Justice not issuing rules. Of course I said nothing about the Department of Justice issuing rules. I said that we could take it for granted that your bureau and the other departments would follow the rulings of the Department of Justice, which of course are disclosed in the policies that they enunciate in the trial of these cases.

"Commissioner Fly. That is just what we have done, sir.

"Mr. Sanders. I gather from your remarks, that the Department of Justice took action after you had. I thought that you said after you moved, the Department of Justice moved.

"Commissioner Fly. Yes, sir; but I have reason to believe; I had no opinion from the Attorney General, but I had reason to believe that these provisions were violations of the anti-trust laws, and apparently the Anti-trust Division thought so.

"Mr. Sanders. But, you moved first.

"Commissioner Fly. Pardon me.

"Mr. Sanders. You moved first?

"Commissioner Fly. We have somewhat different fields."

"Mr. Wolvorton. I am inclined to think sometimes, Mr. Fly, after reading some of the decisions that have been made, or policies formulated by some of the bodies that have been created by acts of Congress, after hearings by this committee, that it might be helpful sometimes if the members of those Commissions spent more time with the committees of Congress than they do. They might understand some of the intentions we have.

"Commissioner Fly. I think that is a good idea, sir, and I must say that I have enjoyed every minute before these committees. I have no complaints to make."

Labor

KMOX STRIKE

A "wildcat" strike by I. B. E. W. members took Station KMOX, St. Louis, off the air from 3 p. m. until 8 p. m. on Tuesday. The strike resulted from the refusal of the I. B. E. W. members to permit a woman to learn monitoring, although CBS and the I. B. E. W. have a contract which permits the training of a specified number of women. The strike also violated the arbitration clause of the station contract. The dispute is now in arbitration.

SUPREME COURT DECISIONS

The significance of the opinions of the Supreme Court in two recent decisions was pointed out in a statement issued by L. Metcalfe Walling, Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor in response to inquiries.

"In *Overnight Motor Transportation Company v. Missel*, the Supreme Court made it abundantly clear that the overtime benefits of the Fair Labor Standards Act are limited neither to that marginal group of workers who are paid wages at or near the minimum rates prescribed in the Act, nor to employees who happen to be compensated on an hourly basis. The Court held that salaried workers who are employed in interstate commerce or in the production of goods for interstate commerce must be com-

pensated for weekly hours in excess of 40 at not less than one and one-half times their regular rate of pay, and that the regular rate for this purpose is to be computed through dividing the weekly wage by the number of hours worked in the particular week, where the employment contract is for a fluctuating work-week. This is the method of computation which has heretofore been approved by the Wage and Hour Division.

"However, in *Walling v. A. H. Belo Corporation*, the Supreme Court ruled by a 5 to 4 decision that the 'regular rate' on which overtime must be paid could be fixed by a contract between the Dallas Morning News and its employees.

"It is expected that a considerable amount of litigation will be necessary before the contours of the Belo decision are fixed, since the Court stated that it could not 'provide a rigid definition of regular rate when Congress has failed to provide one.'

"I believe it only fair to warn that the Court in the Belo decision was passing on the particular state of facts before it and that generally the Division will continue to be guided by the broader interpretation contained in *Overnight Motor Transportation Company v. Missel*."

The Solicitor of Labor and his staff have begun a legal analysis of the decisions with a view to guiding the Division in its formulation of an appropriate administrative policy insofar as this may involve a deviation from the advice heretofore given by the Administrator through interpretative bulletins.

In this connection, the NAB Labor Relations Department has started work on a revision of the pamphlet *The Wage and Hour Act: How It Affects a Broadcasting Station*. The third edition will be ready sometime this summer. The section on "guaranteed overtime" on page 8 of the second edition is now out-dated, as a result of the *Belo* decision.

The third edition also will contain a section on "Travel Time" and a clarification of the "Talent Fee" situation.

TRAVEL TIME

A great many stations still have some question about the computation of "travel time" under the Wage and Hour Act.

In brief, this is how it is done.

1. If an employee is sent out on a *one-day* assignment, his working hours start when he leaves and stop when he returns.

2. If an employee is sent out on an assignment of *more than one day*, he is to be paid a *normal day's pay* for each day he is away. If that normal day constitutes overtime, he must be paid time and one half.

Here is the text of the Wage and Hour Division's bulletin on this subject:

9. The problem of travel time, in relation to hours worked, arises in a great variety of situations and no precise mathematical formula will provide the answer in every case. The question is often one of degree; if the time spent by an employee in traveling is reasonably to be described as "all in a day's work," such time should be considered hours worked under the act.

10. As a general rule it may be stated that an employer should treat time spent by an employee during regular working hours in traveling pursuant to the employer's instructions as hours worked. If an employer requests his employee to do a job during regular working hours which requires the employee to leave the place of business, the traveling time of the employee should be included in hours worked, and this is true whether or not the particular job is within the employee's regular duties.

11. In many cases travel time outside of regular working hours is considered "part of the day's work" and, accordingly, should be treated as hours worked. Thus, an employee whose normal working day extends from 8 a. m. to 5 p. m. may be requested by his employer at 5 p. m. to make one more outside call which involves 2 hours of traveling time (to get to the place where the work is to be performed and report back to the office) and active labor of 1 hour. In such case the employer may not disregard the travel time in computing the number of hours worked by the particular employee; the employee's working day would extend from 8 a. m. to 8 p. m. In this case the employee engages in active labor for his employer after the close of his regular working day and prior to the commencement of his next regular working day, and his activities between 5 p. m. and 8 p. m. are, under the circumstances, reasonably to be considered as a con-

tinuation or extension of his normal working day. The same results, of course, would be reached if the employer requested his employee to report for work 2 hours earlier in the morning in order to make the one extra call.

12. If a crew of workers is required to report for work at a designated place at a specified hour and all the employees are then driven to the place where they are to perform work, the time spent in riding to such place should be considered hours worked. Similarly, the time spent returning from the place at the close of the day's work should be considered hours worked. In some cases, however, the employer requests his employees to report for work at a specified hour at the place where the work is to be performed instead of at the employer's place of business. In these cases the employee's working time may be considered to begin at the time he reports for work, unless the traveling time required in order to reach the place where the productive work is to be performed is unreasonably disproportionate to the normal traveling time required in reporting for work at the headquarters of the employer. No precise formula will solve this type of situation. What is unreasonably disproportionate depends upon the facts in the particular case and reasonable standards agreed upon between the employer and employee will be accepted for purposes of the act.

13. In some cases an employee is required to travel continuously for more than a full working day during which time the employee is not engaged in actual productive work for his employer. For example, an employee whose regular working hours extend from 8 a. m. to 5 p. m. may be required to spend 2 or 3 days and nights of continuous travel to reach a place where he is to perform assigned work. In such case, as indicated generally in paragraph 10, time spent traveling during the regular working hours should be considered hours worked. Travel time outside of regular working hours need not ordinarily be considered hours worked. If, however, the employee is required to travel on Saturdays, Sundays, and holidays, he should be considered as working on those days for the number of traveling hours between his established starting and stopping time on other days of the week. In determining whether the foregoing is applicable, factors such as the length of time required to reach the place where the assigned work is to be performed, whether the employee is given adequate time for sleeping and relaxation, the time that the employee is required to report for actual productive labor, etc., are very important.

14. Inquiries have been received with respect to employees who are required to travel continuously for several days and who perform active labor while traveling. Thus, for example, when cattle or poultry, etc., are sent to market by rail, an employee of the shipper is required to travel on the train in order to water and feed the stock en route. In other cases an employer who ships machinery by train to a distant customer requires an employee to oil the machinery en route and otherwise to see that it arrives in perfect condition. The employee generally rides in the caboose with the train crew. In each of the foregoing cases, the employees are subject to call for 24 hours a day, but time required for active work by such employees would ordinarily be much less. The employee generally has a substantial amount of time for sleeping, eating, relaxation, etc. No precise formula will decide this type of case and any reasonable agreement entered into between the parties or established by custom and usage which takes into account the amount of time required for active labor by the employee and the fact that the employee is subject to call for 24 hours a day, will be respected by this Division in its enforcement policy.

ENGINEERS "PROFESSIONALS"?

A federal district judge in Puerto Rico has held that a licensed radio engineer was a professional employee and, hence, not subject to the overtime provisions of the Wage and Hour Act. (Schmidtke vs. Conesa, May 15, 1942.) In making his decision, Judge Cooper pointed out that he was unable to find any precedent in point.

The Wage and Hour Division has advised the NAB that it believes radio engineers, as a group, clearly are *not* professionals. Whether the Puerto Rico case will be appealed has not been determined.

COST OF LIVING

After 19 months of steady increase, the cost of living dropped slightly between May 15 and June 1.

The Labor Department reports that the cost of living on June 1 was 10.8 per cent higher than it was June 15, 1941, and 15.9 per cent higher than its 1935-39 average.

Sales

SALES MANAGERS EXECUTIVE COMMITTEE APPOINTED

In addition to John M. Outler, WSB, whose appointment as chairman of the NAB Sales Managers Executive Committee was announced last week, the following have been named to serve on the committee for the coming year by President Neville Miller:

Frank R. Bowes, WBZ, Boston, representing large stations; William Malo, WDRC, Hartford, representing medium stations; Dietrich Dirks, KTRI, Sioux City, Ia., representing small stations, and Don Davis, WHB, Kansas City, representing Mutual-affiliated stations. Representatives of the other networks have not yet been named.

Bowes succeeds Outler as the large station representative, and Malo replaces E. Y. Flanagan of WSPD, Toledo, for medium stations. Dirks, who served part of last year's term as the small-station representative, was reappointed for a full term. Davis replaces Linus Travers of WAAB, Boston, as the Mutual-affiliate choice. As announced last week, Outler replaces Eugene Carr, WGAR, Cleveland, as committee chairman.

Thanking the retiring members, President Miller pointed out that a large part of last year's work was devoted to setting up and shaping the activities of the Sales Managers Division. "I want to express my appreciation to those who helped make our last year's activities so successful," he said. "I know they must get some pleasure out of seeing the success, as they were among the 'pioneers' in this work and we certainly appreciate all they have done to help us in every way."

Although the date for the first committee meeting has not yet been set, Outler indicated that the committee would be called together soon with Frank E. Pellegrin, Director of the NAB Department of Broadcast Advertising, to draw up plans for the coming year's activities. Sales managers throughout the industry are invited to offer their suggestions for the year's program.

DEPT. STORE BUYS RADIO RIGHT

Following the historic Department Store Seminar at the NAB convention in Cleveland, industry sales opinion has crystallized on the major premise that department stores can be sold on radio advertising, provided a solid framework is built upon a thorough mutual understanding of each other's problems and possibilities on the part of the radio station and the department store.

The transcript of that Cleveland session is now at the printer's, and will be distributed to all member stations in about ten days.

In substantiation of the major premise, a letter was received June 16 by Frank E. Pellegrin from Walter E. Anderson, publicity director of J. N. Adam & Co., department store in Buffalo, N. Y. The account is given here because it may illustrate to many sales managers how the job *can be done*.

The story began at the NRDGA convention in New York City in January, 1942, when the NAB Sales Managers Executive Committee presented a round-table discussion on "Radio Advertising for Department Stores." Among the more articulate questioners during the question-and-answer session was Anderson, who listed numerous points on which he wanted specific radio information. Unable to answer all questions during the brief session, Pellegrin later wrote Anderson at length and also wrote the NAB members in Buffalo, suggesting they follow up along the lines indicated and that they review with Anderson the "Manual of Radio Advertising," which contained many of the basic radio facts on which Anderson had expressed doubt and interest.

The rest of the story can best be told by quoting Anderson's letter:

"... Very honestly, I think the 'Manual of Radio Advertising' is a great job and it does contain the answers to many of the questions I raised at the NRDGA convention last winter.

"I'm sure you realize just as much as I do that it is one of the things the NAB should have done a long time ago. I know I wish I had had the opportunity of having more of this kind of information when we first started planning our radio programs. But it is going to be helpful to many newcomers to the radio advertising field, and I think the book will more than pay its way in the better understanding it will bring about between advertisers—and of course I am only talking about department stores—and stations.

