

Petrillo Hearing Continued

Hearings before the panel of the War Labor Board continued on Thursday, September 9, when Mr. Socolow completed his presentation on behalf of the electrical transcription manufacturers. Mr. Padway, as counsel for the Union, thereupon requested and received an adjournment of one week to study the evidence before putting in the Union's case. The hearings are, therefore, expected to resume on Monday, September 20.

In addition to the completion of the transcription companies' case by Mr. Socolow, Mr. Milton Diamond made a statement on behalf of World Broadcasting System. In his presentation, Mr. Diamond said that the fact that the phonograph record cannot be controlled by the manufacturer and is used for any purpose which the purchaser chooses "presents a problem to us as manufacturers of records and we are not here in this proceeding as manufacturers of records . . . it presents a problem equally serious to the members of the American Federation of Musicians."

Mr. Diamond also said that the manufacturers of transcriptions should not be considered as record manufacturers at all but rather as rendering a service analogous to that of networks; and he thought that the relationship between transcription companies and the AFM should perhaps be re-evaluated in the light of the analogy.

Mr. Petrillo in response praised Mr. Diamond for asserting that the union had a problem in connection with the use of phonograph records and for his approach to this problem. Mr. Petrillo also threatened "that 160 radio stations in this country which have not employed musicians are going to employ musicians within the next 60 days. . . ." Mr. Petrillo stated that he had received this information from the NAB, and he apparently was under the impression that the NAB had made public a list of 160 broadcasting stations affiliated with networks which did not employ musicians.

In this Mr. Petrillo is mistaken. The 160 stations to which he refers are actually 165 in number. These are the 165 stations which according to a survey made by the American Federation of Musicians are located in towns in which there is no local of the American Federation of Musicians. The NAB has never challenged this figure of 165 because the discrepancies between the NAB's information on this point and the union's acknowledged absence of locals is a minor one. With respect to network affiliated stations, Mr. Petrillo himself put into the record at the Senate hearing last January a list of 201 affiliated stations which he claimed did not employ union musicians.

In this connection it is of interest to note that on September 10, Judge Love of the Supreme Court of Monroe County in Rochester refused to grant WSAY a temporary injunction restraining the AFM from preventing Mutual and Blue from feeding to WSAY musical programs for so long as WSAY failed to employ a quota of musicians satisfactory to the local union.

FREC Meeting

A meeting of the Executive Committee of the Federal Radio Education Committee has been called by Chairman John W. Studebaker, United States Commissioner of Education, for Friday, September 17, at the Statler Hotel in Washington, D. C. This is the first under the new plan adopted in April to hold meetings semi-annually rather than quarterly for the duration, and to formalize them to the extent of having different members prepare papers on assigned topics.

A sub-committee was appointed by Chairman Studebaker to be responsible for the planning of programs. Made up of the Washington, D. C. members, the committee, under the chairmanship of Neville Miller, NAB President, comprises George P. Adair, Assistant Chief Engineer of the Federal Communications Commission, Willard E. Givens, Executive Secretary of the National Education Association, Rt. Rev. Msgr. George Johnson, Director, Department of Education, National Catholic Welfare Conference, with Gertrude G. Broderick serving as secretary.

At the opening session Friday morning, four members are expected to discuss the general topic *How Can Radio Be More Effective as an Aid to Teaching?* Dr. Lyman Bryson, Director of Education of CBS, will consider it from the angle of what the network broadcaster considers his responsibility to be in the planning of educational programs. Dr. Bruce E. Mahan, Director of Extension Division, State University of Iowa, will evaluate the efforts of the networks to develop programs from the standpoint of education. The use of radio by State departments of education will be reported by Dabney S. Lancaster, State Superintendent of Public Instruction, Virginia. Some of the extra-curricular uses of radio that might make it seem important in a school system that may not be giving attention to its use as a classroom teaching aid will be discussed by Rt. Rev. Msgr. George Johnson, National Catholic Welfare Conference.

The luncheon and afternoon sessions are to be given over largely to a discussion of *FM and Its Possibilities as an Education Aid*. Heading the discussion at the luncheon session will be James Lawrence Fly, Chairman, Federal Communications Commission, after which George P. Adair, Assistant Chief Engineer at the FCC will outline in detail the present utilization of the five channels reserved exclusively in the ultra-high frequency band for education. Harold B. McCarty, Director, Station WHA, University of Wisconsin, will discuss what FM will mean to the college-owned station and what the attitude of the National Association of Educational Broadcasters is toward the development of FM educational stations.

Each topic will be followed by discussion of what FREC's responsibility may be in connection with the problem under consideration.

A preliminary report of the FREC Sub-Committee to Study Post-War Problems in Educational Radio, will be presented by the chairman, Levering Tyson, President of

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Neville Miller, President C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Walter L. Dennis, Chief, News Bureau; Willard D. Egolf, Assistant to the President; Howard S. Frazier, Director of Engineering; Joseph L. Miller, Director of Labor Relations; Paul F. Peter, Director of Research; Arthur C. Stringer, Director of Promotion.

FREC MEETING (Continued from page 381)

Muhlenberg College. This sub-committee was appointed at the April meeting of the committee and is made up of Judith C. Waller, Mid-West Educational Director of NBC at Chicago, George P. Adair, of the FCC, and Dr. Tyson.

OWI Shuffle

Palmer Hoyt, domestic director of OWI, announces a strengthening of organization and a realignment of personnel in his branch. "This realignment," Mr. Hoyt said, "will produce these results:"

"It will improve our effectiveness in serving the media of information and the war agencies of the government. It will strengthen control over our varied programs, so as to carry out the policies laid down by Congress. It will effect many economies, but we will get the maximum possible return out of every dollar and every man and woman on the job."

James Allen continues as Assistant Director, while Stephen E. Fitzgerald becomes Assistant Director in Charge of Operations. Donald Stauffer likewise continues as Chief of the Radio Bureau.

Among the functions which the Domestic Branch will continue to perform, according to Mr. Hoyt's statement, are to serve as a channel between war agencies and the radio industry; coordinate and allocate all government requests for radio time; prepare radio war messages; and clear government war radio programs.

The major cuts in OWI operations are the elimination of certain production activities, including radio transcriptions, and the elimination of field offices.

