

## REPRESENTATIVE E. E. COX RESIGNS AS CHAIRMAN OF THE SELECT COMMITTEE

*(Text of Congressman Cox's resignation speech given September 30 on the House floor is contained in the special legislative bulletin enclosed.)*

Representative E. E. Cox, of Georgia, chairman of the Select Committee of the House of Representatives, 78th Congress, to Investigate the Federal Communications Commission, has resigned his chairmanship.

In a speech before the House September 30, Congressman Cox said he was taking this step because of the controversy over his chairmanship which had arisen.

Placing the "best interests of the House" before personal justice to himself, Congressman Cox submitted his resignation both out of a "deep desire" to live up to the sacred obligations of the House and because he was "fortified" in his action by friends and colleagues in whose "friendship and judgment I have the utmost confidence."

The action followed closely a lengthy open letter in the *Washington Post* of September 27 from *Post* Publisher Eugene Meyer to Speaker Sam Rayburn asking that the Speaker take immediate action on FCC Commissioner C. J. Durr's petition to disqualify Congressman Cox as a member of the Select Committee. Commissioner Durr had written Speaker Rayburn on September 24 asking action on his petition, which had been filed with the Speaker on May 13, 1943. The petition was referred to the House Judiciary Committee, which disclaimed jurisdiction to act and referred it back to the House.

## CONGRESSMAN KENNEDY OF N. Y. SUBMITS 'FREEDOM OF SPEECH' RESOLUTION

*(Text of statement and resolution enclosed in special legislative bulletin.)*

Representative Martin J. Kennedy submitted a joint resolution to the House September 30, which stated simply: "Congress shall make no law abridging the freedom of speech by radio or wire communication."

The resolution was preceded by a statement issued from Representative Kennedy's office explaining the reasoning behind the resolution which consisted of only two one-sentence sections.

## Broadcast Advertising

### RETAIL PROMOTION PREMIERE PLANS BEING COMPLETED

Plans for the World Premiere showing of the Retail Promotion Plan presentation October 12 at the Statler hotel in Washington, D. C., were being completed this week by a special committee of Washington broadcasters headed by Carleton Smith, WRC manager.

Approximately 800 government, retailing, broadcasting and other industry leaders will be invited to see the showing.

Preliminary showings of the presentation "Air Force and the Retailer" held in New York City for retailing and broadcasting industry leaders who have been assisting in planning the show have engendered considerable enthusiasm among these men, who predict a high degree of success for the film.

The 16 masters of ceremonies who will tour 126 cities with the 16 units of the presentation will also attend the Washington showing as a "baptismal" experience, Paul W. Morency, WTIC, Retail Promotion Committee chairman, has announced.

Other members of the Washington committee are: Carl Burkland, WTOP; Ben Baylor, jr., WMAL; Henry Seay, WOL, and G. Bennett Larson, WWDC.

### DU PONT RADIO AWARDS PERPETUATED BY TRUST

Three annual awards, each including payment of \$1,000, have been established by Mrs. Jessie Ball du Pont, wife of the late Alfred I. du Pont, Jacksonville, Florida.

*(Continued on page 400)*

## The Petrillo-Decca Contract

Full text of the contract, which has been signed by Decca and World with the A. F. of M. together with a statement concerning the contract, will be found in the special A. F. of M. bulletin enclosed.



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NATIONAL 2080

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*.

## DU PONT RADIO AWARDS PERPETUATED BY TRUST

(Continued from page 399)

A trust agreement has been entered into with The Florida National Bank of Jacksonville, which, according to a communication to NAB from Mrs. du Pont, "establishes, and I hope guarantees for all time, the Alfred I. du Pont Radio Awards." Facsimiles of the trust agreement were mailed to all radio stations and commentators for their permanent reference and information.

Two Radio Station Awards shall be conferred in each calendar year to two radio stations in the continental United States for outstanding and meritorious service in encouraging, fostering, promoting and developing American ideals of freedom and for loyal and devoted service to the nation and to the communities served by these stations respectively. One award shall go to a large radio station, as defined from the standpoint of power and range of coverage, the other to a small radio station, similarly defined in the trust agreement. Both awards shall be of equal size, dignity and merit, the agreement sets forth.

The Radio Commentator Award shall be conferred in each calendar year to one individual, who shall be a citizen of the United States, in recognition of distinguished and meritorious performance of public service by aggressive, consistently excellent and accurate gathering and reporting of news by radio and the presentation of expert, informed and reliable interpretation of news and opinion for the purpose of encouraging initiative, integrity, independence and public service through the medium of radio, according to the language of the agreement, which also provides for a Committee of Awards to determine the winners.

Awards will be made during March for the preceding calendar year.

## A.F.A. DISTRICT URGES CLARIFIED RADIO LEGISLATION

The 10th (Southwest) District of the Advertising Federation of America, meeting in Dallas, Texas, September 13-14, passed the following resolution:

Be it resolved that, in view of the recent interpretation of the Communications Act of 1934 by the Supreme Court of the United States, holding that the Federal Communications Commission is empowered to supervise, not only the traffic, but also the content of radio broadcasting, the 10th District, A.F.A., hereby petitions the Congress of the United States to so amend the said Communications Act as to rigidly define the authority, powers and duties of the Federal Communications Commission. We do not believe that the Congress intended to confer upon any bureau or bureaucrat the un-American power of censorship of the spoken word, and we urge the Congress to so clarify this legislation as to insure freedom of speech and communications against any possibility of capricious legislation.

## EGOLF APPOINTED CHAIRMAN OF A.F.A. WAR ACTIVITIES

Willard Egolf, assistant to the president of NAB and vice-president of the Advertising Federation of America, was appointed chairman of the A.F.A. War Activities Committee at a meeting of the officers and board of directors in New York, Sept. 28.

Remainder of the Committee, consisting of prominent figures in advertising, are being notified by Joe Dawson, president of Tracy-Locke-Dawson advertising agency, New York, also president of A.F.A.

Mr. Egolf succeeds Allan T. Preyer, executive vice-president of Vick Chemical Company, last year's chairman of the committee which correlates and promotes the use of advertising in the war throughout the United States, principally assisting local advertising clubs in outlining and expediting campaigns for the home front.

## OWI RECOGNIZES WRVA FOR "EXTRA" CONTRIBUTION

Signal recognition of Station WRVA, Richmond, Virginia, and Irvin Abeloff, program director, for his ingenious method of inserting OWI messages in Army and Navy shows, was accorded by John Hymes, chief of the OWI station relations division, in his bulletin to regional chiefs September 17. Text of the bulletin follows:

For quite some time Station WRVA, Richmond, Virginia, has been devoting a large portion of its public service features to the armed services in the way of special programs emanating from Army and Navy camps within the station's coverage area. Mr. Irving Abeloff, War Program Manager of WRVA, has adopted the policy for his station for granting time for such broadcasts only on the condition that they provide more than entertainment and service themes. Before WRVA grants time to an armed service for a program they must agree to devote some portion of their broadcast time to a message that would aid the over-all war objectives; in other words, an OWI message. This, of course, is an extraordinary situation, but it is an attitude which presents a national idea to us.

Mr. Abeloff, WRVA, and our regional chief in Richmond, Walter Huffington, have accordingly been very successful in incorporating OWI messages into these armed service programs, and because of their success we are passing an adaptation of their plan along to you with the suggestion that you work out similar schedules with the stations in your region. Some of you are already doing this on a spasmodic basis, and it is our hope that these allocations will be done nationally on a regular basis.

Because we believe this plan has great possibilities for more effective placement of OWI messages, we are suggesting that you attempt to set up an armed service program-OWI Allocation Plan on the stations in your region, and offer you the following procedure for a plan of operations in putting this into effect:

1. Contact all War Program Managers in your region and obtain from them a list of the local programs they carry which are either produced by an armed service personnel or by the stations for any armed service. This list should include all sustaining shows emanating either from military posts or from station studios.
2. Together with this list of shows, have the War Program Manager give you the military office and the personnel which the station contacts for production on each of these shows.
3. Write to this military contact and ask him if he would be willing to incorporate or include an OWI message in his armed service program. For your "sales story," suggest to them that in doing so they would be contributing largely towards the home front war effort, and that the spot coming from a military post would be extremely effective. In addition, you might state that it is certainly to the armed services' benefit that OWI messages



be given as wide and as effective coverage as possible. In contacting the Army it was suggested that you request them to "schedule an OWI message in addition to your Army theme."

4. When you receive acceptances, then contact the War Program Manager of the station over which the show is being broadcast. Advise the War Program Manager to submit accordingly one of his OWI messages each week to the production man on the particular show for routing into the program. This message can be on any one of the OWI campaigns which the station is currently carrying, the selection being dependent on importance, appropriateness or military acceptance. The station can submit the live copy to the program production chief for use either as a straight announcement or for a re-write into the script. In the case of a studio show, if desired, a transcribed announcement could be used.

In some cases you may run into armed service programs which would like to give particular OWI messages a complete or a more thorough treatment. On WRVA, for example, camp writers have effectively worked the messages into the script either in a comedy or a dramatic vein, or in one way or another. In such instances, furnish the program writers with fact sheets or background material on the subject. I think these cases, however, will be the exception rather than the rule, and I would say that we should be satisfied with straight messages.

We are grateful, and hereby express our appreciation to Mr. Abeloff, Station WRVA, and Mr. Huffington for suggesting this plan to us, and for helping us in working it out.

Bill Spire, our government liaison chief, has checked and cleared this plan with the Navy and War Departments, Commander Reichner representing the Navy and Major Pellegrin representing the War Department. Incidentally, they both suggested that it would be more effective if the requests came from stations rather than from OWI. I do not feel, however, that the average War Program Manager would be sufficiently interested or could devote the time to doing this and believe it should be our job to make the solicitation. If you find individual cases to the contrary, you are at liberty to take advantage of such a situation.

## Radio Councils

### GREATER BOSTON RADIO COUNCIL ORGANIZED

Dean Howard M. Le Sourd, of Boston University, has been named president of the newly-organized Radio Council of Greater Boston.

Other officers are: Mrs. Benjamin F. Kraus, Federated Women's Club; Dr. Carl Friedrich, Harvard University, and Adelaide Fitzgerald, vice-presidents; Carolyn La Vers, recording secretary; Elizabeth Boudreau, Boston Public Library, and Charles G. Bernard, Kiwanis Club, treasurer.

The executive board includes representatives of seven Boston radio stations, chairman of standing committees and the six members-at-large.