"You will be happy to know that we have gone a long way toward solving our radio problem. We have a contract that calls for twenty-six dramatic programs, with full cast and orchestra, written and directed by the station according to our promotion and merchandise requirements and suggestions. We also have a fifteen minute program in the morning, Monday through Saturday; five-minute-afternoon program, Monday through Friday, and 1,040 spot announcements.

"Our fifteen-minute dramatic jobs have all been as fine as can be produced and have great institutional value for us. I think you know something about our war bond program and if I am not mistaken, either Mr. Meybohm or Mr. McCarthy said you heard it. This is a perfect example of what Herb Rice has been turning out for us consistently. On this particular program I just got the idea of building a program for selling War Stamps and Bonds, sketched out a few simple ideas for Rice, told him what we were going to do to promote the program, and he went to work. He certainly deserves a lot of credit.

"The morning and afternoon programs still aren't right, but they are considerably improved. We are now working on a change for our morning program; in fact have a sample program written, with a man commentator, 'J. N. Adam's Home Companion' and his secretary to act as kind of stooge. (Why do department stores continue to use women when they have been proved wrong in the national field?)

"Before we put this on the air, we are going to do everything we can to pre-test it scientifically; we have chosen a list of 200 names, carefully selected from our charge accounts; have invited them to an audition this Friday, and will have them fill out questionnaires we have worked out very carefully with the Buffalo office of B. B. D. & O. I think we are on the right track, if we get the right response to the questionnaire, in testing the program in this manner, because I don't think there is a man living who can sit down, listen to a program and say 'That program is going to be successful.' . . .

"I am sending you several ads from some of our recent fifteen-minute programs that will show you the kind of promotion job we have been doing on them. I am also sending two ads on the Father's Day program that we put on the air at 7:15 last evening. No one can say we don't back up radio with all we've got.

"I would be very happy to get your reactions to all of this and any suggestions you might have to help us do a better job. . . ."

We think that the moral in this story pretty well writes itself. Here is a store, long groping for radio knowledge, which finally seems to be working its way solidly into radio with intelligent cooperation from local radio men *in whom it has confidence*.

This store's radio budget, compared with newspaper, is still probably small and there is no doubt room for much expansion, but the store is unquestionably moving in the right direction. The store's advertising manager is apparently now well grounded in radio and serious about it, and seems to be devoting the kind of attention and effort to radio that the medium deserves, and needs if it is to be used successfully.

Significant is his statement that "our morning and afternoon programs still aren't right." Complacency with radio, as with any other medium, is generally fatal.

Also significant is Anderson's plan to use a male commentator, and to "pre-test" the program as scientifically as he can with the aid of a good advertising agency. (This point was discussed at the Cleveland convention.)

Accompanying Anderson's letter was a sheaf of newspaper ads devoted to promotion of the radio programs, further emphasizing the point made at Cleveland that radio advertising, to be successful, should be backed up with all other possible forms of promotion, both internal and external, and carefully integrated into the store's complete advertising and publicity plans.

But please bear in mind that this is not a "success story" (although we have plenty such available on request). This store has not yet disclosed any unusual successes it may have had with

radio. Rather, the story may serve other stations as a road-map to department store business, and certainly it gives weight to the pleas of the speakers at Cleveland, that if you want to sell department stores properly, first make sure that they are thoroughly grounded in the basic story of radio as an advertising medium, and that your station personnel has an accurate and intimate knowledge of the problems and aims of each individual store you wish to cultivate.

Then, instead of trying to sell a "ride on a vehicle" (quoting Barclay Newell), or "a lot of blue sky" (J. W. Petty), or "knocking competitors" (Edgar Rice), or "on a pay-as-you-go basis" (R. G. Meybohm), you will have a chance, as advocated by Meybohm and Bill Gillespie of KTUL, of establishing radio as a *basic advertising medium*, fulfilling only its own proper function in the store's *over-all promotion program*, and not subject to the variable whims of buyers and executives at the first sign of non-performance or failure to work constant miracles, and not with its neck stretched out for the axe as the first victim of retrenchment.

Resolutions Available on Per-Inquiry and Free Time

Per-Inquiry and Free Time requests, although apparently abating somewhat, still feed on the gullibility of some station managers, program directors, news editors, and conductors of homemakers' programs, as well as of some sales managers who still accept P-I, contingent, or guaranteed-return deals.

A strong resolution on this subject was adopted at the NAB convention in Cleveland. Copies of this resolution have been printed by the NAB Department of Broadcast Advertising, and are available to members free upon request. It has been suggested that member stations return to the senders these P-I and Free Time requests, accompanied by a copy of this resolution and a form letter from the station expressing its stand.

Among those reported this week were **The B-L Co.**, Atlanta, Ga., seeking per-inquiry deals for its medical products; **Guenther Bradford & Co.**, Chicago agency, seeking per-inquiry deals for its "Charm-Kurl" home permanent wave kits, and **Diener & Dorskind**, New York agency, with a variety of P-I offerings. The NAB has invited them to use radio on the basis of established rates.

War News

FOREIGN LANGUAGE CONTROL

On Friday, June 12, a meeting was held to discuss the project of the Foreign Language Radio Wartime Control Committee. The following were present:

Representing the Foreign Language Committee: Arthur Simon, WPEN, Philadelphia; Joseph Lang, WHOM, Jersey City; and, Harry Henshel, WOV, New York City. Representing the Office of Censorship: Harold Ryan and Stanley Richardson. Representing the NAB: Neville Miller, Paul Peter and C. E. Arney, Jr.

A thorough discussion of the activity leading up to the organization of the Committee was had. It was stated that in the form in which the Code was now written neither the NAB nor the Office of Censorship could wholeheartedly support it since it contained certain restrictive provisions and gave the Committee final determination of station policy.

As a result of the collective thinking the Code was revised. Arthur Simon, Chairman of the Foreign Language Radio Wartime Control Committee, has transmitted the Code to all stations carrying foreign language broadcasts and in his transmitting letter appeals for the unanimous support of all stations.

The Code follows:

Voluntary Code of Wartime Practices for American Broadcasters Presenting Programs in Foreign Languages

Whereas the foreign language broadcasters of America have a unique opportunity and responsibility to make this channel of communication a positive force in the Victory Program of the United States of America and the United Nations; and

Whereas to achieve this goal it is recommended that the following voluntary code of wartime practices for American Broadcasters Presenting Programs in Foreign Languages be adopted;

1. The broadcaster will faithfully observe the spirit and letter of the Code of Wartime Practices for American Broadcasters issued by the Office of Censorship.

2. The broadcaster will continue to assume complete responsibility for the selection, content and presentation of all foreign language programs.

3. The broadcaster will carefully monitor and check all foreign language programs. A complete script will be obtained and approved in advance, and any deviation from the script will result in the program being cut and appropriate action taken. He will also give particular attention to remote broadcasts.

4. The broadcaster will examine carefully the background of all persons connected in any way with the preparation or presentation of foreign language programs. A questionnaire shall be filled in by all such personnel. All such personnel shall be fingerprinted. One original and copy of the questionnaire, fingerprints, and other pertinent information shall be forwarded to the Foreign Language Radio Wartime Control Committee for transmission to appropriate Government agencies.

5. No person will be employed whose record indicates he may not faithfully cooperate with the war effort.

6. Any broadcaster discharging an employee for failure or refusal to abide by this Code shall immediately notify the Committee.

7. The broadcaster will cooperate wholeheartedly with interested public and private agencies, and particularly with pre-democratic groups, in the selection of program material.

8. The broadcaster pledges adherence to the letter and spirit of this Code and will report violations thereof to the Committee as well as to the appropriate authorities.

9. The broadcaster will give particular attention to those programs known as "Block Time Sales."

10. All foreign language programs will continue to contribute to the war effort.

RADIO GOES TO WAR

In his presentation before the House Interstate and Foreign Commerce Committee, Neville Miller gave four illustrations of how radio stations had rendered unusual public service in connection with the war. We are quite sure there are many such incidents, and that accounts of them would be of interest to the entire industry.

Therefore, we are carrying in the REPORTS this week one of the illustrations given by Mr. Miller and will carry one in the REPORTS for the next three weeks. We hope you will read these and send in to the NAB an account regarding similar services rendered by your station.

RADIO ASSISTS IN WAR EFFORT

Daily the program managers of the stations and the networks are building into their program structure by various ways and means programs assisting the government agencies in the war effort. An incident in Iowa is typical. The local station set up a prize consisting of a \$25 Defense Bond to be given to the child who collected or supervised the collection of the greatest amount of scrap metal for defense purposes. Between them all, the children collected enough scrap to build 57 light tanks. It was a great local event, and indeed a clever and sound promotion scheme on the part of the broadcasting station. A result produced by keen competition for the local audience.

To highlight the cooperation of radio with the armed forces, consider the episode which the United States Navy has gratefully

recorded. When a squadron of its planes was trapped by fog off San Diego and unable to land, a radio announcer interrupted a program to ask all motorists in the vicinity to drive to the airport and surround the field with headlights on. Within 20 minutes the field was ringed with light, and the squadron came in. It was an immediate, commendable and spontaneous reaction on the people's part, and thanks went to them, as well as to the effectiveness of the local broadcast.

Radio has also cooperated with the Government agencies carrying on the war production program. In early January you perhaps recall that suddenly a severe cold spell gripped the Eastern and the Central states in which are located many war production plants using gas for fuel. Late in the afternoon word was received by OPM in Washington that due to the tremendous increase in gas consumption for domestic use, many of the war production plants would be compelled to close down that night for lack of gas. The need was urgent and at 4:00 PM that afternoon the OPM appealed to the National Association of Broadcasters for help. Immediately, telegrams were sent to all stations in the given area containing announcements urging that domestic consumption be curtailed so war production could go on. Announcements were carried on all stations at supper time, consumption immediately dropped, the cold weather continued, but thanks to radio and the cooperation of the people, there was ample supply of gas and the plants remained in operation.

And as a final typical example of radio's services to a community in time of emergency, consider this recent incident in Iowa. In Burlington there is a large ordnance plant employing 13,000 workers. In the last six months there have been two bad explosions. The first one five months ago occurred at 1 o'clock in the afternoon and the people were frantic. The first impulse in such a case is for everyone to start telephoning in an attempt to secure news of the safety of the members of his family. The telephone switchboard became useless, and in a desperate hope, the manager of the telephone company appealed for assistance to the local radio station, WBUR. The manager of WBUR immediately interrupted the program on the air and made a five minute talk, explaining the desperate need for telephone service for doctors, nurses and long distance calls and further promised to have his staff cover the accident and to give as rapidly as possible complete details of the accident. The telephone manager states that almost as if by magic, the calls ceased and within a few minutes the service was back to normal and the urgent calls in connection with relief went through.

A plea for nurses was also made over the radio, and within a short time the hospital called back to say that the response had been so immediate and so plentiful that there were adequate nurses available to take care of all needs.

Just six weeks ago, the second explosion took place. Again Station WBUR responded and again panic was averted. telephone facilities were made available for needed calls, nurses were secured and the work of rescue was carried on in a most efficient manner.

TREASURY ACCELERATES BOND DRIVE

Through the presidents of the American Trade Association Executives, the Manufacturing Trade Associations Group, and the United States Chamber of Commerce, Secretary of the Treasury Morgenthau has appealed to all trade association executives for further assistance in stimulating the purchase of Savings Stamps and Bonds.

The ultimate objective of the campaign is to achieve a goal of \$1,000,000,000 a month. A two front offensive is planned. First, to increase the percentage of employees now participating in the payroll plan from the present 45 per cent to at least 90 per cent; and, second, to increase the monthly allotment from the now average \$8.00 per capita to approximately \$20.00 per capita.

The \$12,000,000,000 annual goal represents 10 per cent of our estimated national income, and the payroll savings plan is the most effective method promoting systematic purchase of the Savings Bonds.