Public Relations and News Committees in Session

The NAB Executive Committee on Public Relations and the Radio News Committee held a joint session in New York on Wednesday (15) and are continuing in session at the time the REPORTS go to press. A complete statement of the discussions and conclusions reached will be given in next weeks NAB REPORTS.

BMI TOP TUNES

These songs are currently listed by VARIETY as being among those most played on the networks for the week of August 23:

"Do You Know"
 "I Heard You Cried Last Night"
 "Paper Doll"
 "Things That Mean So Much to Me"
 "Brazil—Saludos Amigos"
 "I'm Thinking Tonight of My Blue Eyes"
 "Pistol Packin' Mama"

Radio Backs National War Fund Campaign

Indicative of the widespread industry support to the forthcoming National War Fund is the list of industry men behind the guns on the Radio Committee. They are:

RADIO COMMITTEE

Neville Miller, President, NAB, chairman	Paul W. Morency WTIC, Hartford
Burridge Butler WLS, Chicago	William S. Paley, President, CBS
Martin Campbell WFAA, Dallas	Eugene Pulliam WIRE, Indianapolis
Carl M. Everson WHKC, Columbus, Ohio	Harry Spence KXRO, Aberdeen
Leo Fitzpatrick WJR, Detroit	Major E. M. Stoer Hearst Radio, New York City
Clarence T. Hagman WTCN, Minneapolis	Niles Trammel, president, NBC
Wiley P. Harris WJDX, Jackson, Miss.	Lee B. Wailes KYW, Philadelphia
Harold A. Lafount 730 Fifth Avenue, New York City	Lewis Allen Weiss, Don Lee Network
Miller McClintock, president, MBS	Arthur Westlund KRE, Berkeley
Clair McCollough WGAL, Lancaster	Mark Woods, president, Blue
	Ed Yocum, KGHL, Billings

RADIO ADVERTISING COMMITTEE

The Radio Advertising Committee consists of:

Joseph R. Busk, Ted Bates, Inc., Chairman
 Hubbell Robinson, Young and Rubicam
 Cadwell S. Swanson, J. Walter Thompson Co.
 S. Heagen Bayles, Ruthrauff and Ryan
 Harold Wengler, H. M. Kiesewetter Agency
 Maurice H. Bent, Blackett, Sample and Hummert

OFFICE OF WAR INFORMATION

OWI personnel engaged in the radio campaign are:

Herman S. Hettinger, deputy director, OWI
 Donald D. Stauffer, chief, Domestic Radio Bureau
 Philip H. Cohen, deputy, Domestic Radio Bureau
 William Spire, chief, allocation section, Domestic Radio
 Bureau
 John Hymes, chief, station relations

Jesse Butcher is director of the radio department of the National War Fund. Associates are: Rene Kuhn, Jane Moore, and Joan MacDonald.

A radio kit, dated Sept. 10 has been mailed all stations.

Fifth District Resolves on New Legislation

NAB Fifth District, meeting in Atlanta, Georgia, September 10, with James W. Woodruff, Jr., presiding, resolved that legislation was the greatest problem facing the radio industry, as follows:

"BE IT RESOLVED by the Fifth District of NAB:

1. That sound adequate basic legislation defining the rights and responsibilities of broadcasters and protecting the freedom of radio is the most important matter before the industry today.

2. That the Legislative Committee of NAB be instructed to proceed forthwith to prosecute the passage of such legislation through the White-Wheeler, Holmes or other bills which might prove, after adequate hearing and consideration, to be the best for the public and all interests of the industry.

3. That a Legislative Committee, composed of Harry Ayers of Anniston; Henry Johnston, Birmingham; Leonard

Reinsch, Atlanta; Walter Tison, Tampa, be appointed in the Fifth District to cooperate with the National Legislative Committee."

Discussion of the Petrillo situation resulted in a second resolution:

"A motion that this District go on record urging the Board of Directors and the Staff of the National Association of Broadcasters to prosecute with every means at their command methods to prevent the industry from being persecuted by any action of the American Federation of Musicians."

Addressing more than fifty registered delegates from Georgia, Alabama, and Florida, Willard D. Egolf, Assistant to the President, NAB, discussed the status of new legislation, the White-Wheeler bill, the Holmes bill and prospective hearings on both. Up to date reports on manpower, materials and selective service were also given. Many participated in the open discussions on all topics.

James W. Woodruff, Jr., appointed the following Legislative Committee: Thad Holt, WAPI, Birmingham, Ala.; Frank King, WMBR, Jacksonville, Fla.; Walter Tison, WFLA, Tampa, Fla.; and Red Cross, WMAZ, Macon, Ga. Luncheon speaker, Lou Gordon, Director of Public Relations for the Citizens and Southern Bank, paid radio high compliments for its promotion of the sale of War Bonds and requested generous contributions of time and talent in the Third War Loan Campaign.

Florida Broadcasters Discuss ASCAP Law

The Florida Association of Broadcasters met in Jacksonville on Sunday, September 12, where Jack Hopkins, WJAX, assumed the office of President, following L. Spencer Mitchell, WDAE, Tampa, past incumbent.

Discussion of new radio legislation by Willard D. Egolf, NAB Assistant to the President, with additional remarks from the floor, was followed by passage of the resolution adopted by the Fifth NAB District in Atlanta two days previously, urging new laws. A report on manpower, materials, selective service and other phases of industry activities was also heard.

The afternoon session was devoted exclusively to a discussion of the Florida "anti-ASCAP" law, originally passed in 1937, which places prohibitions upon the operations of ASCAP, SESAC, AMP and BMI in that state. Further legislation was passed in 1939 and this year additional legislation was vetoed by the Governor.

Assistant Attorney General, John C. Wynn, explained the action of the Attorney General in filing a suit against these organizations for clarification of the law and his obligations as an enforcement officer, which the legislation prescribes. Action was taken by the Association to insure satisfactory conclusion to this and a suit previously filed by Palm Taverns, Inc., of West Palm Beach, in a "friendly" action against ASCAP.

Thirteen of the twenty members of the Association were present.

Technician Training

Three youngsters have just received first-class radio-telephone licenses and six others have received second-class radiotelephone licenses in Portland, Oregon. All completed training in the Benson Polytechnic School which is a division of the Portland Public Schools. William E. Richardson is head instructor, War Production Training, Radio School.

