



Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON, D. C.

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IMPORTANT NOTICE

NAB By-Laws provide for an annual meeting of the membership at which Directors-at-Large will be nominated and elected and at which any other business pertaining to the Association may be transacted. They further provide that each individual, firm or corporation admitted to active membership "and whose dues are not more than one month in arrears" shall certify one person actively engaged in the business to be its representative in the Association and vote and act for it in all NAB affairs, including the holding of office therein. One vote only is allowed for each active member.

Every member station has been sent a certification card so that it may designate its representative. **Be sure to send these cards in promptly.** Specific attention is also called to the provision regarding payment of dues. Any station whose March, 1943, dues have not been paid by the time of the Conference will be ineligible to vote and any person from that station ineligible to hold office. You are requested to give this matter prompt attention.

Selective Service

McNUTT WRITES FLY

The manpower situation insofar as it affects the broadcasting industry was clarified this week when FCC Chairman James Lawrence Fly made public a letter which he had received from Chairman McNutt of the War Manpower Commission. The letter was as follows:

"I have your communications of March 24 and 27, concerning the local determination of particular radio stations as being essential to the war effort.

"As you know, neither the *List of Essential Activities* nor the *Activities and Occupational Bulletins* relating to the broadcasting services give any basis for differentiation in the essentiality of one radio station as against another. Insofar as the character and content of broadcasting services are similar as between individual radio stations and such services are deemed related to the war effort, no distinction can be drawn as between particular stations. You recognize, of course, that this interpretation does not assure automatic deferment for all persons in essential occupations in broadcasting services. I have called your communications to the attention of the Bureau of Selective Service and requested that they inform their representatives in the field that no such determination shall be made. Requests for occupational deferment are made by local Selective Service Boards on an individual basis and not on the basis of particular radio stations in which an individual may be employed. Needs of the armed forces are such as to require withdrawal in some instances of persons in essential occupations in essential activities. It is possible, therefore, for individuals in essential occupations in radio stations to fail to obtain occupational deferment, but such failure, however, is not on the grounds of the lack of essentiality of the individual radio station."

Fly Commends Letter

Fly gave it as his offhand impression that the letter clarifies the manpower situation. "This (the letter)", said Chairman Fly, "I think is in line with the understanding which we have cooperatively arrived at with the War Manpower Commission. In matters of detail arising under it I am sure we will continue to have the cooperation of the Manpower Commission. I am quite happy to have this letter and I agree to give it to you for such assistance as it may render to the industry."

The Chairman said FCC had never asked the Manpower Commission to assure broadcast stations that all radio employees should be deferred. The Manpower Commission was asked, Fly said, to recognize the broadcast

(Continued on page 156)

Radio War Conference

Palmer House, Chicago, April 27-29

The War and Radio's part in the War are of vital concern to you as an American citizen and as a broadcaster. The War Conference is an assignment in the war interest as well as a civic responsibility. Your participation and attendance are necessary to successful operation of War Radio. Avail yourself of the privilege of pre-registration. Send your cards and checks to NAB.



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

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Neville Miller, *President*

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SELECTIVE SERVICE

(Continued from page 155)

industry as an essential industry and certain of its activities as essential. That has been done.

CLASS 3-B DROPPED BY PHILADELPHIA DRAFT BOARDS

(This story was rewritten from *The Philadelphia Inquirer* of April 8, 1943. Selective Service headquarters has released nothing on this subject.)

Philadelphia draft boards Monday dropped Selective Service Classification 3-B and created a new classification, 3-D, according to a page one story in the *Philadelphia Inquirer*.

Class 3-B heretofore included married men and men with collateral dependents engaged in any one of the 35 essential industries as defined by WMC. These men will be re-classified according to their merits.

Class 3-D will include men upon whom induction would incur "extraordinary hardship," primarily financial so far as family or dependency support is concerned.

Class 3-A will consist of fathers, maintaining a home, who have children conceived prior to December 7, 1941, and born before September 14, 1942.

WMC WANTS TO AVOID NATIONAL SERVICE ACT

(Released by NAB News Bureau April 6.)

War Manpower Commission is literally "bending over backward" to procure men for the armed forces and to provide for needs of essential civilian activity without, it is hoped, having to resort to further legislation such as a National Service Act, Russell P. Place, NAB general counsel, stated last week in a release to the trade.

"During the last three months, a welter of confusing and often seemingly conflicting press releases have appeared in the papers with reference to classification and induction of registrants," Place's statement read.

"By means of legitimate pressure, permissible under the Act and Regulations, WMC is seeking to force registrants into essential activities.

"Net result is that registrants are confused and uncertain as to their status now and in the future. With about 40 million registrants concerned, impact of Selective Service on the people is second only to the war itself.

Stress "How to Stay Out"

"Effect of the publicity seems to have been to place stress on how to stay out of the Army, rather than on when induction is likely to occur. Such a major disruption of normal life as induction calls for vital rearrangements of business and personal affairs.

"The American people should be told as nearly accurately and as far in advance as possible of the imminence of induction. Uncertainty breeds fear and discontent; a measure of certainty should result in confidence and better planning by registrants and employers.

"It is common knowledge that the day when registrants with children will be inducted, and many already have been, is not far off. Reclassification into 1-A and, in many cases, determination of appeals, must precede induction. Is it not wise now to announce the date their reclassification will begin and to give a reasonably definite indication of the time when their induction will take place?"

DEFERMENT OF RADIO REPAIRMEN

Local boards have been officially informed by national headquarters of Selective Service System that Radio Repair Services are an essential activity and Radio Repairman is an essential occupation in support of the war effort. Previously included in Occupational Bulletin No. 42, this information, issued for the guidance of local boards in determining claims for occupational deferment, is now included in Activity and Occupation Bulletin No. 31, effective March 1, 1943.