There are now, according to their statement, over 86,000 firms employing a total of over 22,000,000 people which have made such plans available to their employees. The record shows, how-

ever, only 57 per cent of the employees are participating and they, only to the extent of a fraction more than 5 per cent of the gross payrolls of the plants. There are, of course many plants which are not participating at all. This, says the Committee, is a far cry from the gross 10 per cent payroll of all plants.

Many radio stations are among those "plants" making the payroll savings plan available to employees. NAB desires to render every possible assistance to the Treasury Department in the promotion of this plan. To that end we request station managers to advise what steps have been taken along the lines indicated. We desire this information for two purposes: first, that we may give proper recognition to those stations participating and, also that we may advise the Secretary of the manner in which the radio industry is cooperating.

CENSOR COMMENDS RADIO

Byron Price, Director of Censorship, today issued the following statement:

"The newspapers and broadcasters of the country in general have performed magnificently in withholding information about the visit to this country of V. M. Molotov, the Soviet Foreign Minister.

"The facts about this visit were known to hundreds of newspapermen and broadcasters. It was news of very high importance. But the voluntary wartime Codes issued by the Office of Censorship had requested that news of all such events be withheld from publication or broadcast for reasons of safety until official announcement was made.

"The result was that, so far as we have been able to learn, no premature mention of the visit was made on any broadcast or in any newspaper of the United States except one. This is a performance which reflects great credit upon the patriotic self-discipline of the publishing and radio industries.

"The one newspaper in which the story was published was the Philadelphia Daily News. The publisher of the Daily News has assured us that the Code was not violated intentionally, but so far he has made no satisfactory explanation of the manner in which the error occurred."

WTIC HELPS MARINES

As a part of Flag Week observance, Station WTIC, Hartford, made arrangements with the Marine Corps to send a copy of the Marine booklet on the use of the flag to interested listeners. Four announcements brought 1,120 requests, stimulating interest in both the flag and the Marine Corps.

CHARLES CALEY TO AIR CORPS

Charles C. Caley, assistant manager of WMBD, Peoria, has been commissioned a Lieutenant in the Army Air Corps, reporting to Officers' Training School at Miami Beach, Fla.

Mr. Caley was active in the national sales field, and for five years served as member of the Sales Managers' Committee of NAB.

CHINA AND RUSSIAN RELIEF

A note from Alvin M. Josephy, Jr., of the Office of Facts and Figures, asks us to relate the reason China Relief and Russian War Relief are not included in the network allocation plan.

OFF handles Government programs only. China Relief and Russian War Relief are not Government programs.

Nevertheless, OFF "would like stations to know that we think that both Russian and China Relief are doing a splendid job and hope that stations will give cooperation."

"WE'VE GOT TO STICK TOGETHER"

"We've Got to Stick Together," which was mentioned recently, is the official song for the War Bond and Stamp Rally in Baltimore. According to H. Lee Hoffman, Baltimore advertising man, who with his wife, composed the words and music, the song is being well received. It's BMI.

RUBBER SALVAGE DRIVE

The intensive Rubber Salvage Drive is in full force throughout the United States. Stations everywhere are doing an outstanding job to bring scrap rubber to receiving stations.

It is suggested that stations continue their own rubber conservation efforts. No matter how successful this drive, there still will not be enough rubber. Every fraction of a pound of rubber that can be saved is an aid to winning the War.

BOUQUET FROM THE AIR CORPS

Captain J. Elroy McCaw who is now attached to the Headquarters of the Army Air Forces in Washington has tossed a bouquet our way. Captain McCaw, incidentally, in private life operates radio station KELA at Centralia, Washington, and has other radio interests in the Pacific northwest. He writes Neville Miller as follows:

"Recently we have had several occasions to request the assistance of the National Association of Broadcasters in expediting communications training.

"As a result of the intelligent and wholehearted cooperation extended by Mr. Arthur Stringer and other members of your staff, it has been possible for us to accomplish our purposes much more quickly and effectively than would otherwise have been possible. You, in the National Association of Broadcasters, have shown an understanding of our problem and have demonstrated your desire to be of assistance in this emergency.

"We wish to extend our appreciation to you for your courtesy and assistance. We look forward to a continuation of this pleasant and helpful relationship."

NEW CUBAN RULES

Radio broadcasters in Cuba are forbidden to use expressions such as "flash," "important," "last minute" and similar terms in commercial announcements according to the Department of Commerce.

Station licensees are required to file with the communications control commission certain personal information, about their personnel including fingerprints and photographs.

The general public is not permitted to take part in broadcast programs. Programs must be prepared at least 24 hours in advance so copy may be available to Government inspectors.

CENSORSHIP NOT UNDER DAVIS

The status of the Office of Censorship is not affected in any way by the order of President Roosevelt creating the Office of War Information with Elmer Davis as director. The only reference to censorship in the executive order signed by the President on June 13 follows: "The Director of the Office of War Information and the Director of Censorship shall collaborate in the performance of their respective functions for the purpose of facilitating the prompt and full dissemination of all available information which will not give aid to the enemy."

The various bureaus that are brought under the direct control of Mr. Davis are the Office of Facts and Figures, headed by Archibald MacLeish; Office of Government Reports, headed by Lowell Mellett; Division of Information, headed by Robert W. Horton, in the Office of Emergency Management, which has controlled the press relations of such agencies as WPB, OPA and the War Labor Board; and the Foreign Information Service of the Office of Co-ordinator of Information. Colonel William J. Donovan, who has been Co-ordinator of Information, has been transferred to the Office of Strategic Services under the Joint Chiefs of Staff.

Listener Activities

RADIO COUNCIL OF MIDDLE TENNESSEE

The Radio Council of Middle Tennessee observed its first birthday June 9, with an open meeting, an interesting program, and

the election of officers. The following officers will serve for 1942-43:

President, Mrs. Arch Trawick; First Vice President, Mrs. Roland C. Wolfe; Second Vice President, Mrs. Donald M. Maynard; Recording Secretary, Mrs. Manuel Eskind; Treasurer, Dr. M. L. Shane.

Mrs. Paul Capps, who has served as secretary since the pre-organization meetings, gave a short history of the Council, its organization, objectives, and undertakings. Tribute was paid to Dorothy Lewis. Reports of the NAB Convention in Cleveland were made by F. C. Sowell of WLAC, E. S. Tanner of WSIX, and Jack Stapp of WSM. The highlights were vividly presented by these experienced executives, and the interested listeners got glimpses of different phases of the tremendous, complex world of radio.

The major project of the year, the study of listeners' habits, hobbies, and favorite programs were discussed by Miss Mary Sneed Jones, chairman of the committee, and by Mrs. Roland C. Wolfe, in charge of questionnaires for adults. Miss Jones gave a brief summary of the 4,000 questionnaires sent to city and county elementary and high schools, and outlined the plans for completing the study, with the hope of making it available to a few hundred interested students of education by radio.

Mrs. Wolfe emphasized the cooperation of different organized groups who took part in the survey of adult listeners, and gave many of the intelligent and constructive suggestions from urban and rural groups.

Mrs. Trawick read "The Role of the Listener" which she gave before the Listeners' Section of the NAB Convention in Cleveland.

A spirited discussion of trends in radio followed with an exchange of opinions, questions, and answers, on the possibilities in the ever-growing field of entertainment and education via *Radio*. A statement of goals for the next year was the closing number on the program.

MRS. ROOSEVELT WANTS FREE RADIO

In a recent issue of the *Ladies Home Journal* in her column "You Ask Me" by Mrs. Eleanor Roosevelt, she received the following question:

"Since sponsors of radio programs for children seem indifferent to the protests of individual parents concerning gangster and horror stories on the air, is it possible to have legislation passed prohibiting them?"

Her reply is encouraging to informed mothers and broadcasters alike:

"I think it would be a pity to pass legislation which would be censorship legislation, either for the press or the radio or the movies. All these distributors of news and entertainment, of necessity, are anxious to please the public; and once you get the public educated so that they are really determined that their children shall not listen to certain programs on the air, you will have no difficulty getting them off the air."

The women of the country are learning that they have editorial work to do with this new medium of radio as with newspaper and movie. Mrs. Roosevelt confirms the fact that the listeners must be articulate. The broadcasters desire to give the radio audience what it wants to hear.

IRVING BERLIN MUSIC

THIS IS THE ARMY, INC. is producing a stage show in a New York theater, the net proceeds of which will be donated to army emergency relief. The score of this show is written by Irving Berlin and will be published by THIS IS THE ARMY, INC. The Directors of This Is the Army, Inc. have decided that all broadcasting stations should be free to perform this music without the payment of any compensation whatsoever. For this purpose they have instructed and authorized ASCAP to license the score free of charge to all broadcasting stations. We feel that all broadcast-

ers should recognize this patriotic gesture by availing themselves of the opportunity of performing an Irving Berlin score without charge, and, at the same time, helping the Army in its efforts to raise funds for army emergency relief. The compositions written by Mr. Berlin which are included in this free license are as follows:

This is the Army, Mr. Jones
With My Head in the Clouds
I Left My Heart at the Stage Door Canteen
My Sergeant and I Are Buddies
The Army's Made a Man Out of Me
How About a Cheer for the Navy
American Eagles
That Russian Winter
I'm Getting Tired So I Can Sleep

The show will also include some Irving Berlin numbers written at the time of the last war but these are the property of individual publishers and are not included in the free license.

PRIORITY ORDER

Preference Rating Order P-129 (see NAB REPORTS, May 1, p. 244) was amended June 3 by inserting before the first word (Except) of paragraph (g)(1) the words "On and after September 1, 1942 * * *." The effect of the amendment is that the 27½% limitations on inventory do not apply until September 1.

DCB MATERIAL RECOMMENDATION

The DCB recommended, June 11, to the War Production Board and the Federal Communications Commission that, with regard to the construction of certain radio facilities, there be immediately placed into effect the following policy:

- 1) No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any amateur or Class 3 experimental Station.
- 2) No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any Aeronautical Fixed (domestic) Station, Itinerant Aircraft Station, Flying School Station, or station operating in the Emergency and Miscellaneous Radio Services; provided, however, that upon a proper showing that any such station serves an essential military need or a vital public need, which cannot otherwise be met, the Commission and the War Production Board will take action commensurate with the importance of the particular facility in question.

The foregoing applies to the following classes of stations which are defined in the Rules and Regulations of the Federal Communications Commission:

- 1) Amateur stations.
- 2) Class 3 experimental stations.
- 3) Emergency Radio Service.
 - a) State Police Stations.
 - b) Municipal Police Stations.
 - c) Zone Police Stations.
 - d) Interzone Police Stations.
 - e) Special Emergency Stations.
 - f) Forestry Stations.
 - g) Marine Fire Stations.
- 4) Aviation Radio Service.
 - a) Aeronautical Fixed (domestic) Stations.
 - b) Itinerant Aircraft Stations.
 - c) Flying School Stations.
- 5) Miscellaneous Radio Service.
 - a) Provisional Stations.
 - b) Motion Picture Stations.
 - c) Relay Press Stations.
 - d) Geological Stations.