The boys and girls vary in age from sixteen to seventeen years according to word received by Howard S. Frazier, NAB director of engineering. Stations located in and around Portland that are interested in this group should communicate with Mr. Richardson.

Members of the group are:

FIRST-CLASS LICENSE:

John Backman
Lyle Eastlund
James Holland

SECOND-CLASS LICENSE:

Miss Susanna Johnson
Emmett Bernard
Leslie Smith
Richard White
Don Kerlee
Rudolph Peterson

FEDERAL COMMUNICATIONS COMMISSION

Fly on Broadcasting in the Public Interest

Discussing the transfer of the Blue Network at his press-radio conference on Monday, FCC Chairman James Lawrence Fly said that such an investigation gives the Commission a chance to look into questions which involve the broad general policies that fix the scope of broadcast operations. Fly said that it has to be borne in mind the necessity of having a broad general public service in radio, not a tendency to constrict and exclude, particularly in the field of public discussion, the presentation of views on important current issues, political, social and economic in character.

To the extent that broadcasting fails to meet that most important public need, to that extent it is deficient, Fly said. There seems to be something of a tendency in the industry generally to restrict and exclude rather than to lay down sound policies that will give us broader and more wholesome public service. He said: "It is time for the industry itself to take hold of this whole problem and see how opportunities can be made to render broader service and to agree on rendering more fundamental services. It is conceivable it may be the easiest way out to constrict and exclude, but it is not so clear that the easiest way out is the most constructive way."

To the extent that the industry might not "see the light," he was questioned, and the Chairman said "That would be a matter for the consideration of the Commission. It is something of a defensive complex, you know, that enters into this sort of thing, a tendency of the industry to avoid these vital questions on the public issues, to take refuge behind shibboleths rather than move out in a fundamental and vital way and grasp the issues and do something about rendering a public service in regard to them."

Continuing on this subject the Chairman said: "I rather suspect that if the present tendency continues, the overall utility of the broadcasting will tend to diminish from day to day, month to month, year to year, simply because of the ease of adopting restrictions and constrictive and exclusive measures. We seem to be simply sticking to the point that so long as an outfit is big enough and has some product to sell over a national network, it will get the time, and if not it won't get it. That's too easy a standard. Then, too, I would suppose it doesn't help that situation any where we permit that small restricted group to promote their own ideas and their own philosophies and press those upon the public's attention. You have that in a number of instances, which only accentuates the fact that you don't render a broad public service."

"I heard a so-called news program last night. It always is supposed to be a news program. Through the months it has been tending more and more to get away from the news of the day to the philosophies of the particular

sponsor. Things like that are done in a somewhat subtle if not over-subtle manner. Only by careful listening do you discover that he is not giving you news or comment on the world news, but is peddling ideas to you from the company headquarters. Where ideas and ideals and philosophies are promoted they ought to be promoted openly, and in any case when they are promoted they should be counterbalanced by other presentations so that the public will have the benefit of both sides of the controversial issues."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 20th. They are subject to change.

Monday, September 20

Further Hearing

WOKO—WOKO, Incorporated, Albany, N. Y.—Renewal of license (Main and Auxiliary), **1460 kc.**, Main, 500 watts night, 1 KW day; Auxil., 500 watts, unlimited.

Further Hearing

To be heard before the Commission en banc in room 6121, New Post Office Bldg.

WJZ, WENR, KGO and 48 relay broadcast stations—Radio Corporation of America, (Transferor), and American Broadcasting System, Inc., (Transferee), New York, N. Y.—For consent to transfer of control of the Blue Network Co., Inc., Licensee of Radio Stations WJZ, WENR, KGO and 48 relay broadcast stations.

Thursday, September 23

To Be Heard Before Commissioner Durr

WNYC—City of New York Municipal Broadcasting System, New York, N. Y.—For Special Service Authorization, **830 kc.**, 1 KW, 6 a. m. to 10 p. m., directional antenna.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KROC—Agnes P. Gentling, Executrix of the Estate of Gregory P. Gentling, Deceased, (Transferor), Lawrence C. Miller, et al., Trustees (Transferees), Rochester, Minn.—Granted consent to transfer control of station KROC from Agnes P. Gentling, Executrix of the Estate of Gregory P. Gentling, Deceased, to Lawrence C. Miller, et al., Trustees of the estate of Gregory P. Gentling, Deceased. No monetary consideration is involved in this application, only a transfer of 2505.5 shares of stock from the Executrix to a Trustee-ship, as provided in the will of the Deceased (B4-TC-326).

KRLH—Clarence Scharbauer, Deceased (Assignor), Millard Eidson, Independent Executor of his estate (Assignee), Midland, Texas.—Granted consent to involuntary assignment of license (B3-AL-379), of station KRLH from Clarence Scharbauer, Deceased, to Millard Eidson, Independent Executor of his Estate.

KRLH—Millard Eidson, Independent Executor of the Estate of Clarence Scharbauer, Deceased, Midland, Texas.—Granted renewal of license (B3-R-877).

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted petition to operate booster amplifier by remote control, waiving requirements of Sec. 2.53 of the Rules, subject to certain conditions.

MISCELLANEOUS

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1532).

W9XG—Purdue University, W. Lafayette, Ind.—Granted modification (B4-MPVB-103) of construction permit which authorized changes in equipment, frequencies, decrease in power and addition of aural channel using special emission for FM, for extension of completion date from 9-24-43 to 9-24-44.

WFLA—The Tribune Co., Tampa, Fla.—Granted request for oral argument and scheduled same for September 29, 1943, in re (B-184).

American Network, Inc.—Denied without prejudice to the right of petitioner to seek intervention in any future proceedings involving a change in the name of the operating company of the Blue Network Company, Inc., to the American Broadcasting System, Inc., or any similar name which would involve confusion with that of petitioner (Docket No. 6536).

WHDH—Matheson Radio Company, Inc., Boston, Mass.—Denied petition to correct existing station license so as to permit the operation of WHDH at night with a directional antenna after local sunset at Gainesville, Fla., instead of after local sunset at Boston, Mass.

WNYC—City of New York Municipal Broadcasting System, New York, N. Y.—Adopted order cancelling hearing scheduled for September 23, removed from the hearing docket and granted application for Special Service Authorization to permit station WNYC to operate until 10 p. m.