When an employer has sought occupational deferment of a radio repairman by filing Form 42-A with his local board, and the local board has classified the registrant 1-A, the employer should appeal the case to the Board of Appeals. Appeal must be taken within ten days from the date of the mailing of the notice of classification, copy of which is mailed to the employer as well as to the registrant. In order to take an appeal, the employer should write a letter to the local board to that effect, or sign the appeal form on the back of the registrant's questionnaire. Employers have this right, although it has been reported to NAB that some local boards have advised employers to the contrary. If the registrant is self-employed, he himself may take appeal.

War Conference Reservations

Priorities for the NAB membership on room and suite reservations at the Palmer House will expire April 15. After that date all reservations requests will be made in the order received, whether from members, non-members or others.

TUBES TO BE STAMPED "MR"

Radio tubes currently manufactured to keep home sets in repair will carry familiar brand names instead of the general name, "Victory Line," recently considered by the industry and by the Radio Division of the War Production Board, it is announced today. WPB officials said that brand names will probably be retained for at least ninety days.

Most manufacturers have indicated that they will mark tubes made from materials allotted by the WPB for civilian use by the initials, "M.R." standing for "Maintenance and Repair."

Comment

This move is apparently designed to eliminate the indiscriminate buying of civilian tubes by government field

procurement personnel. This method has previously diverted many tubes from intended civilian use.

WOMEN TECHNICIANS

The International Brotherhood of Electrical Workers has sent to all its broadcast locals a memorandum regarding the admission of women in those stations now operating under contract with the union.

In brief, the union's policy will be to admit women at a reduced initiation fee and to permit their employment as **studio** technicians, the number in each station not to exceed the number of male studio technicians.

HAROLD FAIR ACCEPTS PROGRAM COMMITTEE CHAIRMANSHIP

Harold Fair, program director of WHO, has accepted the appointment of chairman of the newly organized NAB program directors executive committee. Fair will begin active functioning in his new post when he presides at the program directors executive committee dinner and round table Tuesday, April 27, at the NAB War Conference in Chicago.

FLY GETS NEW SECRETARY

Appointment of Norman E. Jorgensen as secretary to Chairman James Lawrence Fly has been announced by the FCC.

Born July 23, 1908, in Chicago, Jorgensen was educated in Chicago schools, receiving from the University of Chicago his Ph.B. in 1933, and J.D. in 1943. He is married and has two children.

Before coming to the FCC, Jorgensen worked in the sales department of the Firestone Tire & Rubber Company during 1933, and through 1940 was employed by Chalmers and Co., merchandise distributors, Iron Mountain, Mich., where he became sales manager. Most recently he was the Editor-in-Chief of the University of Chicago Law Review.

STORER TO NAVY

The Navy department has confirmed appointment of George B. Storer, president of Fort Industry Co., headquarters station WSPD, Toledo, Ohio, as lieutenant-commander. Storer, whose interests embrace the steel industry, will be inspector of material stationed at Chicago, Illinois.

CONFIDENCE MEN AT LARGE

With the increasing turnover in station personnel, unreliable and shady characters are seeking to exploit some stations. Recently we received a letter from an eastern station telling of a "deadbeat" who got on the payroll, cashed several no account checks and otherwise used the station.

NAB cannot pass upon the qualifications of men seeking employment, nor upon their reliability.

We ask any station managers who have been victimized to send us the name of the individual, all of the facts about his activities and such other material as may be pertinent.

Any time a station manager desires information about persons seeking employment, inquiry may be made of NAB and we will advise if the person is listed with us as one of those not worthy of employment, and provide the facts as they have been filed with us.

STATE LEGISLATION

Illinois:

S. 259 (Madden) **BEAUTY CULTURE ADVERTISING**—An act relating to the practice of beauty culture by advertising the prices for services performed by any registrant. Referred to Committee on License and Miscellany.

Ohio:

H. 180 (Griffin) **SALE OF APPLES**—To promote the consumption and sale of apples by providing for research and an advertising sales promotion campaign to increase the consumption of Ohio grown apples; to levy and collect an assessment; to create the Ohio state apple authority and to define its powers and duties; to provide penalties for violation of this act. Reported by Sub. in House.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, April 12. It is subject to change.

Monday, April 12

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Modification of license, 1330 kc., 100 watts night, 250 watts day, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted extension of Special Service Authorization for period ending August 25, 1943 (B5-SSA-70).

WJW—WJW, Inc., Akron, Ohio.—Granted modification (B2-MP-1705) of construction permit (B2-P-3263, as modified), for change of transmitter location to north side of North Royalton Rd., between Ridge Rd. and State Rd. #94, Cuyahoga County, Ohio, part (c) of conditional clause to be modified to read as follows: "The nuisance contour (0.25 mv/m) of WJW shall be determined by measurements under actual operating conditions;" and for extension of commencement and completion dates.

KVAK—Carl Latenser (Assignor), S. H. Patterson (Assignee), Atchison, Kans.—Granted consent to voluntary assignment of license (B4-AL-361) of station KVAK, from Carl Latenser to S. H. Patterson, for a total consideration of \$9,500.00 (Commissioner Payne voting "No").

WKBB—Sanders Bros. Radio Station (Assignor), Dubuque Broadcasting Co. (Assignee), Dubuque, Iowa.—Granted consent to voluntary assignment of license (B4-AL-364), of station WKBB, from Sanders Bros. Broadcasting Station to Dubuque Broadcasting Co., for a total consideration of \$25,000.00 (Commissioners Payne and Craven voting "No").

WOSH—Howard H. Wilson (Assignor), Oshkosh Broadcasting Co. (Assignee), Oshkosh, Wis.—Granted consent to assignment of license (B4-AL-365) of station WOSH from

Howard H. Wilson to Oshkosh Broadcasting Co., for a total consideration of \$45,000.00.

