

Fly Speech

Chairman Fly's speech on "Free Speech", given before the Radio Executives Club of New York, October 7, is reprinted in full in this issue of the "REPORTS" under the FCC section heading.

REP. CLARENCE LEA OF CALIFORNIA IS NAMED SELECT COMMITTEE HEAD

Representative Clarence Lea, California Democrat and chairman of the House Interstate and Foreign Commerce Committee, has been named chairman of the Select Committee investigating the FCC to succeed Eugene E. Cox of Georgia, who resigned last week.

A native of California, Congressman Lea attended Stanford and Denver universities and was admitted to the bar in 1898. After a career as an attorney in private and public life, Congressman Lea entered Congress in 1917 and has been there since.

Following is the statement of Speaker Sam Rayburn issued at the time of Congressman's Lea's appointment:

"I have appointed as Chairman of the Special Committee to investigate the Federal Communications Commission the Honorable Clarence Lea of California. I have served in the House with Mr. Lea for 27 years, many of these years as a colleague on the Committee on Interstate and Foreign Commerce.

"Mr. Lea is a man of splendid courage, unimpeachable integrity, and great ability. He is possessed of a splendid judicial temperament and his fairness cannot be questioned."

The following statement was made by Congressman Lea when he was appointed:

"The Federal Communications Commission is an agency of Congress. It was created by authority of that provision of the Constitution which makes it the duty of the Congress to regulate interstate commerce.

"It is selected to perform a congressional function.

"The duties of this Commission, like many other functions committed to Congress by the Constitution, must be performed by administrative personnel appointed by the Executive Department. Congress is nevertheless responsible, but cannot perform the detailed administrative functions of such agencies. The responsibility of this agency, however, is primarily to the Congress.

"Congress is entirely within its rights in investigating the manner in which this or any other of its agencies performs its functions.

"The resolution adopted by Congress providing for the

investigation of the Federal Communications Commission directed this Committee to conduct a study and investigation of three phases of this Commission in particular. This resolution made it the duty of this Committee to go into the question of the organization of the Commission, its personnel, and its activities, with a view of determining whether or not the Commission, in its organization, in the selection of its personnel, and in the conduct of its activities, has been, and is, acting in accordance with law and in the public interest.

"I will expect that, with a concurrence of the other members of this Committee, we will give the answers which Congress has thus made our responsibility. I trust that the investigation will not rest on a plane of personal controversy, but rather on the important question as to whether or not, this agency and its personnel have been and are now properly performing their duties, their public duties, to the country.

"We should measure all of the activities of the Commission, and its personnel, from the standpoint of their duty to the nation as measured by the law by which their duties are defined. In other words, a broad public interest is involved in this Commission and its activities, and the work of the Commission must be measured from that standpoint.

"The Interstate and Foreign Commerce, of which I am Chairman, has jurisdiction over legislation affecting this Commission. I trust that the investigation may provide constructive information to aid the work of our Committee.

"I have not followed the details of the investigation so far conducted. So I must first bring myself up to date as to what has been done in the investigation and then, in cooperation with the Committee, proceed to its completion."

REPORT ON A. F. OF M. TRANSCRIPTION NEGOTIATIONS

The hearings before the War Labor Board panel in connection with the A. F. of M. transcription contract have been temporarily suspended and mediation is now being carried on in the attempt to clear up some of the ambiguities of the contract recently signed by Decca, World Broadcasting System, Empire Broadcasting Corp. and WOR Recording Studios.

It is believed that this phase of the proceedings will be concluded shortly, but if the mediation is not successful, the hearings will be immediately resumed and pushed to a conclusion within the next two or three weeks. The industry will be kept fully advised of developments.

TUBE AND BATTERY CONFERENCES BEGIN

The civilian tube and battery situation received extended consideration by top-flight Washington officials on Monday, October 4.

The series of conferences began with A. D. Whiteside, WPB vice chairman for Civilian Requirements. NAB was

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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*.

TUBE AND BATTERY CONFERENCES BEGIN

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represented by Neville Miller, Howard Frazier, Robert Bartley and Arthur Stringer.

Mr. Whiteside was positive in his statement that there had been no change in the government policy on maintaining domestic radio throughout the emergency. He asserted that ways and means will be found to secure the required tubes to maintain civilian radio.

Our government's policy is identical with that of Great Britain. The English, however, are unable to produce all of their requirements for maintaining 9,000,000 receivers and secure approximately 35% of their civilian receiver tubes from this country.

OWI RADIO ADVISORY COMMITTEE MEETS; ISSUES STATEMENT

The OWI Radio Advisory Committee met Tuesday afternoon, October 5, in the office of Palmer Hoyt, director of Domestic Branch of OWI. The committee was welcomed by Elmer Davis who expressed his appreciation to the committee members for their willingness to serve.

The committee discussed with the staff past operations and there was a general discussion looking toward a closer and more effective cooperation between the government, the broadcasting industry and the OWI. The committee issued the following statement:

"In its initial meeting with the Office of War Information, this afternoon, the Radio Advisory Committee carefully reviewed the past operations of the Radio Bureau of the Domestic Branch and considered suggestions pointing toward a closer and more effective cooperation between the government, the broadcasting industry and the OWI. The Advisory Committee commended the Radio Bureau for the efficient functional cooperation rendered to the industry by coordinating the needs and requests of the various governmental agencies and budgeting these requests in a form that could best be handled by the industry, with due evaluation of the needs of the government. The Radio Advisory Committee requested that all future requirements of governmental agencies for radio facilities in their various drives and campaigns, be cleared exclusively through the OWI so that full advantage could be taken of the coordinating functions provided by the OWI.