### N. J. COUNCIL EDUCATION COMMITTEE HOLDS MEETING; PLANS ACTIVE RADIO WORK

First meeting of the education committee of the Radio Council of New Jersey was held September 22 in Elizabeth, with members agreeing that:

1. The committee should endeavor to impress upon New Jersey educators the really tremendous and rapidly growing importance of American radio as a factor in modern

life and that they should more thoroughly and effectively realize this in planning educational activities.

2. There should be a radio division in the New Jersey State Department of Public Instruction or some person should be given the specific responsibility of encouraging and promoting the use of radio and sound equipment.

3. There should be in each school building radio and other sound equipment adequate for the needs of the entire student body.

4. There should be an extension of opportunities for teachers, librarians, and others to learn about radio and sound equipment and how they can be used as educational aids, both in and out of school.

5. Encouragement should be given to libraries as well as to other educational institutions to establish script libraries, make collections of recordings, and also to further the study of radio in their communities.

6. Radio stations should be encouraged to continue to expand the production of programs which have educational significance and thereby develop closer cooperation between educators and broadcasters.

The first and most important task of the committee will be to survey the public, private and parochial schools to determine to what extent the radio is a factor in education today. This questionnaire will ascertain what receiving and broadcasting equipment is available including stationary and portable radios, microphones, recording devices, loud speakers, amplifying systems, and recordings. An effort will be made to learn to what extent schools participate in broadcasts, how radio techniques are utilized in regular classes, and the use of the radio and sound equipment both in and out of school.

The committee discussed at some length the possibilities of using radio and sound equipment as a supplement to the usual teaching techniques and procedures. Its significance as an educational factor was presented from many angles. The committee recognized that teachers need to be trained in the use of the radio and sound equipment and that educational administrators must be sold on the growing importance of audio aides in teaching-learning situations. Several educational institutions in the state are to be urged to make application for FM radio stations. The attention of educators will be called to the fact that the use of radio and sound equipment means more than listening to programs in school and out and in visiting local stations. The appreciation by youth of the better type of programs is one of the major responsibilities of educators.

Those present included: Charles W. Hamilton, assistant in secondary education of the State Department of Public Instruction, chairman; Anne Hoppock, assistant in elementary education, and Lloyd H. Jacobs, supervisor of distributive education, also of the State Department; Max J. Herzberg, principal of Weequahic High School of Newark and president of the National Council of Teachers of English; Mrs. Marjorie Merritt Quinn, associate extension editor of the N. J. College of Agriculture; Miss Hannah Severns, librarian of Moorestown; Prof. Paul S. Nickerson, Montclair State Teachers College; Robert B. Macdougall, Trenton State Teachers College; Mrs. Robert W. Cornelison of Somerville, chairman of the department of education of the New Jersey State Federation of Women's Clubs and president of the Radio Council of New Jersey; Mrs. Carl Bannwart of Newark, chairman of the radio committee of the N. J. State Federation of Women's Clubs; Leon C. Hood, teacher of English in Clifford J. Scott High School of East Orange; Dr. Frederick L. Hipp, editor of the N. J. Educational Review and Director of Democratic Discussions, and Rt. Rev. Msgr. William F. Lawlor, superintendent of schools of the Archdiocese of Newark. Guests were Mrs. Dorothy Lewis, coordinator of listener activity of NAB and Miss Dorothy Rowden, assistant to the director of education of the Columbia Broadcasting System.

## DES MOINES COUNCIL GETS BOOST FROM NEWSPAPER

(The following editorial is reprinted from the Des Moines *Tribune* of September 10 and is self-explanatory.)

### Radio Council

The Federal Communications Commission has power to yank the broadcasting licenses of radio stations if the commission doesn't think they operate "in the public interest, convenience, and necessity."

But in addition to this, the stations themselves regard it as their chief duty to entertain the listeners and to sell time to advertisers, so they keep constant check on what the advertisers and listeners get for their money through various "listener surveys."

Every little while there is a wave of public indignation or hysteria over something to add to their worries, like the Mae West wisecracks of a few years back, the Orson Welles "invasion from Mars," or parental concern over the quantity and quality of children's programs.

Each of these waves of excitement has left permanent marks on the broadcasters in the form of new "don'ts" and "do's."

In the last few years, the National Association of Broadcasters has been promoting the local "radio council" as a device for more continuous and helpful contact between broadcasters and their public. Cedar Rapids, Ia., has had one for several years; Des Moines has a new one, organized last June and expecting to be in full swing by October.

These radio councils have two chief functions—to afford a channel for constructive and representative criticism of radio programs, and to help the local radio stations make the best use of free time given to local civic organizations.

The new Des Moines radio council, formed with the co-operation of all three local stations and of the National Association of Broadcasters, has an allocation committee to divide up the time donated by the stations to local non-profit organizations, a continuity committee to give them advice about scripts, a talent and production committee to give them help in putting on their programs.

For its more generalized function of helping broadcasters keep in touch with their audience, it has a survey and program evaluation committee.

Critics in the past have sometimes chided the radio industry for seeking less to please than to avoid complaints. Existence of a live radio council should help radio executives determine which complaints are widespread and which are merely crotchety. It should also help raise the quality, variety, and representativeness of the donated-time programs.

## Engineering

### RTPB MEETING

The Radio Technical Planning Board met in New York City on September 29 for the purpose of electing the chairman. The voting sponsors represented at the meeting were the following:

American Radio Relay League  
FM Broadcasters, Incorporated  
Institute of Radio Engineers  
National Association of Broadcasters  
Radio Manufacturers Association

Other sponsors present, but not yet qualified to vote, were:

The American Institute of Electrical Engineers  
Aeronautical Radio, Incorporated  
International Association of Chiefs of Police  
National Independent Broadcasters

Dr. W. R. G. Baker, General Electric vice president and RMA director of engineering, was elected chairman for the term ending October 1, 1944. Dr. Baker was the chairman of the Television Standards Committee.

The chairman is expected to call another meeting of RTPB for the election of other officers, organization of panels, budget determinations and administrative details.

Neville Miller and Howard Frazier attended for NAB.

### RADIO TOWER LIGHTS

FCC has announced changes in its Rules and Regulations regarding the condition of radio tower lights and entries thereof in radio station logs. These changes, effective October 28, 1943, provide first, for visual observation and physical inspections of tower lights, to be followed by a report to the nearest Airways Communications station of the Civil Aeronautics Administration where any failure of tower lights which cannot be readily corrected is observed; and second, entries in the station log indicating not only that regular checks have been made, but also showing where failure has occurred and the nature of steps taken to remedy the condition.

### W.C.T.U. GIVES RADIO BIG PLAY IN MAGAZINE

In the September 4 issue of *Union Signal*, publication of the National Women's Christian Temperance Union, radio was accorded the majority of space in the 24-page magazine.

Articles by Earl J. Glade, KSL; Dorothy Lewis, NAB; Dorothy Gordon, national director of children's radio programs for OCD and Helen Hewitt Green, national director, W.C.T.U. department of radio, featured the issue.

## FEDERAL COMMUNICATIONS COMMISSION

### FM BROADCASTING AND EDUCATION

(This talk was delivered by George Adair, assistant chief engineer, FCC, before the Federal Radio Education Committee executive committee in Washington, September 17, and is the talk to which FCC Chairman James Lawrence Fly referred in his speech printed in the September 24 issue of the "Reports.")

Reluctant to admit it as many of us are, the days of "Readin', Ritin' and Rithmetic, taught to the tune of the Hickory Stick" are past. The horse and buggy days of education are over. Education the hard way is no longer acceptable.

The present-day tendencies of lessening discipline in the home almost to the vanishing point and the psychology propounded by many educators as well as parents, that children should be permitted full self expression or in other words to do as they please, have made teaching increasingly difficult.

In order to make life easier for themselves and to escape responsibilities, more and more parents and teachers are only too willing to accept the theory that a child should be made happy so that if he were to die tomorrow he would have lived a happy life instead of training the child so that if he lived to be a hundred he would have had a happy and useful life.



Such conditions make the position of the conscientious teacher almost untenable leaving only three courses of action:

1. Attempt to force learning on the children which brings down the wrath of some parents and makes the teacher so unpopular that the majority of the students learn little or nothing.
2. Let the children act and do as they please so again the majority learn little or nothing, or;
3. Meet the challenge of present-day conditions and the distraction of competing interests and make the courses of study and their presentation such as to demand the interest of the students.

Obviously, the third is the only logical course to take and the only remaining problem is how to meet the challenge. Examination indicates that the competing interests largely center around such things as airplanes, mechanics, movies, sports and radio. Further investigation immediately reveals that as in many other things in life, the strategic thing to do is to make these allies instead of trying to fight them. There are, of course, many ways to do this and in some cases efforts along this line have produced highly satisfactory results; on the whole, however, the surface only has been scratched.

### Modernize Education

We see and hear much about the importance of electronics, radar, airplanes and other technical developments in our post-war manufacturing, home construction, travel and other phases of life. Why not modernize our educational program?

One method of modernizing education is by intelligent and diligent use of radio in schools. Use of the commercial broadcast stations has very definite possibilities, but the installation and operation of a school's own radio system has infinitely more possibilities, not only in bringing the outside interests into the school but in taking the school interests to the outside world and into the homes of the pupils. The specific uses of such a system are too numerous to attempt to list, but a few are:

Class room instruction.

More coordinated instruction.

Bringing the quality of instruction in all classrooms teaching a particular subject up to the standard of the best teachers available in the whole school system.

Faculty instruction.

Practical applications of the basic studies.

Self-expression of pupils and teachers.

Languages, history, music and the arts.

Teaching of various phases of radio and broadcasting.

Programs directed to parents and public.

Home classes for confined pupils.

Courses for adult instruction.

Educators interested in the possibilities of education by radio, particularly by the use of noncommercial educational broadcast stations, no doubt are concerned as to how this service will develop and form a part of the post-war broadcast structure. While the construction of broadcast stations has virtually stopped because of limitations in the use of critical materials and shortage of skilled personnel, research in radio transmission and reception has proceeded apace. Particularly is this true with respect to the development of high frequency equipment, so important to the prosecution of the war. Conversely, there should be no doubt but that this research will have marked effect on the progress of high frequency broadcasting when facilities may be directed to this end. Since it is probable that the post-war period will bring rapid expansion in high frequency (FM) broadcasting, it is appropriate that plans be started now by educational agencies to take advantage of the broadcast facilities that have been allocated for their particular use.

### FM Development

The development of frequency modulation broadcasting (FM in common parlance) is of considerable importance to those interested in the use of noncommercial educational broadcast facilities. Just why is this so and what advantage does FM bring?