DESIGNATED FOR HEARING

KWSC—State College of Washington, Pullman, Wash.—Designated for hearing application for modification of license (B5-ML-1155) to change frequency from 1250 to 1030 kc., power and hours of operation from 5 KW, S-KTW, to 1 KW night, 5 KW LS, unlimited. (Requests facilities of KOB.)

KFMB—Warren B. Worcester, deceased (Transferor); The First National Trust and Savings Bank of San Diego, as Trustee under Declaration of Trust for Warren B. Worcester (Transferee); Worcester Broadcasting Corp., San Diego, Calif.—Designated for hearing application for consent to voluntary transfer of control of Worcester Broadcasting Corp., licensee of station KFMB, from Warren B. Worcester, deceased, to The First National Trust & Savings Bank of San Diego, as Trustee, under Declaration of Trust for Warren B. Worcester, together with application for renewal of license to be heard in the same proceeding (B5-TC-315).

LICENSE RENEWALS

KAST—Astoria Broadcasting Co., Astoria, Ore.—Granted renewal of license for the regular period (B5-R-856).

KVAK—Carl Latenser, Atchison, Kans.—Granted renewal of license (B4-R-1006), (Commissioner Payne voting "No").

MISCELLANEOUS

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted modification of construction permit (B1-P-3455) for move of transmitter to corner of Vershire Street and Harriett Avenue, Quincy, Mass., approximately 2.4 miles southwest of the present location; make changes in directional antenna for night use, and extend commencement date to 60 days after grant and completion date to 120 days thereafter. The action taken herein is subject to the express condition that the permittee herein shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external and cross modulation, and submission of proof that the operation of radio station WMEX is not materially affected by the operation herein proposed. Towers to be marked in accordance with specifications issued pursuant to Section 303(q) of the Communications Act of 1934 as amended (B1-MP-1706).

WALB—Herald Publishing Co., Albany, Ga. (Dockets 6398 and 6399), and Herald Publishing Co., and Albany Herald Broadcasting Co., Albany, Ga. (Docket 6400).—Granted request for a continuance of the further hearing now set for April 5, 1943, in re applications of WALB for renewal of license and for construction permit, and application of Herald Publishing Co. (WALB) and Albany Herald Broadcasting Co. for voluntary assignment of license of station WALB; further consolidated hearing continued until April 19, 1943.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted modification of construction permit as modified, which authorized increase in power, installation of new transmitter and directional antenna for night use, and change hours of operation, for extension of completion date from April 1, 1943, to June 1, 1943 (B2-MP-1708).

WASH—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Adopted Order dismissing application for modification of license (B2-ML-1142, Docket 6473), since the license of station WASH was cancelled by the Commission on March 16, 1943, after the facilities were voluntarily surrendered to WASH.

WLW—The Crosley Corp., Cincinnati, Ohio.—Granted petition to dismiss without prejudice application for modification of license to operate with 500 KW day, 50 KW night on 700 kc., using W8XO transmitter.

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Granted motion to dismiss without prejudice application for modification of license to operate on 1330 kc., 100 watts night, 250 watts day, unlimited time.

APPLICATIONS FILED AT FCC

570 Kilocycles

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modification of construction permit (B2-P-2547, as modified, which authorized increase in power, installation of new transmitter and directional antenna for night use, and change hours of operation) for extension of completion date from 4-1-43 to 6-1-43.

1140 Kilocycles

KGDM—E. F. Pepper, Stockton, Calif.—License to cover construction permit (B5-P-3199), as modified, for change in frequency and hours, increase in power, directional antenna for night and new transmitter.

KGDM—E. F. Pepper, Stockton, Calif.—Authority to determine power by direct measurement.

1170 Kilocycles

KVOO—Southwestern Sales Corp., Tulsa, Okla.—License to cover construction permit (B3-P-2539), as modified, for increase in power, change hours and install new transmitter and directional antenna for night.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Authority to determine operating power by direct measurement.

1240 Kilocycles

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Modification of license to change location of main studio from 6th Street and Grand Avenue, Spencer, Iowa, to on U. S. Highways 71 and 18, 0.8 mile North of Spencer, Iowa.

1350 Kilocycles

WORK—York Broadcasting Co., York, Pa.—Modifications of construction permit (B2-P-3205, as modified, for installation of directional antenna for night use) for extension of completion date to 6-18-43.

1370 Kilocycles

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924, as modified, which authorized change of frequency, increase in power, directional antenna for day and night, and new transmitter and move of transmitter), for extension of completion date from 5-1-43 to 11-1-43.

1400 Kilocycles

WCBI—Birney Imes, Columbus, Miss.—Voluntary assignment of license from Birney Imes to BIRNEY IMES, JR.

1450 Kilocycles

WHDL—WHDL, Inc., Olean, N. Y.—Modification of license to change main studio from Olean, N. Y., to 3219 W. State Road, Route 17, Town of Allegany, N. Y.

1480 Kilocycles

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Modification of license to increase power from 1 KW night and 5 KW day to 5 KW day and night, employing directional antenna night.

FM APPLICATION

W39NY—City of New York, Municipal Broadcasting System, New York, N. Y.—License to cover construction permit (B1-PH-83, as modified and which authorized new high frequency broadcast station).

MISCELLANEOUS APPLICATION

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—License for Temporary Class 2 Experimental Broadcast Station.

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 Lima Bean Growers Association, et al.—Violation of the brokerage section of the Robinson-Patman Act is alleged in separate complaints issued against California Lima Bean Growers Association (4939), Oxnard, Calif., and Harry Duvall Childers, trading as H. D. Childers Co. (4938), Mobile, Ala.