APPLICATIONS FILED AT FCC

620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Modification of Construction Permit (B1-P-2868 as modified) which authorized increase in power, installation of new equipment and directional antenna for extension of completion date from 9-11-43 to 9-25-43.

1240 Kilocycles

KROY—Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney and Will Thompson, Jr., a partnership, d/b as Royal Miller Radio, Sacramento, Calif.—Voluntary Assignment of License to Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney d/b as Royal Miller Radio.

1400 Kilocycles

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Modification of License to increase power from 100 watts night, 250 watts daytime to 250 watts day and night.

1490 Kilocycles

NEW—L. J. Duncan, Leil A. Duncan, Josephine A. (Keith) Rawls, Effie H. Allen, d/b as Valley Broadcasting Co., West Point, Ga.—Construction Permit for a new standard broadcast station to be operated on **1490 kc.**, 250 watts, unlimited time.

MISCELLANEOUS APPLICATION

NEW—The Regents of the University of Michigan, Ann Arbor, Mich.—Construction Permit for a new Non-Commercial Educational Broadcast Station to be operated on **42900 kc.**, power of 1 KW and special emission for frequency modulation, unlimited hours of operation.

FEDERAL TRADE COMMISSION DOCKETS

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.

Bell's Homeopathic Pharmacy, 222 Greenwich Street, New York, selling and distributing a preparation designated "Bell's Lique Garlic," advertised as a competent treatment for ailments of dogs and cats, is charged in complaint with misrepresentation. (5043)

Benjamin Chaitt, Isaac Chaitt, Max Chaitt, and Mrs. Elizabeth Carl, conducting clothing stores in various cities, are charged in a complaint with violation of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act. (5041)

Mayo Brothers Vitamins, Inc., trading as Mayo Bros., 639 South Spring St., Los Angeles, and its officers, Irby L. Mayo, Oran Frank F. Mayo and Paul Murry, are charged in a complaint with falsely advertising that they are connected with the Mayo Clinic at Rochester, Minn., and that the medicinal preparations they sell are sponsored or produced by the Mayo Clinic. The complaint also alleges that they have misrepresented the therapeutic value of the preparations which are designated "May Bros. Vitamin B Complex," "Mayo Bros. Vitamin B1," and "Mayo Bros. Family Formula." (5044)

Motloid Company, Inc., and Wallace A. Erickson, 325 West Huron St., Chicago, engaged in the sale and distribution of a denture base designated "Moldent," are charged in a complaint with misrepresentation of the product. (5042)

Danville Engraving Company, 220 North Logan Ave., Danville, Ill., making, selling and distributing photo-engraving plates, is charged in the complaint with disparagement of competitors and misrepresentations of his products. (5045)

STIPULATIONS

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

Barnes Advertising Agency, Marceline, Mo., selling and distributing calendars, has stipulated that, in soliciting the sale of or selling calendars or other printed, mimeographed or multi-graphed matter in commerce, she will cease making use of any alleged samples of calendars or other material in any manner, the effect of which may tend to convey the belief that such so-called samples are representative of or actually are samples of the calendars or other material to be delivered to purchasers, when such articles of merchandise as delivered are not comparable with the samples in quality, workmanship, material, design and appearance. (3716)

CEASE AND DESIST ORDERS

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

Manhattan Brewing Company, 3901 Emerald Ave., Chicago, brewing and selling beer and ale, among which are brands designated "Canadian Ace Brand Beer," "Canadian Ace Brand Ale," and "Old Wisconsin Lager Brand Beer," has been ordered to cease and desist from misrepresentation in the sale of its products. (4572)

Modern Marketing Service, Inc., a purchasing organization with headquarters in Chicago, and a group of wholesale grocery firms for which it buys Red and White private brand foodstuffs and allied commodities, have been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act. (3783)

FTC CASES CLOSED

The Federal Trade Commission has closed without prejudice two cases growing out of complaints which alleged violation of Section 2 (a) of the Robinson-Patman Act.

One complaint (4506) was against Callaway Mills, Lagrange, Ga., and the other (4744) against Tennessee Tufting Co., Nashville, Tenn. The respective respondents are engaged in the manufacture and sale of tufted bedspreads, bath mats, rugs and allied products.

The complaints alleged that the respondents, in the sale of products of like grade and quality to different purchasers, had discriminated in price by selling to some of their customers at prices lower than those at which they sold to other customers and by allowing certain purchasers rebates or discounts which were not granted to others.

National Association of Broadcasters

1760 N STREET, N. W. * * * * * WASHINGTON 6, D. C.

September 17, 1943 SPECIAL LEGISLATIVE BULLETIN

No. 17

Hearings of the Select Committee Sub-Committee to Investigate the Federal Communications Commission Continue

(The following reports are written in news style in digest form because the volume of material transcribed has grown to proportions beyond the means of NAB to reprint verbatim. The digest is objective and contains the full sense of each day's hearings. Should any station manager wish the full transcript of the hearings, information as to cost may be obtained from Althea Arceneaux, Shorthand Reporter, 1060 National Press Building, Washington, D. C.)

TUESDAY, AUGUST 24, 1943

Testimony of Berta Wurm, translator and secretary at station WBNX, taken by the Select Committee counsel June 16, 1943, was read into the record by Committee Counsel Eugene Garey.

Miss Wurm's testimony showed she had been interviewed by the New York office of FCC (Mr. Fenner, Mr. Guest and others) four times in 1943 and had been questioned about her own background and the backgrounds and political beliefs, etc., of several persons at station WBNX.

Lido Belli (Rizzieri Belli), radio producer, was called to the stand.

Biographical questioning established that Mr. Belli came to America in 1926 and first got into the radio business as an announcer, then became a free-lance producer in 1933. On December 9, 1941, he was taken to Ellis Island as an enemy alien and kept there 13 days, being released on parole to W. C. Alcorn, manager of WBNX, as related previously in these transcripts, following clearance of suspicion from Mr. Belli by the U. S. Attorney General.

Several memoranda then were introduced by Mr. Garey from the FCC files showing that FCC and OWI personnel (Mr. Falk, Mr. Jett, Mr. Fly and Mr. David and others) were actively interested in 1942 in Mr. Belli and these files indicated that Mr. Belli was a pro-Fascist in the opinion of FCC people.