After extensive tests of FM, and following a hearing in March, 1940, on the subject of high frequency broadcasting, the Federal Communications Commission announced that FM was ready to move forward on a broad scale. Rules and standards were adopted, providing 35 channels for commercial stations between 43 and 50 megacycles for use by FM stations. The band set aside for educational stations was changed from the 41 to 42 megacycle band to the 42 to 43 megacycle band. This provides five educational channels. The allocation of the educational band adjacent to that of commercial FM broadcast stations places the educational stations on an entirely independent basis, yet gives them the benefits of developments in the service rendered by commercial stations. Since regular FM receivers provide for the reception of both services, noncommercial educational broadcast stations may transmit educational and entertainment programs to the general public as well as to special school receivers. Thus, there is established a sound basis for the parallel growth of non-commercial educational and commercial broadcasting with this new and superior form of transmission at these frequencies.

Approximately seventy FM stations had been authorized when the war required the restriction of construction, and at this time, some forty-five FM stations are in operation and providing a high-quality noise-free broadcast service. Since the use of an FM channel generally may be repeated at intervals of 100 to 150 miles, the total number of educational stations which may be established is very large although the maximum number erected in any one locality is relatively small. It is anticipated, however, that there will be at least one educational FM channel available for every community that wants one.

There are five educational agencies which are actually taking advantage of the opportunities of FM by the operation of such stations at this time. These are as follows:<sup>1</sup>

<i>Licensee and Location</i>	<i>Call Letters</i>	<i>Frequency (kc)</i>	<i>Power</i>
Board of Education, City of Chicago, Chicago, Illinois	WBEZ	42,500	1kw
Board of Education, City of New York, Brooklyn, New York	WNYE	42,100	1kw
Board of Education of the San Francisco Unified School District, San Francisco, California	KALW	42,100	1kw
Cleveland City Board of Education (Charles H. Lake, Superintendent), Cleveland, Ohio	WBOE	42,500	1kw
University of Illinois, Urbana, Illinois	WIUC	42,900	250w

<sup>1</sup> There is one other noncommercial educational broadcast station which has not as yet converted from amplitude modulation (AM) to frequency modulation (FM).

The foremost advantage of frequency modulation over amplitude modulation (used in standard broadcasting and most other radio services) is its ability to reduce or eliminate noise received with the signal. Atmospheric and man-made electrical noise, which consists primarily of amplitude variations, may be eliminated in FM since the amplitude of the radio signal is maintained constant and amplitude disturbances may be overcome. Further, FM

signals have the ability to discriminate against other signals of lesser intensity, providing freedom from such interference. The characteristics of FM provide an excellent means for the transmission and reception of high fidelity programs.

### "Educational" Station Defined

By definition the term "noncommercial educational broadcast station" means a station licensed to an organized non-profit educational agency for the advancement of its educational work and for the transmission of educational and entertainment programs to the general public. A license for such a station will be issued only to such an agency and upon a showing that the station will be used for the advancement of the agency's educational program, particularly with regard to use in an educational system consisting of several units. Each station may transmit programs directed to specific schools in the system for use in connection with the regular courses as well as routine and administrative material pertaining to the school system, and may also transmit educational and entertainment programs to the general public.

Since noncommercial educational broadcast stations are intended primarily for use by school systems where a co-ordinated educational program service is carried on, it is expected the use of such stations will be largely in city and county school systems for the transmission of program material directed to the schools in the system, and, for the transmission of program material to the general public.

The transmission characteristics of stations operating on these high frequencies are such that at the powers usually employed adequate service is provided to the schools in the system as well as to the public within the area, but normally do not furnish a service to regions beyond. Because of the limited transmission range, these stations are not suitable for widespread coverage, such as, for example, over more than the smallest states. However, state colleges and universities may desire to employ stations for use with schools within transmission range. Although no networks or combinations of educational broadcast stations have as yet been developed, such operation on a statewide or even perhaps a nationwide basis would appear to offer definite and interesting possibilities.

To those unacquainted with the equipment necessary in a typical educational broadcast system, a few words regarding this topic may be of interest. In addition to the transmitter and antenna, a number of components are required to complete a noncommercial educational broadcast station and to permit the transmission of a high quality dependable program service. There would be required the usual microphones, a studio amplifier, transcription equipment, monitors for determining adherence to the assigned frequency and for determining percentage of modulation, and such power supply equipment and miscellaneous apparatus as may be necessary in any particular installation. In addition, it may sometimes be desirable to install studios in several buildings, thus requiring supplementary equipment at each studio. All principal studios should be acoustically treated to permit the transmission of program material with as much fidelity as possible.

### Servicing Schools

Schools equipped with public address systems would, of course, need only one receiver to provide every classroom with the material being broadcast. While a number of loud speakers may be employed with a single receiver of proper design without the use of additional amplifying equipment, it is believed desirable to use some form of amplifier in schools where a considerable number of loud speakers are needed in order not to sacrifice high fidelity and adequate volume. A system of this type would be

much more inexpensive than one where separate receiving sets are used in the individual rooms. This arrangement would have the added advantage of enabling such schools to have, by the simple addition of a microphone, a public address system for communications to the individual rooms. However, in schools where additional wiring proved burdensome, either by reason of cost or decorative standpoint, individual classroom receivers may be used.

It has been estimated that an average school station may be installed at the price of one classroom and that the personnel required would consist only of a radio engineer and a program director, both of whom could be obtained from the regular school staff. While the cost of an installation varies widely with individual requirements, a few approximations will be given to indicate the general minimum cost of equipment.

An FM transmitter of standard manufacture and of 250 watts rating can be obtained for approximately \$4,500. This power should be sufficient for the coverage needed by many school systems, particularly where an antenna site is available which is high with respect to the surrounding terrain. Should a 1000-watt transmitter be needed, these can be purchased for approximately \$9,000. While it is possible that such equipment can be assembled by a competent radio engineer at a cost below these figures, it is suggested that such an expedient be carefully studied before attempting to effect economics along this line.

### Other Costs and Equipment

The cost of the antenna will depend largely on the transmitter site, for if a tall building or other point of high elevation is available a comparatively simple antenna structure can be used, the cost of which should not exceed a few hundred dollars. The propagation of high frequency radio signals is dependent to a large extent upon the height of the transmitting antenna above the surrounding terrain, and thus it is important that a suitable location be obtained. While this is not as important for service to limited areas, such as the confines of a city, it would be necessary to insure coverage of the schools in a large county, but in any case better service with less installed power may be obtained by a good antenna at a good location.

Other equipment, such as microphone, amplifiers, transcription equipment, etc., may run into several thousand dollars, again depending upon each individual installation. Thus, a complete FM radio transmitter with necessary appurtenances may cost a probable minimum of about \$6,000 to \$7,000 for 250 watts and \$11,000 to \$12,000 for 1000 watts. Added to this will be the cost of the receivers at the various schools, any amplifiers and loud speakers used in these installations, building requirements, studio treatment and furniture.

Major Edwin H. Armstrong, whose research and developmental work in frequency modulation demonstrated its possibilities, has given impetus to and reduced the cost of the establishment of noncommercial broadcast stations by not requiring from educational agencies the payment of royalties on his frequency modulation patents, except for the nominal royalty of one dollar.

### Depreciation Figures

Depreciation of most low powered broadcast equipment is considered to be approximately 10% to 15% per annum; equipment used in noncommercial educational broadcasting will, however, probably be used less per year and over a longer time, permitting a smaller figure to be used for depreciation. Ten percent should be a safe value. Depreciation of any required building construction can probably be considered at approximately 3 to 5% per annum.

Maintenance costs of equipment used in noncommercial



educational broadcasting, probably in use only a limited number of hours per day, should be very low and should not exceed the depreciation figures. The tubes and other components of the low powered transmitters used in this service are relatively inexpensive and long lived. FM transmitters, operating at constant efficiencies and not subject to higher voltages during modulation peaks, should be less subject to breakdown and tube troubles. Maintenance of studio and transmitting equipment should not exceed \$500 to \$1,000 per year at the average station.

The operating costs will also vary over wide limits depending on personnel employed, local salary scales, time operated, power and telephone rates, elaborateness of programs, etc. Operating costs should be far less than for a commercial station however, since the rules of the Commission permit operation of noncommercial educational station by the holder of a second class radiotelephone operator's permit; since personnel such as time salesmen are not required; and since in many cases the personnel may be at least partially drawn from the faculty or student body.

It is believed that the present operators of noncommercial educational stations will be glad to give the benefit of their experience relative to costs of establishing and operating such stations. For information regarding maintenance and operating costs of standard broadcast stations, which are comparable in many respects, it is suggested that reference be made to the Federal Communications Commission release 65515 "Financial and Employee Data Respecting Networks and 817 Standard Broadcast Stations, 1941."

### Educators May Plan Now

Educators who are considering the use of radio for the advancement of their educational program may well plan now and take such steps as are possible toward the establishment of an educational station. Upon determining the number of schools to be served and the nature of service to be provided, a determination should be made as to the most desirable location for the transmitter, which should generally be centrally located and have an elevation as high as possible above the surrounding terrain, particularly if rural coverage is to be obtained. It must be kept in mind that radio frequencies employed in this service are subject to some shadow effect, caused by hills and other obstructions, and thus it is important that the transmitting antenna be as high and as clear of obstructions as possible. Schools can be equipped with public address systems, consisting of an amplifier and classroom loud speakers, for future use with the broadcast service. Miscellaneous equipment, such as transcription equipment, amplifiers, control desks, and FM receivers may possibly be built by students under the supervision of members of the faculty, or can be purchased as funds are available. Plans for obtaining the requisite funds which in many cases will be a major problem may well be begun at this time so that there will be a minimum delay when equipment is available.

All planning should be with the advice and council of persons fully qualified in the particular field even though it is necessary to go outside the school staff. Any reasonable expenditures for such services will be more than justified by the economies effected and the assurance of a system that will meet the requirements. A system that is too elaborate or more powerful than the job requires is not only unnecessarily expensive but may prove cumbersome and also may cause unnecessary interference to other stations. On the other hand, a system that is inadequate is unsatisfactory and will prove much more expensive to expand to accomplish the desired service than if it were originally properly designed and constructed.