National Merchandising Co., and Max H. Greenberg, having their place of business at 326 Erie Building, Cleveland, Ohio, are charged, in a complaint with the use of lottery methods in the sale to ultimate purchasers of sporting goods, silverware, radios, pen and pencil sets and other merchandise. (4936)

Proctor & Gamble Company—A complaint has been issued charging Proctor and Gamble Co., Cincinnati, with misrepresentation of its liquid dentifrice designated "Teel" and with consequent unfair disparagement of tooth pastes and powders sold by competitors. Of the several ingredients contained in Teel, its principal cleansing agent is sodium alkyl sulphate, which possesses detergent qualities similar to those of soap. (4937)

Albert E. Voaden, 211 Charlervoix Building, Detroit, is charged in a complaint with misrepresentation in connection with the sale of printed questionnaire cards and forms intended for use by collection agencies and creditors in obtaining information concerning debtors. The respondent trades under various names, including "Cigarette Smoker's Survey," "Bankers and Merchants Pen Co.," and "Alvin's (No-Lose) Key Chains." (4935)

STIPULATIONS

No stipulations were entered into by the Commission last week.

CEASE AND DESIST ORDERS

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

Atmoray, Inc., 408 N. E. Thompson St., and Atmozone, 2140 N. E. Union Ave., both of Portland, Oreg., manufacturers and distributors of a medical device known as "Atmoray," an ozone generator intended for use in the treatment of various ailments and diseases, have been ordered to cease and desist from false advertising and misrepresentation of the product. (4630)

Gallant Trading Co., Los Angeles, is directed in an order to cease and desist from misrepresentation in connection with the sale of various articles of merchandise, including clothing, shoes, blankets, mattresses and tarpaulins. (4780)

A. & M. Karagheusian, Inc., 295 Fifth Ave., New York, manufacturer and importer of carpets and rugs, has been ordered to cease and desist from representations which tend to mislead purchasers into the erroneous belief that certain of its domestic rugs are Oriental rugs or reproductions of Orientals. The respondent has factories at Freehold and Roselle, N. J., and foreign offices in Tientsin, China, and throughout Persia. (4305)

Marshall Field & Co., Chicago, trading as Karastan Rug Mills, has been ordered to cease and desist from certain misrepresentations in the sale of rugs. (4493)

National Association of Broadcasters

1760 N STREET, N. W. * * * * * WASHINGTON, D. C.

NO. 1

SPECIAL MUSIC BULLETIN

April 9, 1943

TO NAB MEMBERS WHO USE ASCAP PER PROGRAM CONTRACTS

Audits which have been made within the last few weeks have resulted in the making of certain claims by ASCAP field men. Since the NAB has received inquiry on these points from a number of stations, it is making the following information available to all NAB members:

1. Claim has been made for compensation with respect to programs utilizing ASCAP music which follow spot announcements when spot announcements do not take place at station breaks. The Consent Decree signed by ASCAP, and ASCAP's Per Program license are clear on this point. The Consent Decree requires ASCAP to offer to broadcasters a sustaining Per Program license which requires payment only for the sustaining programs on which ASCAP licensed compositions are performed, and as to commercial programs a license requiring only the payment of a percentage of the revenue derived by the licensee for the use of its broadcasting facilities in connection with a commercial program which uses ASCAP music. There is, therefore, no basis for asking for compensation with respect to contiguous programs which do not use ASCAP music.

For instance, if a station presents a five minute newscast, followed by a one minute commercial announcement, followed by a sustaining program of ASCAP music, ASCAP is entitled only to the sustaining fee on the ASCAP musical program. Of course, if the one minute spot uses music licensed by ASCAP, ASCAP is entitled to payment-at the commercial rate on the amount collected from the advertiser for the one minute spot. The local station program commercial license issued by ASCAP specifically provides that compensation shall be paid only on local commercial programs which utilize ASCAP music, and local commercial programs are defined to mean a local program in connection with which a sponsor pays for the use of the broadcasting facilities of the station, including participating programs.

On October 17th the Copyright Committee of Independent Broadcasters, Inc. wrote to all broadcasting stations a letter, which was specifically

approved by John Paine on behalf of ASCAP. Among the examples given in this letter was the following:

"Under the per program contract, the question was asked as to whether ASCAP would make a claim for compensation in respect of a program entitled, for instance, 'Early Morning Club' which runs from 7 to 7:15 A.M. using music and is interrupted by a sponsored fifteen minute straight news program, after which, at 7:31, the second half of the 'Early Morning Club' is broadcast for the balance of the period. The Committee was informed that ASCAP would not expect to be compensated in respect of the revenue derived by the station from the straight non-musical sponsored news program."

This ruling aids in the definition of participating programs. Moreover, in the NAB reports for January 16, 1942 (Volume 10, No. 3) there was published a letter addressed by the NAB to ASCAP, which letter was approved in substance by Mr. Paine, who said of it:

"Undoubtedly what you are seeking to say is the same as what we have in mind . . ."

Among the statements in this letter was the following:

"If you have a Musical Clock or other participating program which broadcasts some music, some news, etc., and the program is listed, announced and billed as one program, the station is obligated to pay ASCAP on the entire program. If, however, this program is broken down into a number of separate programs, for instance, with a news period segregated from the portion of the program which uses ASCAP music, and the portion of the program which uses ASCAP music segregated from the portion of the program which uses BMI, P.D. and other music, so that there will be a number of separate programs instead of one program, a substantial saving may result to the station, and this should be considered by all stations. We understand from the statement of authorized ASCAP representatives at district meetings that even if the newspaper lists the Musical Clock or other participating program under

one name, if it is in fact segregated and station break announcements made between the segments of the program that this will be an adequate division by ASCAP into separate programs.”