As reported in the testimony of Mr. Alcorn previously, Mr. Belli confirmed that he was called to Ellis Island

in August, 1942, and told to cease all broadcasting activities. Mr. Belli said he lost more than \$90,000 by being kept out of business for the succeeding eleven months. He vigorously acted to determine why he was put off the air and did get clearance from the Office of Censorship and help from Congressman Marcantonio of New York. The name of Duccio Tabet, WOV censor, entered the testimony in the various memoranda, with Mr. Garey observing pointedly the "Committee will learn more (about Tabet) this week."

OWI Instructs Belli

Longest report showing alleged pro-Fascist tendencies of Mr. Belli was written by Mrs. Hilda Shea of FCC to Nathan David, also to FCC, on December 24, 1942, and goes into considerable biographical and business detail. Mr. Belli denied all the charges so alleged.

Mr. Belli testified that at Congressman Marcantonio's suggestion he went to OWI and saw Mr. Cranston, Mr. Falk and Mr. Facci, who advised him to fire people he had on his payroll and to hire people they recommended and to put more pro-democratic material on his programs. They said Mr. Belli's parole would be altered so he could again conduct his business. Mr. Belli hired a man whom the OWI people recommended and fired Hugo Neri, whom the OWI people wanted fired. Mr. Belli in April, 1943, sent a communication to the FCC in which he reported on the changes he had made in his staff per request and suggestion of OWI—in May his parole conditions were modified and all activities against him ceased. Mr. David

interjected the comment at this point that the same letter text was sent OWI, OC and the Department of Justice.

After determining that Mr. Belli and his staff were thoroughly investigated by FCC personnel in January, 1943, Mr. Garey excused the witness and the session adjourned.

WEDNESDAY, AUGUST 25, 1943

Counsel Garey opened the session by reading into the record more material from the FCC files on Lido Belli, which disclosed, among other revelations, that the FCC had interviewed 50 persons and consulted 21 publications and agencies in the Belli investigation.

Renzo Nissin, WBNX newscaster and censor, was called to the stand. Questioning by Mr. Garey and Representative Cox determined that Mr. Nissin had come to America in 1938 and was not a citizen, but had been employed by OWI in 1942. Mr. Garey said the Congressional Record of June 17, 1943, it was revealed that OWI hired 417 aliens with salaries ranging from \$3,800 to \$8,000.

Nissin Takes Over

After some difficulty making a living, Mr. Nissin testified he went to work at WHOM with an Italian broadcast and as a script writer, both jobs coming under a dramatic company working at the station and not on the station staff.

Mr. Nissin in 1942 was employed by OWI to write pro-democratic programs in Italian, material for which was largely furnished by OWI sources.

The testimony established that after Mr. Nissin received the letter from Mr. Belli requesting an interview (The OWI had recommended that Mr. Belli hire Mr. Nissin) Mr. Nissin went to Mr. Belli's office and was shocked at the story Mr. Belli told him about the trouble Mr. Belli had had. In answer to Mr. Garey's question as to whether Mr. Nissin was "amazed to think that a situation (Belli's) like that could obtain in free America" Mr. Nissin said he was. Mr. Nissin said he censored and wrote most of Mr. Belli's programs and in general was in charge of Mr. Belli's broadcast operations. Questioning then revolved around Mr. Nissin's activities, persons he hired (after clearing them with FCC and OWI) and his connections with OWI—i.e. he had a lot of friends among the employes of the Overseas branch. Mr. Nissin discharged only one man and him on the grounds he was incompetent, testimony recorded.

Lengthy questioning concerning Mr. Nissin's interests in the Belli matter brought out that Mr. Nissin regarded Mr. Belli very highly and recommended to OWI that Mr. Belli be allowed to return to his business.

Following luncheon recess, Mr. Garey read into the record the statements of Bernard Fiedler, Casimir and Florence Jarzebowski, Michael Kecki, Natalie Lesmewski, Martha Ley, Tadeusz Szybel and Eleanor Zablotowicz, all of station WHOM. Statements were taken by Select Committee Council McCall on June 17, 1943.

FCC Investigations Thorough

Principal point established in all these statements was that the FCC examination of the WHOM people, conducted by Mr. Fenner and company, was extraordinarily thorough, going into complete biography, religion,

political beliefs, information concerning friends and relatives and acquaintances and other data on each person questioned.

William I. Moore, of WBNX, was the next witness called. He was identified as Mr. Alcorn's (WBNX manager) assistant.

Mr. Moore outlined in detail the FCC investigations of WBNX conducted in May, June and July, 1942, characterizing them as "a most comprehensive investigation of the station's activities of every imaginable character." Testimony also referred to the FCC questionnaires WBNX filled out in the spring of 1943 (forms 850-51-52).

Other points confirmed Mr. Alcorn's testimony at the previous hearings on the George Brunner matter. After an exchange of questions and answers concerning Mr. Moore's contacts with Frances Keene, about which Mr. Moore's recollection was very poor, he was excused.

Ralph N. Weil, manager, WOV, was next on the stand.

Mr. Weil, following a brief exposition of his business career, was asked by Mr. Garey to present some exhibits and a report on WOV's public service work from January, 1942, to the present, which showed WOV had spent about \$286,000 in time and cash on this service in that period. A number of awards WOV had received also were exhibited, including a letter from Neville Miller, NAB president, and the award given WOV by NAB at the Cleveland convention.

After this display of WOV's services, questioning suddenly centered on Mr. Weil's lack of memory concerning details of a conversation Mr. Weil had had with Harold La Fount of the Bulova interests the day following Mr. La Fount's testimony before the Select Committee counsel. Mr. Garey charged that Mr. La Fount spoke to Mr. Weil about this testimony and Mr. Weil said he couldn't remember, but he didn't think that was so. The entire matter revolved around who recommended Arnold Hartley (WOV program director) to Mr. Weil when he hired Mr. Hartley.

Mr. Garey indicated Mr. Weil was not telling the truth and the hearing adjourned until the next day after Mr. Weil had requested permission to confer with his lawyer. Mr. Weil was directed to return the next morning by Representative Cox.

THURSDAY, AUGUST 26, 1943

Testimony of Arnold Jaffee, Hershl Levin, Boleslaw Rosalak and Ona Valaitis of station WHOM was read into the record by Mr. Garey, as taken by Mr. McCall, Select Committee counsel, June 17, 1943. This material was a continuation of the FCC examination of WHOM staff personnel, referred to in the foregoing day's transcript.