### Filing Procedure

When it is desired to file an application for construction permit, application forms should be requested from the Federal Communications Commission, Washington 25, D. C., or from one of their field offices. These forms are required to be submitted in duplicate and should include a complete statement as to the plans for transmission of programs to the schools within the system. Upon the filing of the application and the granting of the construction permit by the Federal Communications Commission, a permit is issued which specifies required dates of commencement and completion of construction, normally two and eight months, respectively, after the date of grant. Upon the completion of construction, certain tests are permitted before the station license is issued, as indicated by Sections 2.42 and 2.43 of the Commission's Rules. The license application must be filed with the Commission before the completion date specified by the construction permit. Applicants should obtain copies of pertinent portions of the Commission's Rules which describe application procedure and the rules under which educational stations operate. It is therefore suggested that the following portions of the Rules be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., which are available at the prices indicated:

Part 1, Rules of Practice and Procedure	10¢
Part 2, General Rules and Regulations	10¢
Part 4, Rules Governing Broadcast Services	
Other than Standard Broadcast	10¢
Part 13, Rules Governing Commercial Radio Operators	5¢

In conclusion, a word of caution may not be out of place. When the station is an accomplished fact and is actually in operation, the work is just begun. Radio is a powerful yet delicate tool which must be properly used in order to obtain the desired results. The degree of success attained will depend almost entirely on the skill with which it is used. In many cases the tool will be handed to educators skilled in their own fields but unskilled as to this type of education and who, if they are to be successful, must revise and adapt many of their previous conceptions of instruction. The results first obtained may be discouraging, but with experience and intelligent and diligent use radio in the school has been found to be invaluable. It cannot be too strongly emphasized that the responsibility for the station's operation, both technical and program, should be placed in the hands of persons who are eminently qualified and who give it their primary consideration. Otherwise, it may prove to be of little aid or an actual detriment, like any other tool improperly used.

### FREEDOM TO LISTEN A UNIVERSAL PRINCIPLE

*(Speech delivered by FCC Chairman James Lawrence Fly before the Advertising Club of Boston, September 28, 1943.)*

It is with real pleasure that I meet with you here in Boston today. For some time past I have been concerned with the freedom to listen. It is a propitious circumstance that enables me to speak of it in Boston—cradle of freedoms.

For the moment, let's pretend. In recent years a good deal of new radio legislation has been proposed, but I do not think the proposal I have in mind has been broached heretofore in this country. Permit me to introduce the following bill for your consideration.

Be it enacted by the Senate and House of Representatives of the United States of America, that on and after the effective date of this Act it shall be illegal

a. to possess a radio receiver or receiving device capable of hearing any radio transmitter not

programmed by the United States Government;

- b. to listen to any radio program not originated by the United States Government;
- c. to manufacture or sell any radio receiver capable of hearing programs not originated by the United States Government.

And suppose our bill might provide further that it shall be illegal

... to manufacture, sell, possess or listen by means of a radio receiver which does not have affixed to it a government approval stamp. Such government approval stamps will be placed upon radio receivers only if they meet the following specifications:

- a. They must be capable of receiving the programs of two stations which broadcast the Government's programs;
- b. They must not be capable of receiving any stations other than those listed in section (a) above.

The appropriate government agency shall "jam" by means of artificial static devices all programs not originated by the Government.

Listening after 10:00 p. m. is forbidden. Listening in groups of more than three is forbidden, except for specific programs to which listening is compulsory.

Free reception at public receivers will be provided for all programs to which listening is compulsory.

Violations of this Act shall be punished by fine and imprisonment, except violation of the provisions relating to reception of prohibited stations. The punishment for listening to such stations shall be death.

Is such a statute unthinkable? Weird? Fantastic? No, let me assure you. The counterpart of almost every one of those provisions, or equally onerous restraints, can be found in one part of the world or another now under Axis domination. Such edicts as the above are not vain imaginings applicable only to existence on another planet. They are in force in our own contemporary world.

Consider the practices in Germany. The State controls the manufacture of radio receivers so that it is impossible to obtain a set capable of receiving a short-wave signal. Furthermore, the standard broadcast range is limited to the German propaganda centers. Not willing to give the German people a sporting chance to sneak a listen to the ideas of the rest of the world, Goebbels makes doubly sure and jams any *verbatim* utterances as they occur.

The will to listen dies hard and the mechanical precautions have had to be strengthened with legal sanctions. An inhuman German statute provides the death penalty for persistent "black listening." Those people guilty of one act of "black listening" are merely thrown into a concentration camp. A wife with guilty knowledge of her husband's "black listening" goes to the concentration camp too. The Japanese militarists go a step further than their German colleagues; they kill and torture Japanese people for what they call "dangerous thoughts." Such fear and tyranny stagger our imagination so that we can hardly imagine that we would be taking our lives in our hands for *thinking* of turning on our radios.

Such moral darkness is a breeding ground for suspicion. There can be no understanding when people are shrouded by the ideas only of the Fuehrer, no matter who he may be. The end product for these benighted people is a pathological conviction that war against their fellow-man is a noble thing.

In the fact of this world (or half-world) chaos, can we safely say that our imaginative bill is wholly outside the realm of imagination?

Freedom to listen, at least so far as radio in the United States is concerned, is so elementary a concept that it sometimes escapes attention altogether. In this hemisphere, as well as this nation, people are encouraged to listen to the voices of all their neighbors; many of us listen to our enemies; we are confident that free men can appraise the wheat and the chaff and that the dictators will

be unable to alienate citizens of these democracies from the governments they themselves control. We take it for granted when we sit in our own homes, throw the radio switch, and turn the dial, that in this gesture at least we, as listeners, are completely free. We take all of this as a matter of course and all too seldom articulate our underlying confidence that democratic government depends ultimately on a truly informed citizenry.

I would suppose that the first reaction to my fanciful bill would be that our constitution protects us. Whether this bill violates due process or "due substance" or even the commerce clause, I leave to the Harvard Law School professors. I leave to the Harvard Law professors, too, a further constitutional problem that would appear, at least at first blush, to bear on this statute. This is the guarantee of the right to assemble. Millions each night assemble on the various wavelengths; without freedom to listen those assembled are as effectively deprived of their constitutional rights as if, assembled in Boston Common, they were ridden down by the police and clubbed into dispersion. For my own part, I want to orient my thinking on the subject in terms of free speech. To most of us, in a deep emotional sense, freedom of speech is a basic right. I venture to suggest that the freedom to listen is an essential counterpart of freedom of speech.

In the days when Sam Adams was able to rally the people of a colony by forming "committees of correspondence" for the writing of letters, and when James Otis was able to stir even the illiterate by his fiery addresses in the Boston town meeting, freedom of speech was fairly effective. Today, for all we know, a hundred Sam Adams and a hundred James Otis may be writing letters or addressing small corner gatherings with little or no effect upon the vast force of public opinion. All too often today, free speech supplies by itself only a mental catharsis for the speaker. It must be borne in mind that however much the individual has personally enjoyed his freedom of speech there were always serious limitations. How many people could he reach by speech—how many by leaflets—over what distances—through what machinery—and at whose expense? Whatever therapeutic aid to his nervous system he may have enjoyed, there were various limitations in the means of achieving his own purposes as an individual. But there has always been the important need of the democratic nations to create and maintain an enlightened and informed public opinion based, as it must be, upon the facts—fully and fairly presented.

The chief interest of the Founding Fathers, I suggest, was not freedom of speech merely for its own sake or for the sake of the speaker. They, too, had a concern for freedom to listen—for Whitman's "ears willing to hear the tongues." Their philosophy of free speech and press was based in large part upon the beneficial impact upon the people at the receiving end. True democratic government, they wisely felt, rests upon the capacity for self government which, in turn, is founded upon the unstinting diffusion of knowledge. Thus Jefferson said: "Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like spirits at the dawn of day." James Madison, the Father of the Constitution, stated it even more bluntly. He said, "A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy."

Such is the overtone of a recent Supreme Court opinion, which states:

The authors of the First Amendment knew that novel and unconventional ideas might disturb the complacent, but they chose to encourage a freedom which they believed essential if vigorous enlightenment was ever to triumph over slothful ignorance. This freedom embraces the right to distribute literature, and necessarily protects the right to receive it.

Our history is rich with battles looking toward a sound basis for democracy, in effect for the informed electorate, and in practical effect for the freedom to listen. What was significant at the beginning of this democracy is emphasized in the modern world. Listening has become one of the vital functions of our modern civilization. A vast amount of public information, public enlightenment, public news and even public education—not to speak of enter-



tainment—now reaches our people via the air waves. Radio has provided the mechanical means for attaining the Founding Fathers' ideal; a great responsibility lies upon those in control.

Do you remember how Woodrow Wilson described the "radio revolution?" Although radio was still in its infancy then—this was September 1919—President Wilson prophetically foresaw its immense global potentialities. He said:

Do you not know that the world is all now one single whispering gallery? Those antennae of the wireless telegraph are the symbols of our age. All the impulses of mankind are thrown out upon the air and reach to the ends of the earth.

What Wilson foresaw is coming to pass in greater measure. The listening people demanded and got only entertainment from radio in its formative stage; today and for some time past they have demanded, and demanded successfully, that in addition to amusement radio shall carry a full budget of news and discussion. Despite modern transport, our millions of people, widely dispersed or metropolitanly congested, cannot be reached through town meetings. National and world problems today completely overshadow town and colony problems. In this environment the old soap box methods lack any real persuasive force.

It is a fortuitous circumstance that modern science has provided the means for the first adequate realization of free speech. With the advent of radio audiences have become nationwide and even worldwide; their interests national and international. With innumerable listeners, the duty of the speaker to subordinate his interests becomes clear. Few may speak, all may listen. From the very limited nature of the facility it is at once apparent that the paramount interest is not in the single speaker—but in the millions of listeners. Therefore, those who control this mechanism of free speech must treat free speech not as a right but as a duty. They must hold this mechanism of free speech in trust for the people—the listeners.

We have a culture developed in part by radio. It is a common source of information and ideas. This wide country with its divergent groups is becoming aware of itself through radio. Sectionalism is fast disappearing; the unity, the harmony, and the understanding—all these things must rest upon a proper use of this medium of knowledge.

Over four decades ago, Dicey came from England to Harvard Law School to tell its students that "Freedom of discussion and the disintegration of beliefs are so closely interconnected that they may well be considered as two sides or aspects of one phenomenon." Dicey stated the interrelation well. And, in the radio network world today—a day of mass communications—180 million people provide an excellent sounding board to test the validity of beliefs.

Radio appears to have come all the way but in reality it has only approached the crossroads. Radio is a living thing; it must grow and expand as people grow and expand. Despite its achievements we dare not be too smug about it. Restriction, constriction and exclusion must give way to a broader and more democratic approach as to the persons the listening public may hear. Likewise, complete freedom to listen demands that divergent views must be aired. In the market place of ideas diversity of opinion enables us intelligently to sift the sound from the unsound.

The warnings from abroad that prompted me to offer you a mythical statute have been drastic. There are significant, though certainly far less aggressive, restrictions on the freedom to listen on the home front. Simply by careful selection of what is broadcast the freedom of the listener can be tightly restricted. The listener's freedom is thus inextricably bound up with freedom of speech over the air. There is no need for restriction; our own Professor Chafee has well said:

... unremitting regard for the First Amendment benefits the nation even more than it protects the individuals who are prosecuted. The real value of freedom of speech is not to the minority that wants to talk but to the majority that does not want to listen.