2. Questions have been raised with respect to the applicability of the 8% rather than the 2% rate where themes, jingles, etc., are used. The ASCAP commercial per program contract provides that the 2% is applicable on local commercial programs which use compositions licensed by ASCAP only incidentally as bridge or background music, themes or signature, arrangements of works in the public domain, or incidentally to the broadcast of a public or sports event. The claim has been made by ASCAP field representatives that if the composition used as the theme varies from program to program, it will not be considered as theme music and that the full 8% rate must be paid. This claim is unjustified. The reason for the word “signature” and the word “theme” was to distinguish between the invariable signature and the varying theme. So long as the composition is used as theme music, the 2% rate is applicable. Attention is also called to the statement made in the NAB Bulletin of January 16, 1942, already referred to, as follows:

“Authorized representatives of ASCAP have stated at district meetings that if an ASCAP jingle is used on a transcription, and this jingle is the only music that is used, the program is compensable at the 2% incidental rate rather than at the 8% major use of music rate under the per program commercial contract.”

3. ASCAP field men have raised questions with respect to compositions originally licensed directly to broadcasters by independent music publishers and subsequently acquired by ASCAP publishers. It is clear that the licenses originally issued with respect to such compositions remain in full force and effect until cancelled. For instance, Back Bay Music Company of 168 Tremont Street, Boston, Mass., in January, 1941, licensed broadcasting stations with respect to compositions entitled “Somebody Else is Taking My Place” and “Until You Went Away.” “Somebody Else is Taking My Place” was subsequently acquired by an ASCAP publisher member. Stations which received the original licenses from Back Bay Music Co., however, are entitled to perform this work under such license until this license is revoked. Similarly compositions originally licensed by small music publishers through BMI are occasionally acquired by ASCAP firms. Performing rights in

such compositions remain available to broadcasters under their BMI licenses until such time as BMI notifies stations to the contrary. A case in point is the composition “My Devotion”, licensed through BMI by Stover Music Company. This license still remains in force and effect despite the fact that the composition was subsequently acquired and published by an ASCAP member.

4. ASCAP also questions the title of BMI affiliates in certain compositions licensed through BMI. Conspicuous among these is “Song of the Islands”, published by Edward B. Marks Music Corporation. This composition is licensed to broadcasters by BMI and may be performed under BMI license. The Edward B. Marks Music Corporation has indemnified BMI against any claims which may be made by ASCAP or any of its members, and BMI has similarly indemnified all broadcasting stations. The composition, therefore, may continue to be performed under the existing licenses and indemnities. BMI has requested that if any claims are made with respect to compositions licensed through BMI, that such claims should be referred to BMI for attention.

5. Claims have been made by ASCAP field men with respect to Consent Decree licenses issued directly to broadcasting stations. The Consent Decree signed by ASCAP specifically provides that any ASCAP member may license works on a non-exclusive basis directly to broadcasting stations. The Department of Justice has clearly stated that these Consent Decree licenses may be issued either with or without the payment of consideration. Attached hereto is a list of those Consent Decree licenses issued to broadcasting stations which have been brought to the attention of the NAB. All these licenses were issued in a form approved by the Department of Justice and broadcasters are entitled to rely upon these grants. Certain of the Consent Decree licenses have been cancelled subsequent to their issuances and this information appears on the schedule. Broadcasters are not entitled to perform these works under Consent Decree license subsequent to the date on which they receive notice from the person issuing the license that the license has been withdrawn. Prior uses, however, are not performances on which ASCAP is entitled to claim compensation.

Broadcasters who desire advice with respect to these or similar claims are invited to communicate with the NAB for additional advice and information with respect to these and similar claims.

SCHEDULE A

<i>Title of Composition</i>	<i>Publisher</i>	<i>License Issued By</i>	<i>Remarks</i>	
Lamp of Memory	E. B. Marks	Al Stillman		
I'll Be a Good Soldier Too	BMI	Russell Robinson		
The Kick of the Kangaroo	E. B. Marks	Andy Razaf		
Ree Tee Zootle Lo Do	Merrywood	Buddy Kaye		
Olivia	Merrywood	Milton Berle		
Would It Make any Difference To You	BMI	Eddie Cherkose		
Nightingale	E. B. Marks	Milton Berle		
I'll Be Home for Xmas	E. B. Marks	Bert Pellish		
Three Terrific Guys	National	Xavier Cugat		
Stardust Serenade	BMI	Buck Ram		
Buy a Share in America	} Orange Music	Kay and Su Werner		
I Pledge Allegiance		George F. Whiting		
We're Riding for Uncle Sammy Now	Greene-Revel	Lanny Grey		
You Go Your Way	} Southern Music	Milton Berle		
I'm in Good Shape				
Karanina				
I Haven't a Thing to Wear Wherever You Are				
Romeo Smith and Juliet Jones				
Thank Your Lucky Stars and Stripes	} Southern Music			
How Long Did I Dream				
Que Chica	} Maurice O. Wells			
Humpty Dumpty Heart				
Goodnight Little Angel				
I'm Reading Your Letter Again Dear				
Let's Tell Our Dreams to the Moon				
In the Echo of My Heart				
Sorrow on My Mind				
Time Alone				
Pins and Needles				
Fire Ball Mail		} Acuff-Rose Publications		
Low and Lonely				
Whose Heart Are You Breaking Now				
Home in San Antonio				
I'll Reap My Harvest in Heaven				
I'm Human Too				
There's a Palace in Dallas, Cowards Over Pearl Harbor				
Heavenly, Isn't It				
When There's a Breeze on Lake Louise	} Greene-Revel, Inc.			
A Million Miles from Manhattan				
You're Bad For Me			Mort Greene	} Consent Decree License withdrawn June 17, 1942
Cindy Lou McWilliams			Harry Revel	
How Do You Fall in Love	} Greene-Revel, Inc.			
Sing Your Worries Away				
Until I Live Again				
Call Out the Marines				
Zana Zaranda				
Beware				
The Light of My Life				
Went Out Last Night				
Hands Across the Border				

The National Association of Broadcasters

1760 N STREET, N. W. * * * * * WASHINGTON, D. C.

April 9, 1943

SWAP BULLETIN

No. 33

KEEP RECEIVERS PERCOLATING

Engineers are already coverage conscious—now is the time to get circulation conscious. Your coverage does no good unless the receivers to hear your programs are working properly. Under wartime conditions it is not enough to be merely conscious of service problems. Broadcasters must assume leadership. With additional men going into military service, it is more than probable that local broadcast interests will have to organize the work of local radio repairmen. Contact Art Stringer at NAB about service problems as they develop in your coverage area. There are certain things that he can do and there are other things that can be done only on the local front.