MISSISSIPPI

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams.....	7,556	38.6	2,909	4,642	50.6	2,351	1,072	37.3	400	1,842	8.6	158
Alcorn.....	6,755	56.7	3,847	2,289	68.8	1,574	1,074	70.4	756	3,392	44.7	1,517
Amite.....	5,035	34.4	1,732	.....	.....	.....	1,045	54.9	573	3,990	29.0	1,159
Attala.....	6,937	39.4	2,733	1,202	61.6	740	1,031	55.2	569	4,704	30.3	1,424
Benton.....	2,373	34.4	813	.....	.....	.....	305	55.7	170	2,068	31.1	643
Bolivar.....	18,138	28.4	5,123	1,094	63.2	691	3,846	43.5	1,674	13,198	20.9	2,758
Calhoun.....	4,924	48.8	2,404	.....	.....	.....	1,473	59.0	870	3,451	44.4	1,534
Carroll.....	4,746	33.1	1,576	.....	.....	.....	751	58.2	437	3,995	28.5	1,139
Chickasaw.....	5,085	40.3	2,041	.....	.....	.....	1,765	55.3	975	3,320	32.1	1,066
Choctaw.....	3,007	38.6	1,160	.....	.....	.....	669	56.6	379	2,338	33.4	781
Claiborne.....	3,385	25.5	873	828	40.6	336	316	41.5	131	2,241	18.1	406
Clarke.....	4,803	39.2	1,881	.....	.....	.....	1,899	48.4	919	2,904	33.1	962
Clay.....	4,709	37.5	1,765	1,669	53.8	898	298	37.4	111	2,742	27.6	756
Coahoma.....	13,529	29.6	4,011	3,589	54.3	1,949	1,374	40.4	555	8,566	17.6	1,507
Copiah.....	8,252	38.5	3,177	1,718	58.6	1,006	1,220	42.2	515	5,314	31.2	1,656
Covington.....	3,792	42.2	1,602	.....	.....	.....	825	54.2	447	2,967	38.9	1,155
DeSoto.....	6,660	23.4	1,556	.....	.....	.....	899	52.9	475	5,761	18.8	1,081
Forrest.....	9,098	54.5	4,952	5,762	58.9	3,396	1,801	48.3	870	1,535	44.7	686
Franklin.....	3,061	36.7	1,122	.....	.....	.....	1,243	42.7	531	1,818	32.5	591
George.....	1,942	39.8	773	.....	.....	.....	837	43.2	362	1,105	37.2	411
Greene.....	2,044	34.2	698	.....	.....	.....	1,044	32.8	342	1,000	35.6	356
Grenada.....	4,493	39.2	1,759	1,593	57.1	910	542	51.2	277	2,358	24.3	572
Hancock.....	2,808	47.5	1,331	1,034	61.8	639	1,299	35.7	464	475	48.0	228
Harrison.....	13,020	63.1	8,219	9,213	68.4	6,303	2,674	51.8	1,384	1,133	46.9	532
Hinds.....	26,921	56.8	15,334	16,423	73.4	12,047	3,266	54.6	1,782	7,232	20.8	1,505
Holmes.....	9,540	26.3	2,515	1,606	49.5	795	1,509	49.1	740	6,425	15.3	980
Humphreys.....	6,522	28.2	1,832	1,071	45.7	490	542	48.5	263	4,909	22.0	1,079
Issaquena.....	1,779	18.0	320	.....	.....	.....	128	49.2	63	1,651	15.6	257
Itawamba.....	4,562	38.2	1,740	.....	.....	.....	442	61.4	271	4,120	35.6	1,469
Jackson.....	5,191	62.3	3,225	2,303	71.0	1,636	2,110	53.4	1,126	778	59.5	463
Jasper.....	4,308	33.5	1,443	.....	.....	.....	847	49.7	421	3,461	29.5	1,022
Jefferson.....	3,538	19.2	676	.....	.....	.....	723	39.1	283	2,815	14.0	393
Jefferson Davis.....	3,527	31.0	1,095	.....	.....	.....	503	49.2	247	3,024	28.0	848
Jones.....	11,626	54.6	6,342	5,863	60.2	3,530	1,395	58.8	820	4,368	45.6	1,992
Kemper.....	4,746	27.4	1,301	.....	.....	.....	1,012	51.9	525	3,734	20.8	776
Lafayette.....	5,157	41.3	2,137	1,033	72.1	745	544	50.2	273	3,580	31.3	1,119
Lamar.....	2,857	40.4	1,155	.....	.....	.....	1,274	39.7	505	1,583	41.1	650
Lauderdale.....	14,894	49.5	7,344	9,648	58.4	5,637	1,362	39.8	542	3,884	30.0	1,165
Lawrence.....	3,178	31.2	990	.....	.....	.....	813	50.1	408	2,365	24.6	582
Leake.....	5,487	34.9	1,917	.....	.....	.....	1,313	51.9	681	4,174	29.6	1,236
Lee.....	9,653	50.5	4,863	2,335	66.9	1,563	1,752	53.9	945	5,566	42.3	2,355
Leflore.....	13,979	36.8	5,128	4,169	61.9	2,582	1,480	49.6	734	8,330	21.8	1,812
Lincoln.....	6,559	42.8	2,799	1,751	63.5	1,113	812	36.1	293	3,996	34.9	1,393
Lowndes.....	8,991	41.2	3,699	3,894	55.8	2,174	1,016	54.8	557	4,081	23.7	968
Madison.....	8,861	30.8	2,719	1,771	50.2	889	1,086	65.8	714	6,004	18.6	1,116
Marion.....	5,622	38.3	2,153	1,637	53.5	876	690	43.5	300	3,295	29.7	977
Marshall.....	5,967	23.9	1,425	776	57.5	446	659	46.5	307	4,532	14.8	672
Monroe.....	8,988	42.5	3,823	2,426	61.6	1,494	844	52.7	445	5,718	32.9	1,884
Montgomery.....	3,776	42.4	1,604	783	61.7	483	553	56.2	311	2,440	33.2	810
Neshoba.....	6,303	39.3	2,481	1,022	56.1	573	472	51.6	244	4,809	34.6	1,664
Newton.....	5,528	39.6	2,188	.....	.....	.....	1,629	59.3	966	3,899	31.3	1,222
Noxubee.....	6,010	18.9	1,125	.....	.....	.....	1,272	45.3	576	4,738	11.6	549
Oktibbeha.....	5,090	38.1	1,944	1,371	60.0	822	476	64.5	307	3,243	25.1	815
Panola.....	8,250	36.3	2,990	.....	.....	.....	2,090	61.4	1,284	6,160	27.7	1,706
Pearl River.....	4,644	52.1	2,420	1,399	61.1	854	1,679	43.7	733	1,566	53.2	833
Perry.....	2,067	37.3	770	.....	.....	.....	908	43.1	391	1,159	32.7	379
Pike.....	8,651	50.8	4,373	2,791	73.3	2,046	2,572	48.2	1,241	3,288	33.0	1,086
Pontotoc.....	5,459	45.2	2,467	.....	.....	.....	1,124	62.3	701	4,335	40.7	1,766
Prentiss.....	5,000	46.7	2,338	.....	.....	.....	1,365	55.2	754	3,635	43.6	1,584
Quitman.....	6,887	40.2	2,759	.....	.....	.....	1,261	58.4	736	5,626	36.0	2,023

MISSISSIPPI—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Rankin.....	5,668	39.2	2,231	.....	.....	.....	1,786	58.8	1,050	3,882	30.4	1,181
Scott.....	5,259	43.2	2,392	709	82.5	585	998	55.7	556	3,552	35.2	1,251
Sharkey.....	3,941	35.4	1,393	.....	.....	.....	781	55.6	434	3,160	30.3	959
Simpson.....	4,975	43.5	2,164	.....	.....	.....	1,399	54.9	768	3,576	39.0	1,396
Smith.....	4,235	41.4	1,765	.....	.....	.....	705	63.7	449	3,530	37.3	1,316
Stone.....	1,500	44.0	660	.....	.....	.....	899	44.5	400	601	43.2	260
Sunflower.....	14,889	32.5	4,825	1,093	59.5	650	1,993	62.9	1,254	11,803	24.7	2,921
Tallahatchie.....	8,598	32.6	2,815	.....	.....	.....	1,749	55.8	976	6,849	26.9	1,839
Tate.....	4,687	35.0	1,631	.....	.....	.....	907	63.5	576	3,780	27.9	1,055
Tippah.....	4,577	47.4	2,168	.....	.....	.....	1,095	66.4	727	3,482	41.4	1,441
Tishomingo.....	3,978	47.6	1,891	.....	.....	.....	1,152	59.8	689	2,826	42.5	1,202
Tunica.....	6,271	23.2	1,451	.....	.....	.....	861	55.7	479	5,410	18.0	972
Union.....	5,417	49.9	2,701	1,089	69.7	759	645	47.1	304	3,683	44.5	1,638
Walthall.....	3,899	33.9	1,318	.....	.....	.....	485	63.7	309	3,414	29.6	1,009
Warren.....	11,471	47.8	5,490	7,363	58.1	4,281	1,775	34.7	616	2,333	25.4	593
Washington.....	19,067	33.7	6,441	7,397	52.2	3,860	2,136	40.9	874	9,534	17.9	1,707
Wayne.....	3,700	31.2	1,154	.....	.....	.....	1,323	35.5	469	2,377	28.8	685
Webster.....	3,320	45.0	1,494	.....	.....	.....	842	54.6	459	2,478	41.8	1,035
Wilkinson.....	3,810	33.9	1,284	.....	.....	.....	1,435	54.0	775	2,375	21.4	509
Winston.....	5,047	35.4	1,789	946	56.9	538	498	46.3	230	3,603	28.3	1,021
Yalobusha.....	4,505	40.3	1,814	998	62.7	626	402	59.5	239	3,105	30.6	949
Yazoo.....	9,872	29.9	2,950	2,060	36.4	1,161	1,229	42.8	526	6,583	19.2	1,263
State Total.....	534,956	39.9	213,312	120,360	61.5	74,048	95,920	50.9	48,834	318,676	28.4	90,430

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Jackson.....	Hinds	16,423	73.4	12,047
Meridian.....	Lauderdale	9,648	58.4	5,637

NAB Research Department

June 17, 1942

NEBRASKA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams.....	6,301	87.8	5,530	4,310	93.8	4,043	555	80.7	448	1,436	72.3	1,039
Antelope.....	3,569	79.9	2,852	.....	.....	.....	1,539	82.4	1,268	2,030	78.0	1,584
Arthur.....	269	72.7	196	.....	.....	.....	60	51.7	31	209	78.7	165
Banner.....	362	84.6	306	.....	.....	.....	28	82.1	23	334	84.8	283
Blaine.....	395	79.5	314	.....	.....	.....	102	80.8	82	293	79.1	232
Boone.....	3,117	78.3	2,442	.....	.....	.....	1,405	85.3	1,199	1,712	72.6	1,243
Box Butte.....	2,915	87.4	2,547	1,739	89.0	1,548	323	85.8	277	853	84.7	722
Boyd.....	1,566	75.0	1,175	.....	.....	.....	671	77.4	519	895	73.3	656
Brown.....	1,569	76.5	1,200	.....	.....	.....	806	80.1	646	763	72.6	554
Buffalo.....	6,646	80.8	5,369	2,762	87.0	2,404	1,602	84.4	1,352	2,282	70.7	1,613
Burt.....	3,450	87.1	3,004	.....	.....	.....	1,727	85.7	1,481	1,723	88.4	1,523
Butler.....	3,658	73.5	2,689	.....	.....	.....	1,710	80.0	1,367	1,948	67.9	1,322
Cass.....	4,964	84.1	4,178	1,195	87.4	1,045	1,697	85.2	1,446	2,072	81.4	1,687
Cedar.....	3,751	85.1	3,190	.....	.....	.....	1,588	84.7	1,345	2,163	85.3	1,845
Chase.....	1,413	77.5	1,095	.....	.....	.....	678	77.6	526	735	77.4	569