There should be no rule of thumb set up to hide behind whenever *any* group requests time on the air. The free

radio can become a powerful instrument for the protection of freedom of opinions. A democracy is in many ways like a kettle of boiling water; there must be an open spout for the outlet of steam. Men must be guaranteed their right to express their opinions and ideas. As Justice Holmes once told a friend, "With effervescing opinions as with not yet forgotten champagnes, the quickest way to let them get flat is to let them get exposed to the air." The radio is a perfect outlet for such exposure to the air.

In the post-war world, international broadcasting will stand on the threshold much as our domestic radio stood in the days when Woodrow Wilson foresaw its great possibilities. As the domestic radio has played a large part in welding one nation, so international broadcasting should provide the free flow of information, and generate the tolerance for beliefs, and an appreciation of cultures and thought patterns. Radio is that necessary catalyst upon which we shall rely to bring about a more sympathetic understanding among peoples. It would be harmful beyond prediction to have world radio restricted either by hiding behind a restrictive world policy or by allowing any individual national to go further and adopt restrictions of a more mechanical kind. I cannot but feel that the future peace and security of the peoples of the world must rest in large measure upon enlightenment. If we are to have an enlightened world it must function on the basis of enlightened principles. The thoughts of men must be expressed freely and openly or thinking dries up. Any substitute for the free communication of ideas that may then rush into this vacuum is bound to be dangerous. Witness what we are fighting today.

We are primarily engaged in a struggle for freedom. From the idea of complete freedom itself have sprung many phases of more particularity. My own particular interest is, of course, in communications; and truly transmission is nothing without reception. But I suggest to you a development of this point along broader and deeper lines. All of us must be deeply concerned with bringing this freedom to those we are seeking to liberate and to further expand it for ourselves. I suggest that the principle is fundamental and must be guaranteed in the post-war world. The growth of international broadcasting and the prospective development of international television demand it. It is inevitable that for good or evil closer relations will exist among nations, races and religious groups. We must strive to make it for the good.

It is also true that no relaxation in the pursuit of the freedom to listen can be allowed to take place when the war is over. Eternal vigilance and undeviating regard for this and comparable principles must be observed if we are to have a lasting peace. Let me remind you again that freedom to listen encompasses more than the ability to spin the dial without fear. With only general policy safeguards the transmitters of all nations must foster a free and complete exchange of thought and the optimum diffusion of knowledge. The right to hear new ideas is part of the freedom to listen and is as much a burden of my theme as is the inadequacy of free speech in the absence of effective mechanisms, and in the absence of ears to listen.

I, therefore, leave with you this fundamental conclusion: that there must be universally accepted the freedom of all peoples to listen without fear and without restraint.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, October 4th. It is subject to change.

Wednesday, October 6

Oral Argument Before the Commission

REPORT No. B-176:

NEW—Beauford H. Jester, et al., Waco, Texas.—C. P. 1230 kc., 250 watts, unlimited.

# FEDERAL COMMUNICATIONS COMMISSION ACTION

## APPLICATIONS GRANTED

- KVOS**—KVOS, Inc., Bellingham, Wash.—Granted modification (B5-MP-1723) of construction permit (B5-P-3237, as modified) for decrease in power from 1 KW to 250 watts, using presently licensed equipment and antenna at site specified in existing license, and extension of commencement and completion dates to 30 days after grant and 60 days thereafter respectively. Dismissed application (B5-MP-1701) for modification of construction permit to extend completion date. Also dismissed application (B5-SSA-69) for Special Service Authorization to operate on **790 kc.** with 250 watts power for the period ending February 1, 1945.
- Mutual Broadcasting System, Inc., Chicago, Ill.**—Granted authority to transmit programs to Mexican stations known as Radio Mil's Network (B4-FP-117).
- KXYZ**—Harris County Broadcast Co., Houston, Texas.—Granted Special Service Authorization (B3-SSA-82), for period of 90 days, to operate with power of 5 KW day and 2½ KW night, employing temporary non-directional antenna; and authority to determine operating power by direct measurement of antenna power (B3-Z-1543).
- KPRC**—Houston Printing Corp., Houston, Texas.—Granted Special Service Authorization (B3-SSA-83) for period of 90 days, to operate with power of 2½ KW night, 5 KW LS, with temporary non-directional antenna; also authority to determine operating power by direct measurement of antenna power (B3-Z-1544).
- KOB**—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted extension of Special Service Authorization using equipment authorized under construction permit as modified, for the period ending April 1, 1944 (B5-SSA-81).

## LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending October 1, 1945:

**KABC**, San Antonio, Tex.; **KGIW**, Alamosa, Colo.; **KMYC**, Marysville, Calif.; **KNET**, Palestine, Texas; **WACO**, Waco, Texas; **WGNC**, Gastonia, N. C.; **WJPA**, Washington, Pa.; **WSLI**, Jackson, Miss.; **WSPB**, Sarasota, Fla.; **KGLU**, Safford, Ariz.; **KLBM**, La Grande, Ore.; **WAGM**, Presque Isle, Maine; **WCRS**, Greenwood, S. C.; **WEED**, Rocky Mount, N. C.; **WFNC**, Fayetteville, N. C.; **WFPG**, Atlantic City, N. J.; **WLAY**, Muscle Shoals City, Ala.; **WNOE**, New Orleans, La.

The following stations were granted renewals for the period ending August 1, 1945:

**KORN**, Fremont, Neb.; **WJHO**, Opelika, Ala.; **WMSL**, Decatur, Ala.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending December 1, 1943:

**KGGF**, Coffeyville, Kans.; **KVGB**, Great Bend, Kans.; **KWFC**, Hot Springs, Ark.; **BABI**, Bangor, Maine; **WATL**, Atlanta, Ga.; **WBLK**, Clarksburg, W. Va.; **WELL**, Battle Creek, Mich.; **WING**, Dayton, Ohio; **WNBZ**, Saranac Lake, N. Y.; **WTEL**, Philadelphia, Pa.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending December 1, 1943:

**KBPS**, Portland, Ore.; **KSAN**, San Francisco, Calif.; **KWAL**, Wallace, Idaho; **WAOV**, Vincennes, Ind.; **WAZL**, Hazleton, Pa.; **WGPC**, Albany, Ga.; **WIBM**, Jackson, Mich.; **WILM**, Wilmington, Del.; **WKEU**, Griffin, Ga.; **WMAS**, Springfield, Mass.; **WPAD**, Paducah, Ky.; **WPAR**, Parkersburg, W. Va.

The following stations were granted renewal of license for the regular period:

**KSJB**, Jamestown, N. Dak.; **WCOV**, Montgomery, Ala.; **KATE**, Albert Lea, Minn.; **WCBS**, Springfield, Ill.; **WHFC**, Cicero, Ill.

- WWDC** and synchronous amplifier.—Capital Broadcasting Co., Washington, D. C.—Granted renewal of license on a temporary basis for period of 60 days.
- KSUB**—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted renewal of license for the period ending June 1, 1945.
- WSYB**—Philip Weiss, tr/as Philip Weiss Music Co., Rutland, Vt.—Granted renewal of license for the period ending December 1, 1944.
- WJW**—WJW, Inc., Akron, Ohio.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending November 1, 1943.
- W9XLA**—KLZ Broadcasting Co., Denver, Colo.—Granted renewal of experimental high frequency broadcast station license for the period ending April 1, 1944.
- W5XAU**—WKY Radiophone Co., Oklahoma City, Okla.—Granted renewal of experimental high frequency broadcast station license for the period ending April 1, 1944.
- W8XWI**—Guy S. Cornish, area of Cincinnati, Ohio.—Granted renewal of public address relay station (Class II experimental) license for the period ending October 1, 1944.
- W2XWE**—WOKO, Inc., Albany, N. Y.—Present license for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending December 1, 1943.

## MISCELLANEOUS

- WJWA**—Birney Imes (Portable-Mobile), area of Columbus, Miss.—Granted voluntary assignment of relay broadcast station license from Birney Imes to Birney Imes, Jr. (B3-ALRY-20).
- KTRH** Broadcasting Co. (Portable-Mobile), area of Houston, Texas.—Granted construction permit (B3-PRY-291) for a new relay broadcast station to be used with applicant's standard station KTRH; frequencies **1606, 2074, 2102, 2758 kc.**, 50 watts.
- KOIN**—KOIN, Inc., Portland, Ore.—Denied special service authorization to operate with 10 KW power, using directional antenna at night and make changes in transmitting equipment (B5-SSA-80).
- KEVR**—Evergreen Broadcasting Corp., Seattle, Wash.—Denied special service authorization to install new transmitter, increase power from 250 watts to 1 KW and authority to conduct point-to-point communication (B5-SSA-77).

## APPLICATIONS FILED AT FCC

### 560 Kilocycles

- WQAM**—Miami Broadcasting Co., Miami, Fla.—Modification of license to use present licensed RCA 1 KW transmitter during night hours of operation. (Contingent upon granting of license to cover construction permit) (B3-MP-1543).

### 590 Kilocycles

- WKZO**—WKZO, Inc., Kalamazoo, Mich.—Voluntary assignment of license to John E. Fetzer and Rhea Y. Fetzer, doing business as Fetzer Broadcasting Company.

### 620 Kilocycles

- WLBZ**—Maine Broadcasting Co., Inc., Bangor, Maine.—License to cover construction permit (B1-P-2868 as modified), which authorized increase in power, installation of new equipment and directional antenna.
- WLBZ**—Maine Broadcasting Co., Inc., Bangor, Maine.—Authority to determine operating power by direct measurement of antenna power.
- WHJB**—Pittsburgh Radio Supply House, Greensburg, Penna.—Authority to determine operating power by direct measurement of antenna power.

### 1240 Kilocycles

- KROY**—Royal Miller, Sacramento, Calif.—Construction permit to install new transmitter and increase power from 100 watts to 250 watts. Amended: to change name of applicant to Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney and Will Thompson, Jr., a partnership, d b as Royal Miller Radio.



KGy—KGy, Inc., Olympia, Wash.—Construction permit to increase power from 100 watts to 250 watts. Amended: to make changes in transmitting equipment.

#### 1270 Kilocycles

WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Transfer of control of licensee corporation from Ernest D. Black, E. G. McKenzie and Mrs. Margaret Curtis to L. D. Baggs (18 shares, 60 per cent).

#### 1490 Kilocycles

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Construction permit to mount FM antenna atop present antenna.

### MISCELLANEOUS APPLICATIONS

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23 as modified, which authorized construction of a new experimental television station) for extension of completion date from 10-28-43 to 4-28-44.