Mr. Garey then read letters from Chairman Fly, FCC, to the FBI and military personnel requesting and giving information concerning foreign language broadcast personnel, particularly George Brunner, of WBNX. Mr. Garey made the point that Mr. Fly's concern about Mr. Brunner more than seven months after Mr. Brunner was off the air was to "find justification for what they (FCC) had done" in putting Mr. Brunner off the air.

Duccio Tabet, censor and translator of WOV, was called to the stand.

Tabet and the Lord's Prayer

The customary biographical questioning revealed that Mr. Tabet had come to America in September, 1940, and had organized a group, consisting largely of Italian refugees, called "Free Italian Youth," which was to help the United Nations fight Fascism and to establish a democratic government in Italy.

Questioning then turned to Mrs. Tabet and a speech she made before the Cooper Union rally in July, 1943, in New York. Mr. Garey attempted to learn whether Doctor or Mrs. Tabet had Communistic leanings, which Doctor Tabet denied. He said he and his wife were interested in going back to Italy as soon as possible to help in establishing a democratic government there.

Lengthy questioning followed concerning Doctor Tabet's connection with WOV. He began work for WOV in December, 1941, and his wife got some work through Short Wave Research, Inc., and their acquaintance with many of the people mentioned many times in these hearings began, including Mrs. Keene, Mr. Colombo, Mr. Hutton (WOV program director) and others.

Not getting much satisfaction in trying to establish that Doctor and Mrs. Tabet acted as informers for FCC, Mr. Garey then turned to a detailed examination of Doctor Tabet's duties as a censor of programs, going into the content of a memorandum Mr. Hutton and Doctor Tabet prepared in April, 1942, containing censorship instructions to the Italian program staff.

It was at this point that the "Lord's Prayer" exchange occurred, so widely picked up by the press in reporting the hearings. It appears that Doctor Tabet had censored a Christmas script of 1942 and had deleted a passage which could be taken to advocate forgiveness for Fascists—a passage very similar to the Lord's Prayer passage which reads "Forgive us our trespasses as we forgive those who trespass against us. . . ."

Garey vs. Tabet on 'Peace'

Mr. Garey set up the parallel between the passage Doctor Tabet deleted and the Lord's Prayer phrase, but Doctor Tabet said "we can't make a comparison of a prayer and a commercial announcement."

Mr. Garey then pressed home hard the charge that Doctor Tabet had no right to censor a basic principle of the Christian religion in free America, with Doctor Tabet defending himself on the point that he had the right to censor something he thought could be misinterpreted.

It was pointed out that Doctor Tabet also had censored the phrase "and peace on earth to men of good will," because it did not include mention of the American victory. This item was worried over at some length with Doctor Tabet trying to fix his defense on the commercial aspect of the program, which made it "not a religious program" and Mr. Garey driving ahead on the deleted sections and Doctor Tabet's competence to censor religious principles.

After luncheon recess, Mr. Garey inserted into the record information on Mario Ferrari-Hutton, program director of WOV, which concerned biographical data and business history. He came to America in 1940.

Arthur Simon, general manager, WPEN, was called to the stand.

Testimony taken from Mr. Simon by Select Committee personnel on August 12, 1943, was read into the record.

Biographical and business data were recorded, then the transcript switched to Mr. Simon's contacts with Andre Luotto, who had figured largely in previous days' hearings.

Mr. Simon's remarks about Mr. Luotto indicated he was a good businessman and a gentleman and so far as Mr. Simon knew, a loyal and patriotic American.

Mr. Garey then examined Mr. Simon concerning Mr. Luotto's efforts to clear himself and his brother S. Luotto and their contacts with Mr. Simon at that time (see Legislative Bulletin No. 14) and Mr. Simon largely confirmed the substance of Mr. Luotto's testimony, with some corrections.

Simon Says 'Outrageous'

Considerable testimony relative to Mr. Simon's work with the Foreign Language Wartime Control Committee was introduced, including reiteration and confirmation of previous transcripts in the hearings about Mr. Simon's and the Committee's involvements with OWI and FCC on censorship matters. References were made to Mr. Lang's (WHOM) troubles with FCC in getting a permanent license and also other foreign language stations, all material which has been covered in previous hearing sessions.

Completing this reading, Mr. Garey next introduced testimony taken from Mr. Simon by the Select Committee staff on August 23, 1943.

This testimony began with references to the NAB Cleveland convention foreign language broadcasters' breakfast at which Mr. Falk of OWI spoke. Mr. Simon was asked if he recalled Mr. Falk "harping" on cleaning up the foreign language stations on threat of losing licenses if it wasn't done. Mr. Simon confirmed this and said he "hit the ceiling" and got up and said Mr. Falk's allegations and remarks were "outrageous." The testimony then went on to cover certain contacts Mr. Simon had with Chairman Fly about foreign language committee cooperation and the business of a couple of committee meetings in Washington, business of which was routine, and also covered some complaints A. Luotto made to Mr. Simon on several foreign language people falsifying information on their foreign language committee questionnaires.

Reverting to live testimony, Mr. Garey asked Mr. Simon about his feelings concerning the Mazzini Society (anti-Fascist group) and Mr. Simon said he wouldn't have any part of it on his station.

Tabet Resumes Testimony

Duccio Tabet was recalled to the stand.

Mr. Garey read into the record a broadcast script titled "The Face of Jesus and the Face of Judas" which Doctor Tabet censored the name "Judas" out several times, which Doctor Tabet explained by saying the Italian word for Judas "Giuda" means "Jew" and he didn't want the script to mean "Jew" when it meant "Judas."

Mr. Garey next jumped to a program on which music composed by Vincent De Crescenzo was featured, asking Doctor Tabet if he had forbidden music by this man to be played over WOV. Doctor Tabet denied this.

A report Doctor Tabet made "on his own initiative" to FCC recommending that WOV have some additional pro-democratic programs was then introduced in which criticism of some of WOV's program was recorded. Mr.

Garey developed the observation that Doctor Tabet voluntarily made suggestions and recommendations about WOV programs to FCC people.

Summing up the testimony given by the three censors, Doctor Tabet, Giuseppe Lupis and Renzo Nissin, Mr. Garey said that while the FCC investigated the personnel on foreign language stations and found fault with many innocent persons, FCC allowed men to remain on stations engaged in the "practices and activities" of the three men mentioned—and Mr. Garey concluded his point on a possible need for action and legislation to remedy these matters.