Please do your part to keep every broadcaster supplied with essential parts and materials. Check your stock today. List your long items under the heading "WILL SELL" and the items you need under "WILL BUY." Then write: POOL, National Association of Broadcasters, 1760 N Street, N.W., Washington, D. C. Your fellow broadcasters will do the rest.

WILL SELL

For sale by N. R. Keidan, 515 W. 110th St., N. Y. C.

20 Dubilier Mica Cond., type CD 1494, working voltage 25,000, .0006 MFD. Will sell any part at \$50.00 each, F.O.B., N. Y. C.

For sale by Charles H. Monroe, 26 S. Delaware Ave., Atlantic City, N. J.

24 Duo-vac type 242A tubes, New.
1 Webster remote amplifier, for 1 microphone no volume indicator, used.
1 Collins remote amp. type 12Y in leather case for 1 microphone, no volume indicator, used.
1 tripod type microphone stand, used.
1 RCA round base microphone stand, like new.
1 RCA inductor microphone, used.
1 WE salt shaker microphone, used.
1 RCA P.A. amp. 20 watts, uses 6L6 tubes in output, has input for phono and crystal mike, used.
1 RCA P.A. amp. 20 watts uses 2A3 tubes in output, has input for phono and low impedance mike, used, excellent cond. Also 200 ohm RCA mike to go with it.
3 15 ohm p.m. RCA speakers in cabinets.
1 Shure lapel crystal mike with trans. to use mike in 200 ohm input position. Make offer.

For sale by WMRC, Greenville, S. C.

1 Presto model "K" recorder. Make offer.

For sale by WIS, Columbia, S. C.

- a. 3 Faradon type UC-3095-K, .0005 Mfd., 5,000 v., Mica trans. cond., rated 4 amps. at 300 kc/s. New. \$6.00 each net.
- b. 1 Faradon type UC-3054-K, .002 Mfd., 5,000 v., Mica trans. cond., rated 1.8 amps. at 300 kc/s. New. \$6.00 net.
- c. 1 GE #4358410, type M, form B, isolation trans., rated .1 Kva., 60 cycles, 115 v. pri., 115 v. sec. In excellent cond. \$10.00 net.
- d. 1 Stancor type P-6007 power trans., \$3.00 net.

For sale by WHAM, Rochester, N. Y.

- a. 1 RCA 49-A, Cathode ray modulation indicator with tube.
- b. 1 RCA 904, 5" Cathode ray tube.
- c. 4 Cornell 409-56, Capacitors .0004 MFD. 30,000 v.
- d. 1 Weston 301 D.C. voltmeter 0-10 v.
- e. 1 Weston 400 Thermo-ammeter 0-50 amp. Ext: Thermocouple.
- f. 1 Thordarson 2204, choke coil 10 Henry 400 mills.
Make offer.

For sale by WHIO, Dayton, Ohio

- a. 2 RCA vertical reproducers, removed from type 70A turntables. Good cond., \$25.00 each.
- b. 2 Fairchild VHAAM crystal reproducers with equalizing trans. 200 or 500 ohms output. Good cond., \$15.00 each.
- c. 10 type 204A tubes suitable for rebuilding. Make offer.

For sale by Phil Daviss, 3106 Tenth Street, Wichita Falls, Texas.

A. Transformers:

- 1 Thordarson, plate supply, 1875-0-1875 and 1560-0-1560 v., 500 MA, #T-19P64, used 25 hrs., price \$18.00.
- 1 Thordarson, filament, 2.5 V, 10 amp., #T-19F90, used 25 hrs., price \$2.00.
- 1 Thordarson, filament, 7.5 V, 5 amp., #T-19F94, used 15 hrs., price \$2.00.
- 1 Thordarson, filament, 5 V CT, 13 amp., #T19F85, used 25 hrs., price \$2.00.
- 1 Thordarson, modulation, 175 watts. Pri. 6900 ohms, sec. 2850, 4500, 6500, #T14M49, used 15 hrs., price \$10.00.
- 1 Stancor, modulation, 175 watts, Pri. 6900 or 9000 ohms, to 3300, 4000, 5000, 6250 ohms. To carry .28 amp. DC. Mfr. #A-3829, used 3 hrs., price \$9.00.
- 1 Stancor, PP driver, Mfr. #A-4212, used 15 hrs., price \$1.75.

B. Chokes:

- 1 Thordarson, 5-20 hy, 75 ohms, 500 MA, swinging choke, #T-19C38, used 25 hrs., price \$8.40.
- 1 Thordarson, 12 hy, 90 ohms, 400 MA, smoothing choke #T-19C44, used 25 hrs., price \$6.00.

C. Condensers:

- 2 Aerovox (round), 2 MMF, 2000 volts, used 25 hrs., price \$6.00.
- 1 Bud variable condenser, Type JC562, split stator, 150 MMFD., slightly used, price \$5.00.