WRUX—World Wide Broadcasting Corp., Scituate (Boston), Mass.—License for a new international broadcast station to be operated on **6040** and **7805 kc.**, 7 KW power and unlimited hours of operation, A1, A3 and A4 emission.

NEW—Blue Network Co., Inc., New York, N. Y.—Authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States.

NEW—Ashbacker Radio Corp., Muskegon, Mich.—Construction permit for a new high frequency (FM) broadcast station, to be operated on **45700 kc.**, with service area of 2,290 square miles.

## FEDERAL TRADE COMMISSION DOCKET

### 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.

**Burton Brothers & Co., Inc.**, 267 Fifth Ave., New York, is charged in a complaint with misrepresentation in connection with the sale of a textile product it designates "Burton's Irish Poplin." (5053)

**Kay Laboratories, Inc.**—A complaint has been issued charging Kay Laboratories, Inc., 150 Niagara St., Providence, R. I., and its president, Joseph P. Kayatta, with misrepresentation in the sale of a medicinal preparation designated "Kaytonik," advertised as a remedy for colds and other ailments. (5054)

**Montgomery Ward & Co., Inc.**, Chicago, is charged in a complaint with disseminating false advertisements concerning two laxative preparations it sells under the names "Dr. Pierce's Purgative Pellets" and "Ward's Bile Salts Compound and Cascara Tablets." (5052)

**Al Rosenfeld, Inc.**, 9 East 38th St., New York, and its officers, Al Rosenfeld and S. Theodore Lande, are charged in a complaint with misrepresentation in the sale of perfumes and toilet preparations. (5051)

### STIPULATIONS

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

**Balbo Oil Co.**, 4425 First Ave., Brooklyn, engaged in the sale of a cooking or edible oil designated "Balbo Oil," stipulated that in advertising the product they will discontinue representing that 20 percent of its content is olive oil, unless such is a fact, or making any representation which tends to convey the belief that its olive oil content is greater than what it actually is. (3728)

**Estelle Cobb Brown**, East Lynn, Mass., has entered into a stipulation to cease and desist from representing, in connection with the sale of Dr. Carolus M. Cobb's Nasal Spray for Sinus Relief, that the preparation will relieve sinus trouble or the pain or headaches associated therewith, or that it will open sinus passages. (03148)

**Cliveden Yarn Co.**, 711 Arch St., Philadelphia, entered into a stipulation to cease and desist from misrepresenting the fiber content and place of origin of the knitting yarns they sell in interstate commerce. (3727)

**Damman Brothers**, 228 West 26th St., New York, stipulated that they will discontinue use of the words "Seal" or "Sealine," or other terms of like meaning, to describe furs made from rabbit or any peltries other than seal; and will stop using the word "Beaver" or other words of like import to designate furs made from rabbit or any peltries other than beaver. The stipulation provides for discontinuing the use of such words unless they are compounded with the word "dyed" and immediately followed in equally conspicuous type by the true name of the fur. (3729)

**Exterminator Manufacturing Co.**, Baltimore, stipulated that in the sale of a preparation designated "Ratfinish" he will cease and desist from representing that it is completely without danger to humans, animals and poultry; that it is an effective poison for mice; that rats dying from eating it leave no odor, and that it will drive poisoned rats out-of-doors to die. (03146)

**Flock Co.**, Fourth and Cambria Sts., Philadelphia, stipulated that in the sale of knitting yarns they will cease and desist from the use of the word "Saxony" or other words connoting any foreign geographical origin as a designation for a product which is not imported or made of materials imported from the country or locality indicated by the use of such geographical designations. (3426)

**Hopkinsville Milling Co.**, Hopkinsville, Ky., has stipulated to cease and desist from representing that a flour it sells under the name "Enriched Sunflour" furnishes one with his entire daily minimum requirement of Vitamin B<sub>1</sub> or niacin, gives one "health assurance," or contains all the necessary vitamins or double the minimum standard of calcium. (03145)

**Modern Printing and Calendar Publishers, Inc.**, 82 West Washington St., Chicago, stipulated that in the sale of printed material it will discontinue using the words "printing" or "publishers" in its corporate or trade name, or representing that it is engaged in the publishing business or prints any material sold by it until it actually owns and operates or absolutely controls a printing establishment. (3724)

**Neal Advertising Agency**, trading as Illinois Merchandise Mart, 500 North Dearborn St., Chicago, engaged in the sale of bill-folds and other merchandise, entered into a stipulation to cease and desist from use of the words "genuine leather" to describe a product not composed wholly of top grain leather; from use of the word "calfskin" as descriptive of a product not composed wholly of calfskin; and from use of the words "leather," "cali-

skin" or other words of like meaning to convey the belief that the product so designated is made of top grain leather. (3725)

**Standard Manufacturing Co.** and **Standard Container Co.**, 413 Lafayette St., New York, stipulated that in the sale of corrugated and cardboard containers they will cease and desist from the use of the words "Manufacturers," "Manufacturing" or "Factory," or the abbreviation "Mfg." in their trade name, advertisements, trade literature, or on delivery trucks so as to imply that they are manufacturers of containers or any other product not made by them, or that they actually own and operate or absolutely control an establishment in which such merchandise is manufactured. (3730)

**Vanco Co.**, Brady, Nebr., entered into a stipulation to cease and desist from representing that the preparation they sell under the name "Vanco Ointment" prevents, cures or penetrates to the source of a cold; that it draws out congestion or pain or has any effect upon congestion or pain in excess of acting as a counterirritant, or that it is a remedy or cure for a sinus condition aggravated by a cold or for pneumonia or influenza. (3147)

### CEASE AND DESIST ORDERS

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

**Globe Inheritance Bureau**, 401 Land Title Bldg., Philadelphia, has been ordered to cease and desist from misrepresentation in the sale of form letters and envelopes designed to be used by creditors and collection agencies in obtaining information concerning delinquent debtors. (5012)

**Nature Seed Co.**, 175 E. Broadway, New York, selling and distributing a medicinal preparation designated "Nature Seed" has been ordered to cease and desist from false advertising and misrepresentation of the preparation. (4926)

## September Index

<b>BROADCAST ADVERTISING</b>	Page
Local War Advertising Pool	389
World Premier of Retail Promotion Plan	387
<b>DEFENSE</b>	
Promotional Programs	369, 370
Radio Backs National War Fund Campaign	382
Radio Prominent in United Church Canvass	391
<b>ENGINEERING</b>	
Committee Named	370
Radio Technical Planning Board	391
<b>FEDERAL COMMUNICATION COMMISSION</b>	
Fly on Broadcasting in the Public Interest	383
Fly Talks Before FREC	393
House Committee Rejects Durr's Petition	387
Turner Appointed to FCC	371
<b>GENERAL</b>	
FREC Meeting	381, 392
Newspaper-Radio Committee Resolution	367
OWI Shuffle	382
<b>LABOR</b>	
CIO Petition	367
Decca-World Make A. F. of M. Settlement	388
Petrillo Hearing	381
<b>NATIONAL ASSOCIATION OF BROADCASTERS</b>	
2nd District Resolution	377
4th District Meeting	375
5th District Meeting	367, 382
Bartley Joins NAB Staff	367
Florida Meeting	367, 383
Public Relations Chairmen Appointed	367
Public Relations Committee Meeting	382, 390
Radio-News Committee Appointed	376, 382, 390



# The National Association of Broadcasters

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

October 1, 1943

SPECIAL A. F. of M. BULLETIN

No. 22

## Contract Between Decca and World With The American Federation of Musicians

A contract, which has been signed by Decca Records and World Transcription with the American Federation of Musicians, forms part of this bulletin. This contract does not call for the making of any payment by broadcasters and Decca and World have already formally announced that they will not attempt to pass on to the consumer any part of their cost. The contract does, however, include a recognition of "the principle of a continued interest which all of the members of the Federation have in the use of records containing instrumental music," and which provides for direct payment by the record and transcription companies to the Union.

This is contrary to the declaration of principle in which all record and transcription companies joined in their rejection of the Union's demands on February 23, 1943. This declaration of principle, it will be remembered, received the commendation of the NAB Convention. Decca and World are recording under this contract. None of the other transcription companies which are parties to the War Labor Board proceedings have as yet assented to the agreement; neither have Victor and Columbia which on September 28 became parties to the War Labor Board hearings.

On its face the agreement is not clear as to whether it is a firm agreement for a fixed period at a stated wage scale or whether the Union reserves the right to strike at any time. Presumably, this question will be clarified when the War Labor Board hearings resume on Monday, October 4. Mr. Petrillo, in urging the other companies to sign the agreement, said that it would end the controversy with respect to records and transcriptions. He said that he did not expect any substantial revenue from the agreement during the war, but expressed the belief that the agreement might yield three to four million dollars a year to the Union after the war was over. This estimate would appear to be predicated on an anticipated sale of ten times as many records as have ever before been sold in the history of the recording industry. The contract follows:

### Contract Text

September , 1943, as of September 20, 1943

Decca Records, Inc.  
50 East 57th Street  
New York, New York

GENTLEMEN:

This is to advise you that during the term of this contract you and your subsidiary companies may employ

members of the American Federation of Musicians upon the following terms and conditions:

1) You shall use only members in good standing of the American Federation of Musicians for the performance of all instrumental music in recording phonograph records and electrical transcriptions (Hereinafter sometimes referred to as "recordings"), and when employing persons who are eligible for membership in the American Federation of Musicians you shall employ only such persons as shall be members thereof in good standing;

2) We shall exercise full authority in order that our locals and members of the Federation engaged in or pertaining to such recording activities shall do nothing in derogation of the terms and intent of this agreement;

3) Immediately upon the making of any recording and prior to its release, you shall advise the Federation of such recording, of the serial or other number thereof, and any additional information in connection with any such recording which we may reasonably require. Upon demand by the Federation you shall promptly furnish to it a copy of any such recording including those made or pressed by you in Canada;

4) Upon the execution of this agreement you shall promptly furnish to the Federation a copy of your current catalogue or recordings, and thereafter from time to time as and when issued, you shall supply a copy of all supplements thereto;

5) You shall not require, request, induce, or in any manner attempt to influence any member of the Federation to play, or perform for recordings, or render services pertaining thereto, except as permitted by this agreement;

6) You shall not dub, re-record, or re-transcribe any recordings except upon previous written notice of any such intention to be given to the member through whom the performers were originally employed, as well as to the Federation; and upon payment to the said member of the full scale for all performers applicable to such new use;

7) You shall not require members of the Federation to make phonograph records containing commercial advertisement or any recordings to

be used by or for actors as accompaniment for or in connection with their performances;

8) No changes in our Constitution and By-Laws will be made during the term of this agreement which shall contravene any of the provisions herein;

9) All laws, rules and regulations of the American Federation of Musicians (a copy of which is herewith submitted) are made part of this agreement;

10) You shall pay our members for the services rendered by them in the making of recordings such sums as you may agree upon with them, but which in no event shall be less than scale;

11) All contracts for recordings between you and members of the Federation shall contain the following provisions:

"As the musicians engaged under the stipulations of this contract are members of the American Federation of Musicians, nothing in this contract shall ever be construed as to interfere with any obligation which they owe to the American Federation of Musicians as members thereof."