NEBRASKA—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Cherry.....	2,443	77.5	1,893	.....	.....	.....	1,092	78.5	858	1,351	76.6	1,035
Cheyenne.....	2,453	87.4	2,144	921	91.1	839	463	87.6	406	1,069	84.1	899
Clay.....	3,154	78.2	2,470	.....	.....	.....	1,698	85.0	1,443	1,456	70.5	1,027
Colfax.....	3,038	80.9	2,456	871	87.8	764	759	80.6	612	1,408	76.7	1,080
Cuming.....	3,459	85.8	2,966	685	92.3	632	804	80.7	649	1,970	85.5	1,685
Custer.....	6,132	77.0	4,723	876	86.0	753	1,742	80.8	1,408	3,514	72.9	2,562
Dakota.....	2,562	84.7	2,168	1,241	88.4	1,097	484	83.5	404	837	79.7	667
Dawes.....	2,789	86.2	2,404	1,252	91.4	1,145	688	79.6	548	849	83.8	711
Dawson.....	4,914	81.0	3,982	1,075	93.7	917	1,737	86.0	1,493	2,102	74.8	1,572
Deuel.....	929	84.9	789	.....	.....	.....	459	88.7	407	470	81.3	382
Dixon.....	2,759	84.8	2,340	.....	.....	.....	1,230	87.7	1,078	1,529	82.5	1,262
Dodge.....	6,829	89.4	6,105	3,469	93.4	3,239	1,504	85.6	1,287	1,856	85.1	1,579
Douglas.....	68,378	93.5	63,967	62,135	94.1	58,464	4,345	88.6	3,852	1,898	87.0	1,651
Dundy.....	1,358	72.4	982	.....	.....	.....	661	71.3	471	697	73.4	511
Fillmore.....	3,319	77.7	2,577	.....	.....	.....	1,636	84.7	1,386	1,683	70.8	1,191
Franklin.....	2,246	71.0	1,594	.....	.....	.....	1,115	79.4	885	1,131	62.7	709
Frontier.....	1,797	73.3	1,317	.....	.....	.....	682	80.0	546	1,115	69.1	771
Furnas.....	3,022	76.8	2,322	.....	.....	.....	1,695	82.0	1,390	1,327	70.2	932
Gage.....	8,023	86.2	6,918	3,219	91.4	2,943	1,927	84.8	1,635	2,877	81.3	2,340
Garden.....	1,249	79.0	987	.....	.....	.....	495	81.6	404	754	77.3	583
Garfield.....	895	74.6	667	.....	.....	.....	396	79.1	313	499	71.0	354
Gosper.....	1,022	68.2	685	.....	.....	.....	269	82.8	223	733	63.0	462
Grant.....	337	83.5	282	.....	.....	.....	204	80.9	165	133	87.6	117
Greeley.....	1,655	75.6	1,252	.....	.....	.....	738	79.2	585	917	72.7	667
Hall.....	7,825	86.7	6,778	5,469	91.9	5,028	601	83.3	500	1,755	71.2	1,250
Hamilton.....	2,910	77.9	2,267	.....	.....	.....	1,287	84.8	1,092	1,623	72.4	1,175
Harlan.....	1,999	76.2	1,525	.....	.....	.....	957	84.8	812	1,042	68.4	713
Hayes.....	748	75.2	563	.....	.....	.....	145	65.5	95	603	77.6	468
Hitchcock.....	1,721	76.0	1,308	.....	.....	.....	919	79.6	731	802	72.0	577
Holt.....	4,228	79.7	3,368	644	86.9	560	1,158	79.0	915	2,426	78.0	1,893
Hooker.....	331	74.4	246	.....	.....	.....	208	77.4	161	123	69.2	85
Howard.....	2,305	75.8	1,745	.....	.....	.....	925	81.0	749	1,380	72.2	996
Jefferson.....	4,503	83.7	3,775	1,952	91.6	1,788	816	79.8	651	1,735	77.0	1,336
Johnson.....	2,468	82.3	2,032	.....	.....	.....	1,167	83.9	979	1,301	80.9	1,053
Kearney.....	1,954	83.9	1,640	.....	.....	.....	909	88.7	806	1,045	79.8	834
Keith.....	2,168	81.7	1,772	862	87.2	752	500	81.6	408	806	75.9	612
Keya Paha.....	791	77.8	615	.....	.....	.....	187	76.6	143	604	78.1	472
Kimball.....	1,052	84.7	891	.....	.....	.....	588	89.5	526	464	78.6	365
Knox.....	4,345	76.7	3,291	.....	.....	.....	1,824	78.1	1,425	2,521	74.0	1,866
Lancaster.....	29,129	92.1	26,842	24,633	94.7	23,327	1,548	83.9	1,299	2,948	75.2	2,216
Lincoln.....	6,759	84.4	5,703	3,378	91.6	3,094	1,242	79.3	985	2,139	75.9	1,624
Logan.....	453	71.3	322	.....	.....	.....	157	60.2	108	296	72.3	214
Loup.....	459	77.4	355	.....	.....	.....	118	76.5	90	341	77.7	265
McPherson.....	318	65.0	207	.....	.....	.....	61	47.5	29	257	69.3	178
Madison.....	6,478	87.3	5,653	3,013	92.1	2,774	1,569	86.0	1,349	1,896	80.7	1,530
Merrick.....	2,628	82.8	2,177	.....	.....	.....	1,351	88.7	1,198	1,277	76.6	979
Morrill.....	2,313	81.6	1,888	.....	.....	.....	1,159	83.1	963	1,154	80.2	925
Nance.....	1,950	78.6	1,533	.....	.....	.....	939	83.1	780	1,011	74.4	753
Nemaha.....	3,712	85.1	3,159	1,124	87.9	988	903	82.8	748	1,685	84.5	1,423
Nuckolls.....	2,971	75.2	2,233	823	88.2	726	764	80.6	615	1,384	64.5	892
Otoe.....	5,371	87.0	4,675	2,101	88.0	1,850	1,034	88.2	912	2,236	85.5	1,913
Pawnee.....	2,350	80.1	1,883	.....	.....	.....	978	84.9	831	1,372	76.7	1,052
Perkins.....	1,350	80.7	1,089	.....	.....	.....	527	82.4	434	823	79.6	655
Phelps.....	2,512	86.0	2,160	1,056	93.2	984	366	78.8	288	1,090	81.4	888
Pierce.....	2,703	82.2	2,222	.....	.....	.....	1,104	85.2	941	1,599	80.1	1,281
Platte.....	4,964	81.3	4,036	2,043	90.9	1,857	750	77.3	580	2,171	73.7	1,599
Polk.....	2,466	83.8	2,068	.....	.....	.....	1,033	87.1	900	1,433	81.5	1,168
Red Willow.....	3,298	82.5	2,717	1,741	91.3	1,589	557	74.5	415	1,000	71.3	713
Richardson.....	5,297	83.2	4,409	1,735	91.1	1,581	1,395	81.6	1,139	2,167	78.0	1,689
Rock.....	1,016	78.7	800	.....	.....	.....	400	81.6	326	616	76.9	474
Saline.....	4,608	77.7	3,581	964	88.0	848	1,614	81.1	1,308	2,030	70.2	1,425
Sarpy.....	2,638	87.5	2,308	.....	.....	.....	1,502	91.0	1,367	1,136	82.8	941
Saunders.....	5,152	82.9	4,272	805	93.2	750	1,656	84.8	1,404	2,691	78.7	2,118
Scottsbluff.....	8,501	82.6	7,021	3,916	86.7	3,396	1,625	77.4	1,258	2,960	80.0	2,367
Seward.....	4,036	80.4	3,242	875	90.9	795	1,118	79.8	892	2,043	76.1	1,555

NEBRASKA—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Sheridan.....	2,709	80.2	2,173	.....	.....	.....	1,400	80.3	1,125	1,309	80.0	1,048
Sherman.....	2,026	68.3	1,385	.....	.....	.....	869	78.3	680	1,157	60.9	705
Sioux.....	1,036	75.3	780	.....	.....	.....	185	82.1	152	851	73.8	628
Stanton.....	1,858	79.7	1,480	.....	.....	.....	618	87.3	539	1,240	75.9	941
Thayer.....	3,436	78.9	2,711	.....	.....	.....	1,808	85.3	1,542	1,628	71.8	1,169
Thomas.....	434	73.5	319	.....	.....	.....	232	75.0	174	202	71.9	145
Thurston.....	2,445	73.2	1,789	.....	.....	.....	1,238	71.6	886	1,207	74.8	903
Valley.....	2,307	76.3	1,758	.....	.....	.....	1,102	84.1	927	1,205	69.0	831
Washington.....	3,197	87.2	2,788	939	93.4	877	591	86.2	510	1,667	84.0	1,401
Wayne.....	2,647	88.8	2,350	784	92.9	729	387	82.5	319	1,476	88.2	1,302
Webster.....	2,367	72.4	1,713	.....	.....	.....	1,120	83.5	936	1,247	62.3	777
Wheeler.....	528	75.2	397	.....	.....	.....	137	71.1	97	391	76.7	300
York.....	4,287	83.7	3,590	1,652	90.9	1,502	728	78.4	571	1,907	79.5	1,517
State Total.....	360,744	84.7	305,681	146,259	92.7	135,628	89,390	82.9	74,068	125,095	76.7	95,985

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Lincoln.....	Lancaster	24,633	94.7	23,327
Omaha.....	Douglas	62,135	94.1	58,464

NAB Research Department

June 9, 1942

NEW MEXICO

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Bernalillo.....	18,079	74.0	13,396	9,884	86.7	8,572	5,943	63.2	3,755	2,252	47.4	1,069
Catron.....	1,313	42.5	558	.....	.....	.....	671	43.1	289	642	41.9	269
Chaves.....	6,091	67.1	4,088	3,569	73.7	2,630	758	55.5	421	1,764	58.8	1,037
Colfax.....	4,634	66.0	3,057	2,043	73.0	1,491	1,706	63.4	1,082	885	54.7	484
Curry.....	4,809	75.5	3,633	2,757	82.4	2,273	758	61.0	462	1,294	69.4	898
DeBaca.....	934	54.4	508	.....	.....	.....	541	55.7	301	393	52.6	207
Dona Ana.....	7,270	51.5	3,746	2,155	62.9	1,355	2,196	44.3	974	2,919	48.5	1,417
Eddy.....	6,059	65.7	3,983	2,957	79.9	2,364	1,833	56.3	1,033	1,269	46.2	586
Grant.....	4,890	62.5	3,059	1,349	65.0	877	2,798	60.9	1,705	743	64.1	477
Guadalupe.....	1,908	30.9	590	.....	.....	.....	1,402	34.2	479	506	22.0	111
Harding.....	1,057	45.2	477	.....	.....	.....	466	42.5	198	591	47.2	279
Hidalgo.....	1,246	59.9	746	786	61.8	486	203	57.0	116	257	56.1	144
Lea.....	6,161	74.1	4,559	3,240	74.9	2,427	2,286	78.1	1,785	635	54.7	347
Lincoln.....	2,119	54.0	1,144	.....	.....	.....	1,445	55.9	808	674	49.8	336
Luna.....	1,687	58.6	987	964	64.0	617	323	43.7	141	400	57.3	229
McKinley.....	5,318	45.2	2,385	1,817	79.1	1,437	1,569	52.8	828	1,932	6.2	120
Mora.....	2,399	14.2	340	.....	.....	.....	924	17.1	158	1,475	12.3	182
Otero.....	2,638	51.1	1,348	988	62.1	613	878	47.2	415	772	41.5	320
Quay.....	3,212	66.4	2,132	1,655	67.6	1,118	487	63.4	309	1,070	65.9	705
Rio Arriba.....	5,499	19.2	1,058	.....	.....	.....	2,557	23.5	600	2,942	15.6	458
Roosevelt.....	3,628	60.8	2,206	1,328	66.2	879	330	56.1	185	1,970	58.0	1,142
Sandoval.....	3,082	24.8	765	.....	.....	.....	1,880	26.2	492	1,202	22.7	273
San Juan.....	3,750	38.1	1,440	.....	.....	.....	1,240	69.0	855	2,510	23.3	585
San Miguel.....	6,330	32.8	2,073	2,889	50.7	1,465	1,459	20.1	293	1,982	15.9	315
Santa Fe.....	7,289	57.2	4,161	4,943	68.3	3,376	1,199	36.3	436	1,147	30.4	349
Sierra.....	1,908	46.3	883	869	54.0	469	616	44.6	275	423	32.9	139
Socorro.....	2,666	33.6	897	907	47.5	431	712	30.1	215	1,047	23.9	251
Taos.....	4,109	23.2	948	.....	.....	.....	2,111	29.6	624	1,998	16.2	324
Torrance.....	2,628	38.3	1,008	.....	.....	.....	1,366	38.6	527	1,262	38.1	481
Union.....	2,354	59.3	1,395	847	70.3	595	432	49.5	214	1,075	54.6	586
Valencia.....	4,408	33.6	1,483	766	62.2	476	2,008	28.8	579	1,634	26.2	428
State Total.....	129,475	53.2	69,053	46,713	72.5	33,951	43,097	47.6	20,554	39,665	36.7	14,548