D. Resistors:

- 1 Utah, 25000 ohm, 200 watts, used 25 hrs., price \$2.00.
- 1 Utah, 2500 ohm, 200 watts, used 5 hrs., price \$2.00.

E. Relays:

- 1 Allied, DPDT, 6 volt DC, not RF type, slightly used, price \$3.00.
- 1 Staco, DPDT & SPST, 110 volt, not RF type, slightly used, price \$4.00.
- 1 Ward Leonard, DPDT, 110 volt, RF type, slightly used, price \$4.00.

F. Coils:

- 1 Bud, VLS 160 meter final tank, 500 watt, slightly used, price \$2.25.
- 1 Bud, VLS 40 meter final tank, 500 watt, slightly used, price \$1.75.
- 1 Bud, VLS 20 meter final tank, 500 watt, new, price \$1.65.
- 1 Bud, VLS 10 meter final tank, 500 watt, new, price \$1.45.
- 1 Bud, OCL 20 meter buffer, 50 watt, new, price \$1.65.

G. Crystals:

- 1 Bliley, Type HF-2, Freq. 14,328 KC, slightly used, price \$5.00.
- 1 Bliley, Type HF-2, Freq. 14,525 KC, new, price \$5.00.
- 1 Bliley, Type CM-2 holder with 2032.5 KC crystal, comp., new, \$3.00.

1 Bliley, Freq. 3663 KC, slightly used, price \$1.50.

1 Bliley, crystal & holder comp., Freq. 1990 KC, good cond., price \$2.50.

1 Bliley, crystal freq. 7233 KC, with holder, comp., good cond., price \$2.50.

1 P-R, crystal, freq. 7276 KC, new, price \$2.50.

H. Tubes:

2 Hytron, Type 40-Z, used 10 hrs., price \$7.00.

2 Gammatron, Type HK-54, used 25 hrs., price \$14.00.

1 Taylor, Type TZ-40, used 20 hrs., price \$3.50.

2 Hytron, 866, used 10 hrs., price \$3.00.

1 Hytron, 866-A, new, price \$1.50.

1 RCA 807, new, price \$3.50.

1 Sylvania, Type 30, new, price \$.50.

1 RCA, 6L6-Gx, new, \$1.25.

2 RCA, 6L6 metal, new, price \$2.50.

I. Meters:

1 Triplett, Model #321, 0-150 MA, very slightly used, price \$5.00.

1 Triplett, Model #321, 0-500 MA, very slightly used, \$5.00.

1 Triplett, Model #321, 0-400 MA, very slightly used, price \$5.00.

J. Miscellaneous:

1 Astatic microphone, crystal type, model number JT-30, with table stand, good cond., price \$12.00.

1 Speedex Hi-Speed bug, Model #515, slightly used, price \$5.00.

1 Bud, DPDT switch, 12 amp at 125 V, #1270, new, price \$2.00.

1 Bud cabinet, color black, 47" x 21" x 17", panel space 42", #CR-874. Like new, slightly used, price \$21.00.

1 Bud, dolly for above cabinet, #RD-505, slightly used, price \$3.50.

3 Bud, dials, diameter 4", scale 0-100, #D-1734, like new, price \$4.50.

For sale by WCRW, 2756 Pine Grove Ave., Chicago, Ill.

1 Taylor T-125 tube, used approx. 100 hrs. \$8.00.

For sale by WIBX, Utica, N. Y.

a. Composite 100 watt trans. Coils may be changed to convert for use as a "Relay Broadcast Station." Will make coils for this freq. R. F. line-up. 6L6 Osc. 807 Buffer, 812 P.P. final amp. speech amp line up—high impedance input to 6L7—6C5 into a pair of 6A3 P.P. (Class B modulators) one 600 v. power supply and rectifier. One 1250 v. power supply and 8 66's rectifiers. Comp. with all tubes. 4 Weston and Jewell milliammeters. All units mounted on separate chassis and standard panels. Mounted in a 36 in. Par-Metal enclosed steel cabinet. Black finish. \$300.00 cash. If interested, will supply photographs.

b. 1 Jewell pattern #54 front panel mount 0 to 750 v. meter, with external resistor (cased) \$5.00.

c. 1 Jewell pattern #54 flush panel mounting 0 to 3,000 v. meter, with external resistor (cased) \$8.00.

For sale by E. L. Pfeiffer, 577 Rahway Ave., Woodbridge, N. J.

WE 9-A reproducer 30 ohm for vertical and lateral cut (head only).

Gen—Rad #635 MB 200 ohm variable PAD.
WE salt shaker mike, baffle, and swivel joint.
WE Cardoid mike, jack, & desk mounting.
Hallicrafters receiver SX25 (no speaker),
212-E vacuum tube (un-used).

Vertical cut reproducer WE 7-A no equalizer.

339-A vacuum tube, WE.

TL-100-US Cardwell Cond.

284-A WE tube.

242-C WE tube.

TL-160-US Cardwell Cond.

3 WE 304-B Vac tubes.

WE 285-F input 30-200 to grid.

WE 285-K line to P.P. grid.

Weston tubular resistor 5 KV, 5 meg.

C-D Cond. 986-6 .01-.01, 1500 v.

364-6 250 mmf., 5000 v. (2).

366-6 125 mmf., 5000 v.

162-6 .008, 3000 v.

Weston mod. 301 flush bakelite 4000 v., type 4-1 external multiplier.

Weston mod. 425 flush bakelite 0-3 amps R.F. external flat thermocouple.

Weston mod. 425, 0-3 amp. R.F. flush bakelite integral thermocouple.

Weston mod. 425 flush bakelite 0-5 amps. R.F. integral thermocouple.

Weston mod. 862 illuminated VU meter.

Weston model 640 flush bakelite, full scale deflection on 2 R.F. amps., scale reads 0-10 amps. R.F. integral thermocouple.