Said contract shall also contain the following paragraph which is part of a resolution adopted by the American Federation of Musicians:

"That members of the American Federation of Musicians are authorized to accept employment for the purpose of making phonograph records and electrical transcriptions by such phonograph and electrical transcription companies as shall have entered into an agreement with the American Federation of Musicians permitting the employment of its members upon the terms and conditions contained in the standard form of agreement promulgated by the American Federation of Musicians to its members on September —, 1943."

12) In order to give effect to the principle of a continuing interest which all the members of the Federation have in the use of recordings containing instrumental music, you shall pay to the American Federation of Musicians the following:

a) For phonograph records manufactured or produced by you or others from masters hereafter recorded by you containing performances by members of the Federation, and which phonograph records are sold by you or by the lessees of your masters to others a payment equal to the following:

$\frac{1}{4}$ -cent for each record, the manufacturer's suggested retail price of which does not exceed 35 cents:

$\frac{1}{2}$ -cent for each record, the manufacturer's suggested retail price of which is not more than 35 cents but does not exceed 50 cents:

$\frac{3}{4}$ -cent for each record, the manufacturer's suggested retail price of which is more than 50 cents but does not exceed 75 cents:

1 cent for each record, the manufacturer's suggested retail price of which is more than 75 cents but does not exceed \$1.00:

$2\frac{1}{2}$ -cents for each record, the manufacturer's suggested retail price of which is more than \$1.00 but does not exceed \$1.50:

5 cents for each record, the manufacturer's suggested retail price of which is more than \$1.50 but does not exceed \$2.00:

$2\frac{1}{2}\%$  of the sale price of each record, the manufacturer's suggested retail price of which exceeds \$2.00.

You have advised us that the manufacturers' suggested retail prices as referred to in the foregoing schedule are published in your catalogue of records.

b) For electrical transcriptions, manufactured from masters hereafter recorded by you containing performances by members of the Federation, and which are intended for more than one use by your customers, lessees or licensees as part of your library service or otherwise, a payment equal to 3% of the gross revenues derived by you from the sale, lease, license or other disposition thereof.

For spot announcement transcriptions commonly known as "jingles," a like payment of 3% of the gross revenues shall be made.

c) For commercial electrical transcriptions manufactured for commercial broadcasting, intended for a single use and only so used, there shall be no payment pursuant to the terms of this paragraph 12.

d) All payments stipulated in this paragraph 12 shall be made to the Federation pursuant to the resolution referred to in the 11th paragraph hereof within 45 days following each calendar half-year and shall be accompanied by a statement certifying all payments required to be made pursuant hereto.

e) The Federation at its option shall have access and right of examination of your books and records relating to this subject at all reasonable times.

f) It is understood that your obligation to make the payments pursuant to this paragraph 12 hereof shall continue after the expiration of this agreement.

13) You shall not interfere, assign or attempt to interfere or assign your rights pursuant to this agreement.

14) During the term hereof, we will not enter into any agreement with any phonograph rec-



ord or transcription companies upon terms more favorable than those contained in this agreement. In the event, however, that we shall make any agreement with any other phonograph record or transcription company upon any terms more favorable or different from those contained in this agreement, you shall have the right at your option to cause your agreement to be conformed therewith.

15) You shall not make, or permit the use of your facilities for making, or otherwise give aid or assistance in the making of any phonograph recording or transcription which shall utilize instrumental music, for or on account of any other persons engaged in the phonograph recording or transcription business unless authorized in writing by the Federation.

16) You agree not to make recordings or transcriptions of any radio program broadcast from a studio or off the air, without written permission first obtained from the Federation, however, since it has been the practice of the Federation in the past to grant such permission, it is agreed that permission will not be unrea-

sonably withheld and that when granted it shall be upon the payment of transcription scale.

17) The term of this agreement shall be for the period commencing as of September 20, 1943, and terminating December 31, 1947.

— — — — —  
Your signature in the space provided below will constitute this a binding agreement between you, your subsidiaries and ourselves.

Yours very truly,

\_\_\_\_\_  
President

Decca Records

\_\_\_\_\_  
by Executive Vice President

Attest: \_\_\_\_\_  
Secretary

# National Association of Broadcasters

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

October 1, 1943

SPECIAL LEGISLATIVE BULLETIN

No. 18

## Text of Representative E. E. Cox's Resignation Speech and of Representative Martin J. Kennedy's Statement and Resolution Concerning Freedom of Speech and Radio . . .

Representative E. E. Cox of Georgia:

Mr. Speaker: For more than a year, now, I have been the object of bitter and scurrilous attacks.

Day after day the poison shafts of slander have been driven through my heart. Every effort to tear down and to destroy a reputation I have spent a lifetime in building has been put forth. All of this is something that I have been compelled to endure in silence. My hands have been tied—tied by the Chairmanship of a Select Committee of this House to investigate the Federal Communications Commission.

This Chairmanship has compelled me to maintain a judicial attitude which cannot longer be done in the face of the insults and the slander being hurled at me from day to day.

Mr. Speaker, that which is being dealt out to me is a sorry wage for service I have tried to render in the interests of my fellow men.

It is a difficult thing—a terribly difficult thing—for a man to sit silent under the lashes of slander and falsehood such as have been laid upon me. But so long as silence appeared to be in the best interest of the operations of the Select Committee of which I am the Chairman, it was the part of wisdom and good administration for me to do so.

The first consideration must be the integrity and effectiveness of the Committee of which I am chairman. The utterly baseless attacks upon me have beclouded the real issue of whether the Federal Communications Commission has been guilty or not guilty of the acts of maladministration, with which it has been charged and which this Committee was directed by the House to investigate. The House and the country are deeply concerned to ascertain the facts about the Federal Communications Commission without prejudice and free of personal controversy.

As long as I am connected with the investigation it is obvious that the effort will be made to divert public attention from the real issue, alleged maladministration of the affairs of the Federal Communications Commission to a personal controversy.

In my judicial career when a case arose in which my own personality was involved or my impartiality was questioned it was my practice to eliminate myself from the trial of the case. While such a custom does not prevail in investigations by legislative bodies, I have

never the less reached the conclusion that in the light of the circumstances and the nature of the controversy in this instance, I may well follow that course.

The truth of this personal controversy and my complete vindication will come at another time and in another way. It cannot be attempted on this floor in the limited time I have at my command and this is not the time for such an effort.

I do want to say to you, Mr. Speaker, that I face my colleagues in this House—those who have known me and who have been my warm and cherished friends over the years—with an absolutely clear conscience. The work of the Committee has begun and it must be completed. The evils at which the inquiry is directed must be eradicated. Unless this is done one of our most cherished freedoms will become but an empty phrase.

Mr. Speaker, this is a hard thing for a man to do. It is an unhappy thing for a man to have to do and if my own interests alone were at issue I could not do it. But, Mr. Speaker, the first duty of every member of this House is to consider the welfare and the effectiveness of the House itself. Its interests are incomparatively greater than the interests—even the right of justice—attaching to an individual member. The next duty of a member of this body is the welfare of the various instrumentalities it creates to carry out its will—whether those instrumentalities be independent agencies or standing or select committees. Any member who loves this body as we all love it, who takes pride and deep satisfaction in being a part of its honored membership must put before himself, before his own interests, before even justice to himself the best interests of the House. Consequently, the action I take today is based solely upon my conscientious and deep desire to live up to the most sacred obligations of this body and to my oath as a member of it.

Mr. Speaker, moved by these considerations and fortified by the concurrence of friends in this House in whose friendship and judgment I have the utmost confidence, I tender my resignation as Chairman of the Select Committee to investigate the Federal Communications Commission. Its work thus far has been well done. Its membership is excellent. Its staff is composed of men and women who are able, conscientious and skilled in the work they have undertaken. This Committee must continue its work under a new Chairman freed of any possible embarrassment of my personal problems or controversies.



I thank you for the honor of having named me Chairman of the Committee and for your expressed confidence in my administration of its affairs. I urge the House to support, to continue and to stand solidly back of the work of the Committee under its new chairman, whoever he may be.

So far as I am personally concerned my love and admiration for this House, my devotion to its ideals, make it a matter of pride with me, that I, one of its members, efface myself so that the work of one of its committees may go forward. Let no man mistake me. I shall continue to make the fight where I find it. I leave the Well of this House today with my head unbowed and with my devotion to my duties undimmed.

---

## **From the Office of Rep. Martin J. Kennedy (D) 18th District, New York**

Radio has become such an important factor in the shaping up of public opinion that there has been a tendency by Government officials, broadcasting high officials and various organizations to impose a direct or indirect censorship on radio discussions. Such censorship is not in the interests of the development of a free American public opinion.

The American people are able to formulate their own judgments. They must have their information brought to them without interference from those who do not entertain the true value of the public mind, established by our successful history founded on the judgments of all Americans after free public debate on the numerous issues solved during the course of this country's life.

The more serious tendency toward censorship lies in the efforts to make our Courts lean towards censorship restrictions on radio communications because broadcasting for physical reasons is necessarily subjected to a licensing or a franchise system.

There really should not be any question but that the provisions of the First and Fourteenth Amendments to the Constitution apply to radio. But, because of the tendency to differentiate speech through licensed communication from ordinary speech, as far as freedom is concerned, it has become imperative that Congress and the people speak more pointedly on this question through a referendum in the form of my proposed amendment.

I have purposely refrained from attaching directly new language to the First and Fourteenth Amendments because these two amendments are so sacred to the American people and now so succinctly express the basic American creed that any tampering with their form might be viewed as a profanation.

Freedom of religion, freedom of speech and a free press not only are the great objectives of our system, but are as well the guarantees of its continuance.

Americans are not a namby-pamby people. They can take strong stuff over the air just as they can give strong medicine to our enemies on the field of battle. The forthright leaders of the past—those men who guided America to its present high position—were never mollycoddles in the use of language and there is no reason for the belief that leaders on the air today should pull their punches in castigating inimical movements.

If a speech on the air offends a listener, the dial can always be turned away from the broadcaster who is offending as far as a particular listener is concerned. We want our broadcasting to be forthright and we want our facts accurately reported. We will pass our own judgments.