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Albuquerque.....	Bernalillo	9,884	86.7	8,572

NAB Research Department

June 10, 1942

OKLAHOMA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adair.....	3,652	40.3	1,474	.....	.....	.....	1,270	53.9	685	2,382	33.1	789
Alfalfa.....	3,962	80.2	3,180	777	82.0	637	1,083	79.8	864	2,102	79.9	1,679
Atoka.....	4,417	41.9	1,877	807	70.3	567	879	37.4	329	2,731	35.9	981
Beaver.....	2,352	68.0	1,597	.....	.....	.....	662	72.9	481	1,690	66.0	1,116
Beckham.....	6,075	67.3	4,088	2,356	78.6	1,852	1,014	64.5	654	2,705	58.5	1,582
Blaine.....	4,847	67.4	3,266	872	67.5	588	1,239	76.3	945	2,736	63.3	1,733
Bryan.....	9,347	63.1	5,924	2,812	80.6	2,267	2,074	54.6	1,132	4,461	56.6	2,525
Caddo.....	10,483	64.8	6,797	1,604	72.5	1,163	3,086	72.3	2,230	5,793	58.8	3,404
Canadian.....	7,003	79.9	5,595	2,978	86.4	2,572	1,167	82.0	957	2,858	72.3	2,066
Carter.....	11,235	66.2	7,412	4,838	76.9	3,720	3,414	66.4	2,268	2,983	47.7	1,424
Cherokee.....	4,926	38.5	1,925	919	68.7	631	618	36.0	222	3,389	31.6	1,072
Choctaw.....	6,992	45.4	3,173	1,753	68.4	1,199	1,666	39.5	659	3,573	36.8	1,315
Cimarron.....	1,019	67.3	686	.....	.....	.....	498	69.1	344	521	65.6	342
Cleveland.....	6,823	76.1	5,190	3,411	89.8	3,063	1,035	68.8	712	2,377	59.5	1,415
Coal.....	3,125	46.7	1,463	.....	.....	.....	1,331	52.5	698	1,794	42.6	765
Comanche.....	9,237	69.6	6,435	5,297	77.5	4,104	1,304	58.9	769	2,636	59.3	1,562
Cotton.....	3,374	66.3	2,238	.....	.....	.....	1,328	70.4	935	2,046	63.7	1,303
Craig.....	4,871	62.4	3,043	1,678	75.4	1,265	887	57.7	511	2,306	55.0	1,267
Creek.....	14,562	66.8	9,724	6,616	76.6	5,068	2,717	67.6	1,836	5,229	53.9	2,820
Custer.....	6,091	73.9	4,502	2,643	78.1	2,065	925	74.9	693	2,523	69.1	1,744
Delaware.....	4,509	46.9	2,117	.....	.....	.....	1,184	55.6	657	3,325	43.9	1,460
Dewey.....	3,185	64.0	2,038	.....	.....	.....	1,086	72.7	789	2,099	59.5	1,249
Ellis.....	2,382	68.6	1,631	.....	.....	.....	931	75.0	698	1,451	64.3	933
Garfield.....	12,944	85.0	11,001	8,353	86.6	7,235	1,619	82.6	1,338	2,972	81.7	2,428
Garvin.....	7,712	55.5	4,288	1,432	75.5	1,082	2,348	61.7	1,449	3,932	44.7	1,757
Grady.....	10,757	66.1	7,097	4,078	79.3	3,235	1,913	64.2	1,228	4,766	55.3	2,634
Grant.....	3,815	83.8	3,199	.....	.....	.....	1,479	85.6	1,266	2,336	82.7	1,933
Greer.....	3,776	67.9	2,569	1,286	71.3	917	556	74.2	413	1,934	64.1	1,239
Harmon.....	2,572	69.9	1,801	778	78.8	613	204	80.4	164	1,590	64.4	1,024
Harper.....	1,744	67.2	1,171	.....	.....	.....	789	73.9	583	955	61.6	588
Haskell.....	3,974	51.4	2,043	.....	.....	.....	1,611	58.5	943	2,363	46.5	1,100
Hughes.....	7,005	60.6	4,243	1,811	79.4	1,438	1,889	60.8	1,148	3,305	50.1	1,657
Jackson.....	6,159	70.7	4,355	2,414	77.9	1,880	1,151	71.0	817	2,594	63.9	1,658
Jefferson.....	3,837	59.9	2,298	.....	.....	.....	1,864	63.6	1,185	1,973	56.4	1,113
Johnston.....	3,878	49.2	1,908	.....	.....	.....	1,565	57.1	894	2,313	43.9	1,014
Kay.....	13,218	82.8	10,945	8,238	87.9	7,238	2,113	75.2	1,589	2,867	73.9	2,118
Kingfisher.....	4,220	75.5	3,191	981	78.9	774	759	77.8	591	2,480	73.6	1,826
Kiowa.....	6,191	70.3	4,350	1,538	80.4	1,236	1,682	67.2	1,130	2,971	66.8	1,984
Latimer.....	2,981	46.6	1,391	.....	.....	.....	1,640	50.7	831	1,341	41.8	560
LeFlore.....	10,949	50.7	5,557	1,110	65.7	729	5,612	51.4	2,885	4,227	46.0	1,943
Lincoln.....	7,707	59.7	4,607	814	77.6	632	2,494	70.5	1,758	4,399	50.4	2,217
Logan.....	7,045	70.4	4,967	2,927	79.8	2,335	1,471	68.1	1,001	2,647	61.6	1,631
Love.....	2,772	53.9	1,494	.....	.....	.....	866	63.8	553	1,906	49.4	941
McClain.....	4,646	60.2	2,796	874	78.2	684	1,071	57.1	611	2,701	55.6	1,501
McCurain.....	9,754	38.9	3,796	1,086	54.8	595	3,162	46.4	1,466	5,506	31.5	1,735
McIntosh.....	5,395	48.9	2,641	.....	.....	.....	1,775	58.5	1,039	3,620	44.2	1,602
Major.....	3,188	66.1	2,109	.....	.....	.....	1,030	75.4	777	2,158	61.7	1,332
Marshall.....	2,987	56.5	1,687	718	81.6	586	550	47.5	261	1,719	48.8	840
Mayes.....	5,428	52.7	2,885	732	85.2	624	1,802	54.6	985	2,894	44.1	1,276
Murray.....	3,424	63.7	2,192	1,244	76.5	951	864	62.8	543	1,316	53.1	698
Muskogee.....	16,910	63.8	10,801	9,309	78.1	7,272	3,274	49.1	1,608	4,327	44.4	1,921
Noble.....	4,096	77.3	3,168	1,488	81.5	1,213	764	78.0	596	1,844	73.7	1,359
Nowata.....	4,193	63.4	2,659	1,191	75.0	894	1,180	61.4	724	1,822	57.1	1,041
Okfuskee.....	6,270	52.9	3,313	1,144	76.6	876	1,778	56.4	1,002	3,348	42.9	1,435
Oklahoma.....	69,951	85.2	59,619	61,360	87.3	53,542	4,761	78.2	3,721	3,830	61.5	2,356

OKLAHOMA—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Okmulgee.....	12,909	64.5	8,331	6,509	77.2	5,022	2,983	58.1	1,733	3,417	46.1	1,576
Osage.....	10,797	74.2	8,020	2,505	78.8	1,976	5,190	77.8	4,036	3,102	64.7	2,008
Ottawa.....	10,119	68.5	6,945	4,282	77.1	3,301	3,605	64.4	2,321	2,232	59.3	1,323
Pawnee.....	4,588	66.7	3,079	1,443	83.0	1,197	1,026	64.1	657	2,119	57.8	1,225
Payne.....	9,969	77.4	7,709	5,241	87.4	4,583	1,802	72.8	1,313	2,926	62.0	1,813
Pittsburgh.....	11,560	63.2	7,319	4,279	75.5	3,232	3,376	57.7	1,949	3,905	54.8	2,138
Pontotoc.....	10,155	68.6	6,987	4,263	84.8	3,615	2,303	62.8	1,447	3,589	53.6	1,925
Pottawatomie.....	14,134	70.9	10,022	6,313	83.3	5,261	3,213	69.7	2,238	4,608	54.8	2,523
Pushmataha.....	4,639	42.6	1,969	904	37.8	540	1,528	36.3	555	2,207	39.6	874
Roger Mills.....	2,838	56.5	1,603	.....	.....	.....	810	70.0	567	2,028	51.1	1,036
Rogers.....	5,438	60.1	3,266	1,172	81.2	951	1,548	66.8	1,034	2,718	47.1	1,281
Seminole.....	15,138	66.3	10,052	5,846	79.3	4,638	5,411	71.6	3,873	3,881	39.7	1,541
Sequoyah.....	5,277	37.4	1,976	.....	.....	.....	1,792	52.3	937	3,485	29.8	1,039
Stephens.....	8,029	66.8	5,370	3,439	83.0	2,854	1,172	58.6	687	3,418	53.5	1,829
Texas.....	2,745	71.9	1,972	.....	.....	.....	1,480	76.1	1,126	1,265	66.9	846
Tillman.....	5,618	70.2	3,944	1,473	76.9	1,133	1,229	71.5	879	2,916	66.2	1,932
Tulsa.....	54,645	84.9	46,414	43,056	89.6	38,570	8,051	70.3	5,658	3,538	61.8	2,186
Wagoner.....	5,147	45.5	2,348	1,008	64.1	646	1,206	41.9	506	2,933	40.8	1,196
Washington.....	8,624	80.0	6,899	4,810	90.5	4,351	2,027	68.7	1,393	1,787	64.7	1,155
Washita.....	5,838	72.1	4,212	822	80.4	661	1,187	74.2	880	3,829	69.8	2,671
Woods.....	4,255	78.5	3,339	1,556	86.9	1,352	897	77.0	691	1,802	71.9	1,296
Woodward.....	4,052	71.4	2,890	1,591	82.1	1,306	735	69.9	514	1,726	62.0	1,070
State Total.....	610,481	68.8	420,182	254,779	83.5	212,531	139,605	64.6	90,161	216,097	54.4	117,490

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Enid.....	Garfield	8,353	86.6	7,235
Muskogee.....	Muskogee	9,309	78.1	7,272
Oklahoma City.....	Oklahoma	59,494	87.2	51,859
Tulsa.....	Tulsa	41,344	89.9	37,170

NAB Research Department

June 11, 1942

FEDERAL COMMUNICATIONS COMMISSION

FLY FOR ENGINEER DEFERMENT

Discussing the personnel troubles of broadcast stations at the present time because of the war situation, James Lawrence Fly, FCC chairman, at a press conference on Monday of this week said that he hoped that engineers and technicians would think well before making any moves which would leave the stations and the public in the lurch.

Speaking of this problem of personnel help at the stations Mr. Fly said in part:

"The problem of our employees in the broadcast industry—I am referring, of course, to engineers and technical experts—is rapidly getting no better. Naturally there has been a great strain on the personnel in the broadcasting industry due to opening up of other technical jobs and to a certain extent due to the desire to get into something which seemingly was more active in terms of war work.

"As you know the DCB has given this matter considerable attention and the Commission in particular has lowered its requirements for skilled personnel on two or three different occasions in order to get the greatest assurance of continuity of service

from what we thought was the minimum requirements from the standpoint of technical skill and qualifications. We were hopeful that that would assist the small stations in particular. I find the small stations throughout the country are harder hit than the big stations. . . .

"It will be too bad if we have a shortage in the industry and not at all fortunate that the little stations are going to be the ones hit worse. Particularly since the big stations are tending to draw those people from the little ones. I think the little stations are less in position to protect themselves in this situation than the big ones are. I hope to see that process of movement from one station to another slowed down if it can consistently be done. I think in the back of the whole thing may be an assumption that the broadcast industry is not essential in time of war—those of us at this end of the line and the industry feel that it is very essential in time of war. Something that affects the people in terms of mass communication, in terms of information, and perhaps fully as importantly in terms of existing morale.