Westinghouse type R X 0-1 amp. R.F.

Westinghouse type R X 0-3 amp. R.F.

Foll: WE trans. 144-G output, 139A output, 131A output, 118A repeat coil. Make offer.

WILL BUY OR SWAP

Wanted by WDEV, Waterbury, Vt.

RCA type 74-B junior velocity and RCA type 44-BX, senior velocity microphones.

Also looking for 1, 2, or 3 channel remote amplifiers, Gates preferred.

Or Will Swap

WE "salt shaker" microphones.

WILL BUY

Wanted by WFLA, Tampa, Florida

2 Steel type transcription filing cabinets.

Wanted by WLVA, Lynchburg, Va.

2 UTC type LS-31 or LS-31X trans.

Wanted by WKMO, Kokomo, Ind.

1 portable 78-33 1/3 portable recorder. Advise make, price, cond. and full details.

Wanted by WMRC, Greenville, S. C.

RCA or WE 250 ohm microphones. State type, impedance and price. Also want Weston or Triplet "VU" meter.

RCA compressor amplifier or Collins 26-C amplifier.

Wanted by WPAD, Paducah, Ky.

2 Dual-speed turntables in good cond. New or used. Wire collect.

Wanted by KFSD, San Diego, Calif.

1 WE 110-A limiting amplifier. Give comp. description and cond. and price in first letter.

Wanted by KXRO, Aberdeen, Washington

- 1 type 12H Collins studio console or similar type by RCA, WE or other manufacturer.
- 1 type 301 volume indicator, WE, or similar meter suitable for reading DB.

Address reply to Kenneth Grinde, Chief Engineer, KXRO, Box 1120, Aberdeen, Wash. Give full details.

Wanted by KEVR, Seattle, Washington

Gates Mod. 30 or Collins 12-H or similar mixer.

Wanted by WHIT, New Bern, N. C.

1 new or good RK-48A tube.

1 pair of Trimm Featherweight phones (High impedance type).

WILL SELL OR SWAP

WMSL, Decatur, Alabama

Will sell

2 RK-47 (814) used but good. \$8.00 each, both for \$15.00.

1 WE-262-A, apparently new, make offer.

2 Weston model 301 old style surface mounting, 0-50 Ma. DC.

1 Weston model 301 old style surface mounting, 0-500 v. DC (for use with external resistor. No resistor.)

Or Swap for

807s, 866s and a plate trans. approx. 800 to 1000 v. total sec. voltage, centertapped, 125 to 250 ma. Prefer one with 5v rectifier filament winding.

TUBES AVAILABLE FROM AMATEURS

The American Radio Relay League is cooperating with the NAB Engineering Department in an effort to secure tubes for broadcast stations now in the possession of amateur stations. A notice appeared in QST, official organ of the ARRL, requesting amateurs to list available tubes with NAB. This section of the Swap Bulletin contains some of the offers.

Broadcasters desiring to purchase any of these tubes are asked to correspond directly with the owner.

For sale by Irving Megeff, 1429 Carroll St., Brooklyn, N. Y.

WE 322-A new	WE 300-A used
" 307-A "	" 242-C "
" 284-B "	" 249-C "
" 249-C "	" 304-B "
" 287-A "	Amperex ZB-120 used
" 339-A "	RCA 809, used
" 277-A "	GE FG-17 used.
" 254-A "	
" 254-B "	

All tubes guaranteed perfect and reasonably priced.

For sale by H. R. Blain, Powerhouse #2-2A, Big Creek, Calif.

2 Eimac 250 TH trans. tubes, \$24.50 each. Used approx. 300 hrs., excellent cond. Subject to buyer's approval.

For sale by Sgt. M. Michaylytza, Co. A Vint Hill Farms Station, Warrenton, Va.

2 250 TH, new, \$20.00 each.

For sale by Wm. G. Darrall, 247 James St., Springdale, Pa.

8 RCA 204A, used approx. 500 hrs., \$30.00, fair cond.
Several RCA 203-A, new cond., some are DeForest, \$8.00 each.

For sale by P. Nutter, M. D., 1200 E. Marshall St., Richmond, Va.

- a. 1 UTC amplifier with power supply on panel rack—1 6C5, 2 6C5, 2 6L6. Price \$25.00.
- b. 1 RCA 807, \$3.00, almost new.
- c. 1 RCA 808, \$7.00, almost new.

For sale by Sid Lohmann, 12132 Greenlawn, Detroit, Mich.

4 845 tubes, RCA, new, \$10.00 each.

For sale by George P. Maerkle, W2HAW, Elm Place, East Northport, N. Y.

- a. 1 Gammatron HK 254, never used, perfect cond.
 - b. 2 Gammatron HK-254, 50 hrs. use., perfect cond., \$35.00 for all 3.
 - c. 1 Gammatron HK-54, approx. 200 hrs., good cond., \$6.00.
 - d. 1 Lafayette 203-D, approx. 200 hrs., good as new, \$8.50.
 - e. 2 GE 866-A, excellent cond., approx. 25 hrs., \$1.25 each.
 - f. 2 Lafayette 866-A, good cond., approx. 200 hrs., \$1.00 each.
- Also have Thordarson high voltage trans. 3000-0-3000 at 500 mills, 1 Thordarson 12.5 henry 500 mill choke and 2-2 mfd. 3000 v. filter cond.-Aerovox. Make offer.

For sale by Frank B. Uphoff, 101 Park Blvd., S. E., Anacostia, D. C.

2 813
2 808
2 828
2 809
3 807

Slightly used, good cond. Sell at list price.

For sale by R. T. Redpath, 2412 Maple Ave., N. S., (14), Pittsburgh, Pa.

1 RCA 807, good cond.
1 Raytheon 83, good cond.
1 6L6G Raytheon, good cond.
Make offer.