At present, through a filter system, composed of the Federal Communications System and those who control the licensed broadcasting systems, our broadcasting has been diluted to the degree where it has become so neutral as to be ineffective. We want strong speech from strong men on the air, not synthetic understatement from pulpitering puppets. An example of the worth of strong free speech is in the broadcasts of Walter Winchell. He helped to awaken America to the danger of the Fifth Column and his sharp attacks on it over the air did much to destroy it. He aroused public opinion to such an extent that the work of the enemy in our midst has been ineffective. Censorship that would have stopped Winchell in these attacks would have been disastrous to the country.

There are other able commentators on the air who have fearlessly pointed out to the people things that were destructive and these men should not be hampered because higher-ups do not share their views or approve of their methods of expression.

America can only live while speech is free and the most important of all speech is speech by radio.

Following is a copy of my resolution, H. J. R.

**H. J. Res. —**

**In the House of Representatives  
September 30, 1943**

### **JOINT RESOLUTION**

**Congress shall make no law abridging the  
freedom of speech by radio or wire communication.**

**Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Constitution of the United States is hereby amended by adding the following article:**

**AMENDMENT 22—SECTION 1.—Congress shall make no law abridging the freedom of speech by radio or wire communication.**

**SECTION 2.—The provisions of any law, license or contract in violation of Section 1 hereof are hereby declared inoperative.**

# National Association of Broadcasters

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

October 1, 1943

SWAP BULLETIN

No. 42

## WILL SELL

**For sale by Fred Craven, 2216 S. 7th Street, Philadelphia, Pa.**

Almost new Astatic mod. S-12 studio type  
16" long crystal pickup at list price of  
\$12.50, subject to buyers approval.  
2 New RCA 8005 and 1 used Sylvania 860.  
Make offer.

**For sale by WJHP, Jacksonville, Fla.**

1 UTC No. 39019 inductance, 0.9 Henry.  
1 Sigma Relay Mod. 3-A, 2,000 ohms.  
1 Sigma Rectifier.  
1 Sigma Relay Mod. 3-A, 5,000 ohms.  
1 Struthers Dunn Relay type CXB51.  
All items new. Make offer.

**For sale by Arthur Reisman, c/o Dr. S. C. Reisman, 1361 Madison Ave., N. Y. C.**

1 Jewell Audio output meter, square case,  
low, med. and high (used), \$15.00.  
1 Beady, 2" 0 to 500 mills, DC, \$3.00.  
1 3" Weston Current Squared Galv. (used)  
Thermos opened, \$8.00.  
1 3" triplet DC 0-100 mills, needle off bearing,  
\$5.00.  
1 3" Jewel 0-100 DC mills, (perfect), \$10.00.  
1 .0005 Dubilier Paper cond., aluminum case  
10000 V., 15 Amps., \$10.00.  
1 .002 Faradin Paper cond., aluminum case,  
3000 V., 10 Amps., \$5.00.  
1 C-D 1 M. F. D. 3000 V. paper cond., \$7.00.  
2 RCA 6A 7's, at \$1.00 each, \$2.00.  
1 Jewell 3 Amp. AC meter, 3", \$5.00.  
1 RCA 801 Ceramic Base, New, \$3.50.  
1 Philco 82, \$1.00.  
1 Yaxley Selector Switch, New, \$1.00.  
4 WE 271 A's at \$1.00, \$4.00.  
6 RCA 864 at \$1.50, \$9.00.  
3 RCA 89 at \$.80, \$2.40.  
3 WE 205E at \$1.00, \$3.00.  
2 WE 104D at \$1.00, \$2.00.  
1 WE 205D, \$1.00.  
1 WE 231D, .50.  
1 RCA 112A, \$1.00.  
1 WE 252A, \$1.00.  
4 RCA 211 Brand new at \$12.50, \$50.00.  
1 RCA 845 used, \$10.00.  
1 Sylvania 211 used, \$8.00.  
1 RCA 860 Brand new, \$35.00.  
2 RCA 802 Brand new at \$4.00, \$8.00.  
1 RCA 865 Brand new, \$5.00.  
1 Taylor 866A, used, \$1.25.  
1 Amperex 866A, used, \$1.25.  
1 204A, Very good cond., \$50.00.  
1 849 RCA, filament burnt out, \$10.00.  
1 Cunningham 335, used, \$.50.

2 Sangamo Mica cond. .00025, 8 Amps,  
12500 V. at \$5.00, \$10.00.

**For sale by WDAN, Danville, Ill.**

1 100 watt composite relay trans. with 2058  
KC crystal.  
1 1622 KC crystal.  
1 pincor 110 V AC 1 KW gas driven generator.  
1 RCA 303-A freq. monitor with 2058 KC  
crystal.  
Make offer.

**For sale by WWNY, Watertown, N. Y.**

205 Ft. Lehigh tower at \$1600, also beacon  
and lights.

**For sale by Frank Huberman, 1256 Main St., East Hartford 8, Conn.**

1 Brewster FM converter, 110 V., A.C., 60  
cycles, 1 mo. old and in original factory carton  
and cabinet. Rebuilt with 1852's and  
has excellent sensitivity and gain. \$45.00.

**For sale by KGER, Los Angeles 14, Calif.**

Comp. 1 kilowatt RCA trans. with Blaw  
Knox tower, spare tubes and other broadcast  
equip. Make offer.

**For sale by T. H. Kemp, 20 Highwood Terrace, Glen Rock, N. J.**

Tube type	Cond.	Price
2-807	used	\$ 3.50 each
6-866	"	1.50 "
2-866A	New	1.50 "
3-852	used	10.00 "
2-802	"	3.50 "
2-203A	"	5.00 "
1-804	"	12.00
1-RK39	"	3.50

**For sale by KWK, St. Louis, Mo.**

1 WE 700-A volume indicator comp. with  
tube. Make offer.

**For sale by Frank Adcock, 609 31st Street, Manhattan Beach, Calif.**

1 WE 228-A, need repair. Make offer.

**For sale by E. P. Carter, 112 Cedar Ave., Pitman, N. J.**

1 WE 124-D amplifier, New. Make offer.

**For sale by KLRA, Little Rock, Ark.**

1 4180 RCA freq. monitor comp. in first-class  
cond.  
1 Robbins Meyers 3 unit motor generator set  
on iron base 1600 V., 14 V, 7½ hp. motor.  
Make offer.



**For sale by WASK, Lafayette, Ind.**

Model "D" presto single unit portable recorder in excellent cond., 78 r.p.m. only, 12" turntable, rim driven, grid or 200 ohm mike impedance, state which. \$75.00.

Address replies to Joe Spring, Manager.

**For sale by WEAU, Eau Claire, Wisc.**

1 Federal telegraph type 328-A, used 881 hrs.  
1 Federal telegraph type 328-A, used 3800 hrs.

1 WE 228-A, used approx. 4000 hrs.

1 WE water jacket for above tubes.

1 Century motor generator set. Filament supply for above tube 3 hp., 3 phase motor, 25 V. 60 amp. generator, comp. with field rheostat and set of spare brushes. Very good cond.

2 1070 KC, A cut crystals.

Make offer.

**For sale by WTAW, College Station, Texas**

6 204-A, metal plate.

3 220-C.

1 204-A, carbon plate.

1 228-A.

8 849, metal plate.

13 849, carbon plate.

1 220-B, glass envelope broken.

Essential parts intact. Filaments either burned out or low emission. Make offer.

**For sale by South Carolina Public Service Authority, 1246 Main St., Columbia, C. S. C.**

2 Kohler, 10 KVA, 3 phase electric light plants, 120 V., 60 cycle, A.C. fully automatic, 32 V. starting battery. 100 gallon fuel tank engine and generator direct connected. Used approx. 12 mo., cond. good, \$800.00 each F.O.B. Camp No. 1, Pinopolis, Berkeley County, S. C.

2 Kohler, 5 KVA, single phase electric light plants, 120 V., 60 cycle, A.C. fully automatic, 32 V. starting battery, 100 gallon fuel tank. Engine and generator direct connected, used about 12 mo., cond. good, \$600.00 each, F.O.B. Camp No. 1, Pinopolis, Berkeley County, S. C.

## WILL BUY

**Wanted by KICD, Spencer, Ia.**

Cutting screw to fit RCA 70C turntable.

**Wanted by KBUR, Burlington, Ia.**

AC remote amplifier, impedance 50/250 in and 500 out. 1 channel.

2 sets, male and female, Cannon type mike plugs.

Broadcast mike. RCA jr. velocity or similar type and floor stand.

1 16" portable turntable, motor, and recording attachments. No amplifier needed.

**Wanted by KTSM, El Paso, Texas**

WE 80B Pre-amplifier.

National HRO coils, .5 to .9 MC-500 to 900 KC.

**Wanted by KTRI, Sioux City, Ia.**

1 remote amplifier, 1 or 2 channel and microphone.

**Wanted by WDEV, Waterbury, Vermont**

1 WE D-93306 vertical reproducing head. Must be in good cond.

**Wanted by WHIT, New Bern, N. C.**

4 type 1620 tubes and modern tube tester.

Address replies to Glen Neuville, Chief Engineer.

**Wanted by KFKA, Greeley, Colo.**

1 Weston type 425 0-6 R.F. ammeter, or its equivalent. Can use 0-8 amp. scale as second choice.

**Wanted by KPDG, Greeley, Colo.**

2 Taylor HD203A tubes, new or in serviceable cond.

Address reply to Police Station KPDG, Attn. K. Cooper.

**Wanted by KTKC, Visalia, Calif.**

All or any part of equipment for 250 watt station.

Address replies to Bert Williamson, Chief Engineer.

**Wanted by WOSU, Columbus, Ohio**

6 872-A vacuum tubes.

**Wanted by KLRA, Little Rock, Ark.**

Weston 425 0-17 or 0-15 R.F. ammeter.

## WILL SWAP

**WFTL, Fort Lauderdale, Fla. will swap**

1 GR 731-B modulation monitor, used.

1 GR 681-A freq. meter, used.

1 RCA RB-2 pack trans., new.

FOR

RCA or WE remote amplifiers, new or used field strength measuring set.

**WOSU, Columbus, Ohio will swap**

5 270-A WE vacuum tubes, used

FOR

872-A tubes or microphones.

**KFBC, Cheyenne, Wyo., will swap**

2 Bliley type MO2 crystals, 1 for 1646 and other for 2830 kc

FOR

2 crystals of same manufacture and type or equiv. on 1606 and 2758.

Or will purchase the following crystals:

1606	2090	1622
2074	2190	2058
2102	2758	2150
2790		

Crystals must be mounted. Give complete details.