"It can hardly be over emphasized and I think it is clear that anyone that stays with broadcasting stations and does a real job toward keeping the station on the air is doing something affirmatively to aid in the war effort. I certainly don't want to discourage anyone moving toward an active part in fighting the war but this business of trying to nudge seemingly closer to the war I think may be based upon the superficial assumption that the broadcasting industry is not doing a real job in the war. I think it is doing a real substantial job and is bound to continue to do a real substantial job. We have all got to keep it going for that reason and the knowledge of the significance of broadcasting is a

real reason why we have done all we could to keep it going—so it would keep going without any lowering of standards and without any lessening of service for the full duration, and I am hopeful that skilled personnel will think twice before leaving the industry and people in the lurch here.

"Anything we can do here on the problem we are going to do. We are going to make some special studies along with the War Manpower Commission and Selective Service people—try to make some surveys of the situation and assist in any way we can to see that the man power we have got available will do the best job possible for all concerned. I don't know whether Selective Service will want to establish any policy of deferments or not but I should think that in any balancing of the interest of different activities that broadcasting ought to stand pretty high in the list."

FLY NOMINATED AGAIN

President Roosevelt on Monday of this week renominated James Lawrence Fly as chairman of the Federal Communications Commission. Mr. Fly was sworn in as chairman of the FCC on September 1, 1939, succeeding the former chairman, Frank McNinch. The Fly nomination is for a period of 7 years from July 1, 1942.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 22. They are subject to change.

Tuesday, June 23

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, 1230 kc., 250 watts, unlimited.

Wednesday, June 24

Further Hearing

NEW—South Florida Broadcasting, Inc., Miami, Fla.—C. P., 1450 kc., 250 watts, unlimited.

Thursday, June 25

WMAN—Richland, Inc., Mansfield, Ohio.—Renewal of license, 1400 kc., 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WEAN—The Yankee Network, Inc., Providence, R. I.—Granted modification of construction permit (B1-MP-1564) for changes in directional antenna and extension of commencement and completion dates; granted subject to further order of the Commission to require appropriate readjustment when conditions make it feasible.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted Special Service Authorization to expire November 10, 1942, to make changes in directional antenna for night use; granted with provision specifying that no operation under this Special Service Authorization will be permitted during the broadcast day until equipment tests have been made and proof of performance submitted and approved to show

that the operation of the directional antenna system complies with the engineering data submitted with the application.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wisc.—Granted construction permit (B4-P-3473) to install new RCA 250-K transmitter.

WNBC—State Broadcasting Corp., New Britain, Conn.—Granted modification of license (B1-ML-1125) to move studio from New Britain to Hartford, Conn.

WGTM—Penn Thomas Watson, Wilson, N. C.—Granted authority to install new automatic frequency control (B3-F-247).

KTHS—Hot Springs Chamber of Commerce (Assignor), Radio Broadcasting, Inc. (Assignee), Hot Springs, Ark.—Granted consent to assignment of license (B3-AL-340) of Station KTHS, Hot Springs, Ark., from Hot Springs Chamber of Commerce to Radio Broadcasting, Inc.

WMRN—Frank E. Mason and Ellen Mason (Transferors), Howard F. Guthery and Florence Guthery (Transferees), Marion, Ohio.—Granted consent to voluntary transfer of control of The Marion Broadcasting Co., from Frank E. Mason and Ellen Mason to Howard F. Guthery and Florence Guthery, for a total consideration of \$13,000, representing 130 shares of outstanding capital stock.

HEARINGS DESIGNATED

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Designated for hearing application (B3-P-3438) for construction permit to operate on 550 kc., 100 watts night, 250 watts local sunset, unlimited time.

WDSU—WDSU, Inc., New Orleans, La.—Designated for consolidated hearing with applications for renewal of licenses of WMIS and WGRM, listed below, the application of WDSU for renewal of license (B3-R-449), and construction permit (B3-P-3424) to reinstate (B3-P-2929, as modified), for new transmitter, move of transmitter locally, increase in power and installation of directional antenna for day and night use.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Designated for hearing application for renewal of license (B3-R-1127) to be consolidated with WDSU hearing.

WGRM—P. K. Ewing, Greenwood, Miss.—Designated for hearing application for renewal of license (B3-R-847) to be consolidated with WDSU hearing.

CASES DISMISSED WITHOUT PREJUDICE

In its Memorandum Opinion of April 27, the Commission stated its policy, among other things, not to grant applications involving the use of materials for construction of new standard and FM broadcast stations. The Commission, in view of this policy, dismissed without prejudice the applications for new standard broadcast stations of the following:

Confederate Broadcasting Co., Marietta, Ga. (B3-P-3486); Walter H. Nelson, Cadillac, Mich. (B2-P-3485); Harold L. Sudbury, May McCutchen and O. W. McCutchen, d/b as Sikeston Broadcasting Co., Sikeston, Mo. (B4-P-3431); J. A. Eisele, Ft. Worth, Tex. (B3-P-3425); Green Mountain Broadcasting Corp., Inc., Brattleboro, Vt. (B1-P-3422); W. J. Harpole and J. C. Rothwell, a partnership, Plainview, Tex. (B3-P-3420); L. J. Duncan, Leila A. Duncan, Josephine A. Keith, and Effie H. Allen, d/b as Valley Broadcasting Co., Columbus, Ga. (B3-P-3415); Portland Broadcasting Co., Portland, Ore. (B5-P-3386); Etowah Broadcasting Co., Gadsden, Ala. (B3-P-3361); Walter S. Dunn, Gilmore N. Nunn, J. Lindsay Nunn and Sanford Holt, a partnership, d/b as Danville Broadcasting Co., Danville, Ky. (B2-P-3356); WJPS, Inc., Evansville, Ind. (B4-P-3293); KTOP, Inc., Topeka, Kans. (B4-P-3456); Sikeston Community Broadcasting Co., Sikeston, Mo. (B4-P-3447); B. Loring Schmidt, Salem, Ore. (B5-P-3443); William Price, Burlington, N. C. (B3-P-3163); Burlington Broadcasting Co. (R. B. Terry, D. A. Rawley, Stanley A. Cook, Rudy Fonville, d/b as Burlington, N. C. (B3-P-2490); Radio Corporation of Orlando, Orlando, Fla. (B3-P-2806); Contra Costa Broadcasting Co., Richmond, Calif. (B5-P-2964); Birney Imes, Tupelo, Miss. (B3-P-3148); J. I. Sims, Orangeburg, S. C. (B3-P-3169); Howard R. Imboden, Pulaski, Va. (B2-P-3346); R. B. Terry, D. A. Rawley, C. M. Waynick and H. A. Cecil, d/b as High Point Broadcasting Co., High Point, N. C. (B3-P-2491).

Like action was taken on the applications for new FM broadcast stations of the following:

Star-Times Publishing Co., St. Louis, Mo. (B4-PH-2); The A. S. Abell Co., Baltimore, Md. (B1-PH-27); Ashland Broadcasting Co., Ashland, Ky. (B2-PH-39); The Pulitzer Publishing Co., St. Louis, Mo. (B4-PH-30); The Gazette Co., Cedar Rapids, Iowa (B4-PH-77); Courier-Journal and Louisville Times Co., Louisville, Ky. (B2-PH-88); Gibraltar Service Corp., Philadelphia, Pa. (B2-PH-92); E. Anthony and Sons, Inc., New Bedford, Mass. (B1-PH-98); United Broadcasting Co., Cleveland, Ohio (B2-PH-99); Indianapolis Broadcasting, Inc., Indianapolis, Ind. (B4-PH-103); The Evening Star Broadcasting Co., Washington, D. C. (B1-PH-108); Globe-Democrat Publishing Co., St. Louis, Mo. (B4-PH-110); Tribune Building Co., Oakland, Calif. (B5-PH-113); The Sun Co. of San Bernardino, San Bernardino, Calif. (B5-PH-114); The Outlet Co., Providence, R. I. (B1-PH-22); Cherry & Webb Broadcasting Co., Providence, R. I. (B1-PH-84); Boston Edison Co., Boston, Mass. (B1-PH-100).

Like action was taken on applications for 500 kilowatts of the following:

WJZ, National Broadcasting Co., Inc., New York, N. Y. (Docket 3963).
WGN, WGN, Inc., Chicago, Ill. (Docket 3985).
KFI, Earl C. Anthony & Co., Los Angeles, Calif. (Docket 4095).
WJR, The Goodwill Station, Detroit, Mich. (Docket 4091).
WSM, The National Life & Accident Insurance Co., Nashville, Tenn. (Docket 4092).
WOR, Bamberger Broadcasting Service, Inc., Newark, N. J. (Docket 4110).
WGY, General Electric Co., Schenectady, N. Y. (Docket 4230).
WSB, Atlanta Journal Co., Atlanta, Ga. (Docket 4419).
WHO, Central Broadcasting Co., Des Moines, Iowa (Docket 5322).

MISCELLANEOUS

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification (B3-MT-1577) of construction permit (B3-P-2944) for extension of completion date from June 15 to August 15, 1942.
WCLS—WCLS, Inc., Joliet, Ill.—Granted license (B4-L-1669) to cover construction permit (B4-P-3455) which authorized move of transmitter.
WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1396).
WCAH—Board of Education, City of Buffalo, Buffalo, N. Y.—Granted modification (B1-MPED-12) of construction permit (B1-PED-24) for new non-commercial educational broadcast station, for extension of commencement and completion dates to March 27 and September 27, 1943, respectively.
WBEZ—Board of Education, City of Chicago.—Granted modification (B4-MPED-11) of construction permit (B4-PED-22, for new non-educational broadcast station), for change in transmitter location to 79 West Madison St., Chicago, for changes in antenna system, and extension of commencement and completion dates from 9-29-41 and 7-1-42, to date of grant hereof and 180 days thereafter, respectively.
W65H—WDRG, Inc., Hartford, Conn.—Granted modification (B1-MPH-90) of construction permit (B1-PH-35) for new FM station, for extension of completion date to 12-14-42.
KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted modification (B3-MP-1581) of construction permit (B5-P-2422) for extension of completion date from June 1 to July 1, 1942.
WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Granted modification (B3-MP-1578) of construction permit (B3-P-1250) for extension of completion date from June 1 to August 1, 1942.
Chambersburg Broadcasting Co., Chambersburg, Pa.—Granted petition of applicant to dismiss without prejudice their application for a new station (Docket 6272), and ordered such application dismissed accordingly.
Mosby's, Inc., Anaconda, Mont.—Granted motion for continuance of hearing now scheduled for June 8 to July 8, in re application for a new station.
WHIP—George F. Courier, Transferor; John W. Clarke, Transferee; Hammond-Calumet Broadcasting Corp., Licensee, Hammond, Ind.—Granted petition for reconsideration of application for consent to the transfer of control of Ham-

mond-Calumet Broadcasting Corp., licensee of Station WHIP, from George F. Courier to John W. Clarke; cancelled hearing heretofore scheduled, and granted application upon condition that nothing contained herein shall be construed as a finding upon or with respect to an approval of any future transfers (including relinquishments) of control of the licensee which might arise out of further stock transfers, the exercise of voting privileges thereon, or otherwise, or the future exercise of control over the station by anyone other than the licensee.

WKAL, Inc., Kalamazoo, Mich.—Denied petition for grant of application for a new station to operate on 1230 kc., 250 watts, unlimited time, and on its own motion the Commission amended the notice of hearing heretofore released on the application substituting an issue referring to the Commission's Memorandum Opinion of April 27, 1942.
WGRC—Northside Broadcasting Corp., New Albany, Ind.—Granted motion for leave to amend petitioner's application to request 790 kc., 1 KW, unlimited, using DA, and on its own motion the Commission continued hearing now set for June 22 on this application and that of Kingsport Broadcasting Co., Kingsport, Tenn., Docket 6249, until July 22, 1942.
WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted motion for continuance of hearing now set for June 19 to July 21, on application for construction permit (B3-ML-1130).
WMAN—Richland, Inc., Mansfield, Ohio.—Granted motion for continuance of hearing now set for June 25 to July 27 on application for renewal of license.
WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing now set for June 23 to July 23, on application for modification of license.
KRKO—Lee E. Mudgett, Everett, Wash.—Granted petition for leave to amend its application for construction permit to substitute "The Everett Broadcasting Co., Inc.," as the applicant and to change the application to a "modification of license" instead of a construction permit.
Minor E. Bragg and Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.—Granted petition to dismiss without prejudice application for construction permit (B3-P-3426).
WCLE—United Broadcasting Co., Cleveland, Ohio.—Denied motion for leave to intervene in the hearing on the applications of WGAR, Cleveland, and WADC, Tallmadge, Ohio, for construction permits to operate on 1220 kc.; exceptions noted by counsel for petitioner.