Ralph Weil, manager of WOV, was recalled to the stand.

Unusual Managership

Opening up on the subject of why Mr. Weil hired Arnold Hartley, Mr. Garey established that Mr. Falk's recommendation on this was "important." Personnel of Mr. Weil's station who are aliens was next discussed with Mr. Weil revealing that he didn't know much about the background or political tie-ups in Italy of his alien people, or how they came to be hired or why.

Mr. Weil volunteered the information that he took up censorship matters with OWI for a year after Pearl Harbor because he didn't know which government body was officially designated to pass on those matters. To make sure, he asked everybody (OWI, OC and FCC) about his problems.

Relations Mr. Weil had with A. Luotto were gone into with Mr. Weil corroborating substantially the testimony given by A. Luotto (see Legislative Bulletin No. 14). Mr. Weil said the only reason he didn't put S. Luotto on WOV was because S. Luotto had been removed by another foreign language station (WGES) and it was a gentleman's agreement among foreign language stations not to hire a man removed from another station—and, further, Mr. Weil had not investigated at all and refused to honor Censorship's clearance of S. Luotto. Still further, on the stand today Mr. Weil still didn't know whether he would permit S. Luotto to broadcast beginning September 1, 1943, but agreed to notify the Select Committee of his decision at Mr. Garey's request.

Mr. Garey read a report written by Mr. Weil to Mr. Guest of FCC made March 10, 1943, in which Mr. Garey said Mr. Weil laid down completely before FCC to curry favor.

Others Investigated

At this juncture Mr. Garey read into the record statements taken by the Select Committee staff from George Brunner, Mario Capelloni and Ruth Parsey, of WBNX: Peter Novassio, Giuliano Gerbi, Paola Sereno and Tullia Calabi Zevi, of WOV; Susan Pascal, secretary to Lido Belli, and Joseph de Laurentis, radio artist. (Mr. Novassio is not with WOV at present.)

Inasmuch as George Brunner has been mentioned so much in these transcripts, it is offered that Mr. Brunner's testimony showed Mr. Falk had told him in June, 1943, that Mr. Falk was doing everything he could to get Mr. Brunner back on the air (he was a salesman then) and that Mr. Brunner had been taken off the air for two reasons: 1. voice inflection, and 2. a newscast delivered by Mr. Brunner on December 15, 1941, didn't correspond with the English text. A citizen, who came to America in 1923, Mr. Brunner also testified he went

through the same grilling by Messrs. Fenner and Guest as to his life, background, relations and friends, political beliefs, etc., that other personnel listed in this week's hearings had.

Mario Capelloni was given the usual thorough FCC questioning as above. In the case of Joseph de Laurentis, he related a great deal of trouble getting his name mentioned on WOV because Doctor Tabet "scraped" it off scripts. He also was "blacklisted" by some government agency, he didn't know which, for a while and was off the air, but everything was finally straightened out some time after an FBI investigation of him. He has been a citizen since March, 1915.

Giuliano Gerbi testified he gets \$50 a week from WOV as announcer, \$30 a week from NBC as translator and announcer and \$3,800 annually from OWI for the same kind of work. He came to America to stay in 1940 and filed citizenship papers, and he also got the FCC going-over—twice in a few months.

Tabet 'Too Strict'

Peter Novassio said he became a citizen in 1926. His testimony included the information that Doctor Tabet and Mr. Hutton had refused to allow music of Mr. De Crescenzo to be played on WOV, charging him to be pro-Fascist. Mr. Novassio said Doctor Tabet was too strict and was trying to make rules in America like the Fascists did in Italy.

Ruth Parsey was grilled by FCC, principally about Mr. Brunner. So was Susan Pascal, who got the works on not only her own background, etc., but on her boss (Mr. Belli), trying to find out about his beliefs, conversations, etc. Miss Pascal said Mr. Fenner outright called her a liar twice.

Paola Sereno was asked about "plenty of people" and also plenty about himself, by the FCC questioners, so he testified. In a second examination by the Select Committee, Mr. Sereno was asked about the OWI program "Your Uncle Sam Speaks," for which he was a translator—he described the show and told of his taking part in the cast once.

Tullia Zevi was questioned at length on her background and that of her husband, Bruno, now overseas, by the Select Committee staff. It developed she and her husband and Professor Sal publish a little anti-Fascist magazine titled "Querderni Italiani." She is also monitor and censor at WOV working under Doctor Tabet. Asked about the "Judas" incident, she gave the same answer that Doctor Tabet did—that "Judas" sounds much like the Italian "Judi" for "Jew." She came to America in 1939 and has filed first papers. Considerable questioning about her duties and business relations with Mr. Hartley and other WOV personnel was recorded, how she was hired, what Mr. Weil does, etc.

FRIDAY, AUGUST 27, 1943

Rep. Edward J. Hart presided in the absence of Representative Cox.

Hugh Reilly, Select Committee counsel, opened the final New York session by calling Harold La Fount, vice president, Wodaam Corp. (operator of WOV) to the stand.

Mr. La Fount, it was established, came to America from England when a child, became a resident of Utah

and a Mormon bishop and was a member of the old Federal Radio Commission. He is now president of the Independent Broadcasters' Association, consisting of about 100 "very small" stations.

Mr. La Fount, it was recorded, owns an interest in WORL, WCOP, WNBC and WELI and supervises WOV and WPEN. Questioning devolved around Mr. La Fount's business duties in the stations and his operations in them.

The Andre Luotto case was taken up (see Legislative Bulletin 14) and Mr. La Fount admitted that Mr. Luotto's character was "very satisfactory." Mr. Reilly asked Mr. La Fount about his acquaintanceship with Washington people, particularly the FCC personnel, most executives and Commissioners of which he knows. Mr. La Fount stated he is contact man between the IBA and the FCC, but is not a "lobbyist."

Mr. La Fount confirmed in essence the testimony A. Luotto gave the Select Committee concerning the contacts he and his brother, Stefano, had had with Mr. La Fount.

Mr. Reilly then questioned Mr. La Fount as to whether he had ever hired anyone besides Mr. Hartley at OWI's recommendation on any of his stations and he said no.