APPLICATIONS FILED AT FCC

600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Authority to determine operating power by direct measurement of antenna power.

620 Kilocycles

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to install new transmitter, changes in directional antenna for day and night use and increase in power from 500 watts night, 1 KW day to 5 KW. Amended: to request modification of license for increase in power from 500 watts night, 1 KW day to 1 KW, using directional antenna night.

630 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—License to cover construction permit (B5-P-2663) as modified, for increase in power, install new transmitter, and make changes in directional antenna.

KVOD—Colorado Radio Corp., Denver, Colo.—Authority to determine operating power by direct measurement of antenna power.

640 Kilocycles

WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit to install new transmitter and directional antenna from sunset at Beckley, W. Va., to sunset at Los Angeles, Calif.,

change frequency from 1240 kc. to 640 kc., increase power from 250 watts to 1 KW, and change hours of operation from unlimited time to limited time. Facilities of WHKC contingent on WHKC going to new frequency. Amended: to omit request of new transmitter, directional antenna, and facilities of WHKC, and to request 560 kc., 100 watts night, 250 watts day, unlimited time.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-P-3261, as modified, for a new station) for extension of commencement and completion dates from 1-13-42 and 7-13-42 to 7-13-42 and 9-13-42 respectively. Amended: to request extension of completion date to 1-13-43.

1300 Kilocycles

WOOD—King Trendle Broadcasting Corp., Grand Rapids, Mich.—Modification of construction permit (B2-P-2874, which authorized increase in power, installation of new transmitting equipment and directional antenna for night use, and move of transmitter and studio) for changes in type of transmitting equipment and changes in directional antenna.

1310 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—License to cover construction permit (B3-P-2641) as modified, for increase in power, installation of directional antenna for night use, and move of transmitter.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Authority to determine operating power by direct measurement of antenna power.

1330 Kilocycles

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit to increase power from 1 to 5 KW, install new transmitter, install directional antenna for night use and move transmitter.

1400 Kilocycles

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—License to cover construction permit (B3-P-3488) for rebuilding station destroyed by fire and move studio.

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Authority to determine operating power by direct measurement.

1490 Kilocycles

KOVC—KOV, Inc., Valley City, N. Dak.—Modification of license to cover changes in vertical antenna affected by storm.

TELEVISION APPLICATION

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile.—Modification of construction permit (B1-PVB-46) as modified for a new television relay station, requesting extension of completion date from 7-7-42 to 1-7-43.

MISCELLANEOUS APPLICATIONS

WEJO—National Broadcasting Co., Inc., Portable-Mobile (Area of Cleveland, Ohio).—Modification of license for change in area normally served by station from Cleveland, Ohio, to San Francisco, Calif., and change in standard station with which it is to be used from WTAM, Cleveland, Ohio, to KPO, San Francisco, Calif.

KEJG—National Broadcasting Co., Inc., Portable-Mobile (Area of Denver, Colo.).—Modification of license for change in area normally served by station Denver, Colo., to San Francisco, Calif., and change in standard station with which it is to be used from KOA, Denver, Colo., to KPO, San Francisco, Calif.

KVOS—KVOS, Inc., Bellingham, Wash.—Modification of construction permit (B5-P-3237) for installation of new transmitter, install directional antenna for day and night, change in frequency, increase in power and move transmitter, requesting extension of completion date from 6-28-42 to 12-28-42.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

California Brewing Association—An amended and supplemental complaint charging misrepresentation in the sale of Acme Beer has been issued against Acme Breweries, trading as California Brewing Association, 762 Fulton St., San Francisco, and Acme Brewing Co., 2080 East 49th St., and Bohemian Distributing Co., Ltd., 2060 East 49th St., Los Angeles. (2888)

Roebling Luggage Corp., 121 Liberty St., New York, in a complaint is charged with misrepresentation in the sale of trunks, luggage, leather goods, sporting goods and novelties. (4771)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Maurice L. Myers, trading as Charles B. Joyce Co., 2425 North Halstead St., Chicago, has been ordered to cease and desist from selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. Commission findings are that the respondent, dealing in radios, clocks, flashlights and other novelty merchandise, sold assortments of articles so packed and assembled as to involve the use of a lottery scheme when the merchandise was distributed to consumers. One assortment, according to findings, consisted of a radio together with a punch board device. (4476)

Segal Lock & Hardware Co., Inc., its subsidiary, Norwalk Lock Co., and Louis Segal, president of both corporations, all of 261 Broadway, New York, has been ordered to cease and desist from misrepresentation in the sale of a lock cylinder designated the "Segal Pick-Proof," and from unfairly disparaging competing products. (3896)

Shepherd's Tailoring Co., Inc., and Walter H. Hahn and William Trignani, officers and directors of the corporation, 1102 Walnut St., Philadelphia, have been ordered to discontinue lottery methods and misrepresentation in the sale of men's suits or other garments. (4716)

A. E. Staley Mfg. Company—Prohibiting price discriminations in connection with the sale of glucose, in violation of the Robinson-Patman Act, a cease and desist order has been issued against A. E. Staley Manufacturing Co. and The Staley Sales Corp., Decatur, Ill. (3803)

Ultra-Violet Products, Inc., 5205 Santa Monica Blvd., Los Angeles, has been ordered to cease and desist from misrepresenting the therapeutic value of a lamp designated "Life Lite," which radiates ultra-violet rays and is intended for use in the treatment of various ailments and diseases. (4407)

Webster Electric Co., Racine, Wis., has been ordered to cease and desist from misrepresentation in the sale of fuel units for oil burners. According to Commission findings, the respondent formerly advertised that its fuel unit was the only device of its kind which had the outboard bearing outside of the seal, and that its unit had the largest capacity of any unit on the market, when such were not the facts. The Commission's order directs the respondent to discontinue these representations. (4456)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Carleton Woolen Mills, Inc.—A stipulation to cease and desist from branding a wool product known as "collar cloth" in a manner contrary to the provisions of the Wool Products Labeling Act of 1939 has been entered into by Carleton Woolen Mills, Inc., Rochdale, Mass., and Edward P. Leveen, Sr., and Anna M. Leveen, co-partners trading as Edward P. Leveen & Co., 19 Union Square, West, New York. The product, used as a reinforcement for the under side of coat collars, is manufactured by the Carleton Company and sold and distributed to the trade by the Leveen co-partnership. (3489)

Coffelt Chemical Co., Inc., 700 Elton Ave., New York, have entered into a stipulation to cease and desist from representing that the preparation designated "Coffelt's Never Failing Hair Coloring" nourishes or rejuvenates the hair, or, through use of the word "restores" or by any other means, that it restores the original or natural color of the hair. (02992)

Electric Household Utilities Corp., trading as Hurley Machine Division of Electric Household Utilities Corp., 54th Ave. and Cermak Road, Chicago, in the sale of washing machines, stipulated to cease advertising that "Thor Washers" are guaranteed or warranted, without plainly disclosing the exact terms and conditions of such guaranty or warranty. (02991)

General Foods Corp., 250 Park Ave., New York, stipulated it will cease representing that in cake baking its product designated "Swans Down Cake Flour" is preferred to any other flour by "three times as many women," or that three times as many home bakers use "Swans Down" as any other cake flour, without plainly excluding from such comparison all-purpose flour. (02993)

Gloucester Fish Pier Fillet Co., Inc., Gloucester, Mass., entered into a stipulation to cease and desist from use of the word "perch" to describe rosefish, and the word "perch," either alone or with the words "sea" or "ocean," in referring to rosefish, to imply that the fish so designated is perch or yellow perch. The stipulation provides that when the words "sea perch" or "ocean perch" are used to refer to rosefish, they shall be accompanied by the word "rosefish." (3491)

Gordon Brothers, 654 Grand St., Brooklyn, engaged in the sale of a portable Turkish bath cabinet designated "Perspir-ator," entered into a stipulation to discontinue representing that use of the device is a cure or remedy for excess weight, or that it will keep the pores open, cure colds, help replace sallow sluggish skin with a healthy youthful glow and help to eliminate blackheads, or the cause of skin blemishes. (02994)

Mahdeen Co., Nacogdoches, Tex., has entered into a stipulation to cease representing that the preparation designated "Mahdeen" is a competent treatment or an effective remedy for dandruff, itching scalp or falling hair; that millions of users have found that Mahdeen produces or maintains perfect scalp health and revitalizes hair health; that Mahdeen has the capacity to eradicate dandruff or accomplish more than removal of the exfoliated scales of dandruff; and that the preparation promotes the growth of hair and is a competent remedy for the treatment of exematic scalp trouble or any similar affliction. (3487)

Pompeian Company, Inc.—An amended and substitute stipulation to discontinue certain representations in the sale of a cleansing agent for the skin designated "Pompeian Milk Massage Cream" has been entered into by The Pompeian Co., Inc., 4201 Philadelphia Ave., Baltimore, and The Joseph Katz Co., 16 East Mount Vernon Place, Baltimore, an agency which disseminated advertisements for the Pompeian Company. (02736)

J. L. Prescott Co., 27 Eighth St., Passaic, N. J., stipulated to cease and desist from representing that its washing and bleaching solution designated "Oxol" is a sterilizer which kills all germs in dish water within three minutes after being added; that it removes grease stains and removes all stains from tile and porcelain; that Oxol is kind to the hands; and that it has been tested on the viri of common colds and measles and has been found to destroy them. The stipulation is supplemental to Stipulation No. 01239, accepted by the Commission in 1936. (01239)

Raven Mills, Inc., and Lee Earl Simpson and Theodore S. Simpson, Jr., trading as Raven Sales Co., 1215 Broadway, Council Bluffs, Iowa, stipulated that in the sale of a livestock remedy designated Raven "Stopzit" they will discontinue making any representation, the effect of which causes purchasers to believe that the product constitutes an adequate treatment for white scours or scours in sheep, swine or cattle, or that the condition known as white scours is caused by changes in the weather. (3490)

Velva Supply Co.—A stipulation to discontinue certain representations in the sale of permanent wave pads designated "Patriot Croco Pads" has been accepted from Herbert, Sidney R. and Elmer Lipman, trading as Velva Supply Co., Velva Beauty Products and Evans-Crowder Co., 4145 Cass Ave., Detroit. (3488)

FTC CASES DISMISSED

Allegations of unfair competition in violation of the Federal Trade Commission Act, contained in five complaints against cosmetic distributors, have been dismissed by the Federal Trade Commission. The complaints, however, retain the allegations that the respondent distributors have violated the Robinson-Patman Antidiscrimination Act.

The complaints originally alleged that the respondents violated both acts in furnishing the services of demonstrators of cosmetics to the respondents' merchant customers.

The respondents are Richard Hudnut, Hudnut Sales Co., Inc., and William R. Warner & Co., Inc., all of New York (2973); Elmo, Inc., and Elmo Sales Corp., Philadelphia (2974); Charles of the Ritz, Inc., and Charles of the Ritz Distributors Corp., New York (3017); Primrose House, Inc., New York (3039); and Elizabeth Arden, Inc., Elizabeth Arden Sales Corp., and Florence N. Lewis, principal stockholder, all of New York (3133).

The remaining counts of the complaints allege violation of the Robinson-Patman Act through the respondents' practice of furnishing to some customers the services of demonstrators which are not granted to other competing customers on proportionally equal terms.

The complaints against the Richard Hudnut and Elizabeth Arden organizations also retain charges of price discrimination in violation of the Robinson-Patman Act.