OWI Charged

Mr. La Fount admitted discharging personnel because of suggestions from OWI, even though in one case he was convinced the person involved should not have been fired, and that in three cases Mr. Simon (of WPEN) keenly resented firing them.

Mr. La Fount admitted knowing Chairman Fly, Governor Case and Commissioner Craven of FCC better than any of the other Commissioners.

The matter of the transfer of WOV from the Bulova interests to the Mester Brothers came up as related in A. Luotto's testimony. Mr. La Fount testified that he knew nothing about FCC's objection to A. Luotto until after the application for transfer had been filed and set for hearing.

Mr. Garey interrupted Mr. Reilly's questioning after a brief recess to introduce four letters bearing on the Alfonso Vanacore (Ugo Neri) case in which Messrs. Falk, Cranston and Facci of OWI had directed Mr. Belli to put Mr. Vanacore off Mr. Belli's programs. Mr. Vanacore had been trying to get the ban lifted and the letters dealt with clearances given him to return to the air from OWI, FCC and OC. OWI and FCC disclaimed jurisdiction in his case and OC said it never had entered the matter. Mr. Garey made the point that Mr. Vanacore still is not on the air and won't get back because of OWI and FCC.

Mr. Reilly resumed questioning Mr. La Fount, who said he had misunderstood previous questioning and that Mr. Hartley's name was not on a list of recommendations for program director for WOV submitted by OWI.

Further reference to the WOV sale was made and Mr. La Fount confirmed A. Luotto's testimony about the PM story (protesting against transfer of WOV to A. Luotto and the Mester Brothers), and the subsequent events which led to the dropping of the application request without prejudice by the FCC.

A staff memorandum sent to Mr. La Fount by Chairman Fly of FCC on May 27, 1942, was introduced.

FCC Dislikes A. Luotto

This memo very definitely listed A. Luotto as a major factor in viewing the transfer in an unfavorable light by FCC plus the factor that the Mester Brothers Company itself was not even up to the FCC's "minimum standards" for station operator qualifications.

Questioned as to the validity of this memorandum and as to his feelings about it, Mr. La Fount finally admitted that he thought Mr. Luotto was a good citizen and that he should be given a chance to "be heard" on the charges against him.

Mr. Luotto's testimony was again touched on and Mr. La Fount confirmed the gist of the meeting at which he and Mr. Luotto, FCC Counsel Telford Taylor, WOV Attorney Horace Lohnes and Mr. Taylor's assistant attended at which Mr. Luotto presented his story as related in Legislative Bulletin 14, following other details similarly as presented by Mr. Luotto.

Mr. La Fount said he had never seen any formal written objections on the WOV transfer filed by FCC, but had only got them by word of mouth. He confirmed the fact that the principal reason the application was withdrawn was because WOV attorneys had indicated a hearing would be a long, slow and costly procedure with a year at least elapsing before any action could be taken by the Commission and because of the complications mentioned by Mr. Luotto in his testimony.

Mr. Garey concluded the New York hearings by summing up that FCC set up a "Gestapo" which has violated the rights of individuals and that the material presented in the hearings was but a small part of the national picture, but that the Select Committee could study the great mass of unrepresented material at its leisure.

Special Legislative Bulletin No. 16 contained the "Text of Address of Senator Ed Smith of South Carolina at 4th NAB District Meeting." In the interest of accuracy we point out, as stated in the NAB REPORTS, that "Senator Ed (Cotton Ed) Smith, of South Carolina, was scheduled as dinner speaker, but illness prevented his appearance. Mr. Shafto read Senator Smith's speech. . . ."

(The following letter was sent to Representative Cox by Gene T. Dyer and a copy was sent to NAB. So that the record may be complete we are glad to print in in this Legislative Bulletin.)

"The writer was downright flabbergasted to read in the September 3rd Special Legislative Bulletin of the National Association of Broadcasters the following:

"S. Luotto did inject the startling comment into the hearing that Gene Dyer, co-owner of WGES, during a conference with the Luotto brothers in Chicago on S. Luotto's situation referred to dealing with a combination like Hartley-David is like "having a (deleted by Dyer) contest with a skunk." Representative Cox attempted to have the witness "soften" the language, but S. Luotto stubbornly insisted that was what Gene Dyer said and so the chairman let it go."

"This statement for your information and that of the Committee is *absolutely untrue*—and since it is so

damnablely hurtful to both Mr. David and Mr. Hartley, I feel it my duty to deny it most forcefully.

"I shall mercifully conclude that Mr. Luotto's misquotation of my words was a result of his 'unfortunate inability to understand the English language.'

"Shortly after the time of Mr. Stephano Luotto's dismissal from WGES, he visited me at my office together with his brother Andre and asked me to intercede with the FCC to restore him to the air. They wanted to arrange a meeting with a New York Congressman, Mr. David, Mr. Hartley and a number of other persons whose knowledge of him (S. Luotto) might prove Luotto's case for his return to the air. I refused to agree to this plan at the time and when pressed for an explanation I answered in this evasive fashion as I recall:

" 'I have not made up my mind in this matter at this time gentlemen,—and I've learned from my experience back on the farm that until I'm equipped with a shot-gun I'll never get into a perfume throwing (a less elegant term was used) contest with skunks.'

"There was certainly nothing of rancor or condemnation in my heart or mind for either Mr. David or Mr. Hartley. Mind you, Mr. Hartley was then in my employ and remained with us months afterward and left us of his own volition. And further I have

never discussed the Luotto matter in any way whatsoever with Mr. David. It was certainly the furthest thing from my mind to have in any way impugned the character or standing of these gentlemen, nor could my statement as set forth be construed as reflecting on anyone. I was simply saying that until I was armed with facts I would enter into no argument. I hope your record will indicate this direct variance with the testimony of S. Luotto.

"There are other discrepancies in Mr. Luotto's testimony but since they tend to hurt only ourselves, I am making no issue of them.

"It is my belief, Mr. Congressman, that the interests of American broadcasting could well be served by proper revision of the Communications law as now written but it is also my belief that under the present radio law the close surveillance of radio stations even to the point of their personnel is a bounden duty of the Federal Communications Commission. I respectfully urge that this end (the modification of the law) be accomplished without indiscriminate destruction of the lifeworks of men in the industry. With this purpose I know you agree.

"I am taking the liberty of sending a copy of this letter to Mr. David and Mr. Hartley and to the National Association of Broadcasters."