"The Radio Advisory Committee also commended the OWI for the recent improvement and expansion of its activities in facilitating the release of war news and recommended a continuation and expansion of such material because the broadcasters are acutely aware of the desire of the listeners of America for all of the war news, whether it is good or bad, that it be released to them factually at the earliest possible moment that the exigencies of military and naval strategy will permit."

The following were present: Martin Campbell, WFAA; Leo Fitzpatrick, WJR; Neville Miller, NAB; Frank Mullen,

representing Niles Trammell, NBC; William Paley, CBS; Herbert Pettey, WHN; Lewis Allen Weiss, Don Lee; Mark Woods, Blue. Miller McClintock, Mutual was unable to be present.

PEABODY AWARDS STATION CLASSIFICATION OUTLINED

For purposes of the 1943 George Foster Peabody Radio Awards, regional stations will include both medium and large stations—all those of 1,000 watts or above. Local stations will signify those of less than 1,000 watts.

This announcement was made today by John F. Drewry, dean of the Henry W. Grady School of Journalism, which administers these awards.

All types of radio stations are both eligible and invited to participate in this year's awards, Dean Drewry emphasized, explaining that "regional" was used in a general sense and was not meant to exclude clear channel stations from the awards.

Awards will be made in the following categories:

1. That program or series of programs inaugurated and broadcast during 1943 by a regional station (any station of 1,000 watts power or above) which made an outstanding contribution to the welfare of the community the station serves.
2. That program or series of programs inaugurated and broadcast during 1943 by a local station (any station of less than 1,000 watts) which made an outstanding contribution to the welfare of the community the station serves.
3. Outstanding reporting of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program (adult or child).
7. Outstanding children's program.

Any radio station or network is eligible to receive the award for news reporting, drama, music, or education. Only local and regional stations are eligible to receive the community welfare programs.

Entries may be submitted by individual stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program or programs. The Board in its selections will not necessarily be restricted to entries, but will consider the reports of its own listening-post committees, and may on its own initiative select a program or a station for an award. The Board also reserves the right to make more or less than seven awards, depending upon the entries and the circumstances at the time of the awards.

December 10 is the closing date for the 1943 entries or recommendations, which should be sent to the Dean, Henry W. Grady School of Journalism, The University of Georgia, Athens. Forms if desired may be secured from that address. Each may be accompanied by one transcription. If more are necessary to give the board members a fair understanding, special arrangements can be made.

Listener Activity

MRS. DOROTHY LEWIS IS ON ANNUAL FALL TOUR

The annual fall tour taken by Mrs. Dorothy Lewis, NAB coordinator of listener activity, is underway with Mrs. Lewis covering 23 cities in the west, middle west and northwest on the first "section."

Purpose of the tour is to stress radio's strategic war services, to study women's organization programs and work, to study children's programs and radio education projects, and to develop by conference and through scheduled talks a better understanding of American radio.

Due to war conditions no major conferences are scheduled in some cities, but small round table meetings have been arranged. Times of planned arrivals and departures by train are stated, but allowance must be made for late arrivals on long runs.

To date, Mrs. Lewis has covered Chicago and Rockford, Ill., and Minneapolis, Minn., having left New York October 4.

Balance of Mrs. Lewis' itinerary is as follows:

Mon. 11—Ar. Des Moines, 8:00 AM (RI), Fort Des Moines Hotel, Des Moines Radio Council, Station Headquarters KSO % Mr. Craig Lawrence, Leader: Mrs. Hazel Hillis, 1625 6th Ave., Des Moines, Iowa.

Tue. 12—AM to Iowa City, Lv. 7:15 AM, Ar. 9:15 AM (RI) Iowa University, Station Headquarters WSNO % Mr. Carl Menzer, Leader: Mrs. Pearl Bennet Broxam, University of Iowa.

PM to Cedar Rapids by Electric, Station Headquarters WMT % Mr. William Quarton, Leader: Mrs. Margaret Stoddard, 2212 Country Club Parkway, Cedar Rapids.

Wed. 13—Cedar Rapids, Cedar Rapids Radio Council Conference, Address Dinner Iowa State PTA Convention at Hotel Roosevelt, Lv. Cedar Rapids PM to Iowa City by Electric, Sleeper to Omaha 1:35 AM October 14th.

Th. 14—AM Ar. Omaha 8:25 AM (RI), Fontanelle Hotel, Conferences, Station Headquarters WOW % Mr. John J. Gillin, Jr., Leader: Mrs. W. F. Ottmann, 2425 Mary Street, Omaha.

Fri. 15—Lv. Omaha 8:15 AM, PM En route to Salt Lake City.

Sat. 16—AM En route, PM Ar. Salt Lake City 7:20 PM (UP), Hotel Utah, Station Headquarters KSL % Mr. Earl J. Glade, Sr., Leader: Mrs. Irma Bitner, 173 S. 12th East, Salt Lake City.

Sun. 17—Rest, Address Salt Lake Tabernacle Choir.

Mon. 18—Salt Lake City, Conferences, Lv. Salt Lake City 8:00 PM (UP).

Tue. 19—En route to Missoula, Butte, Luncheon, PM Lv. Butte 12:49 PM (Milwaukee RR), Ar. Missoula 3:39 PM (Milwaukee RR), Hotel Florence, Station Headquarters KGVO % Mr. Art Moseby, Leader: Mrs. D. J. Reed, President PTA Council, Missoula.

Wed. 20—Missoula, Florence Hotel, Radio Conference, Lv. to Spokane 11:15 PM (Mil).

Thu. 21—Ar. Spokane 8:00 AM (Mil.), Hotel Davenport, Station Headquarters KQA % Mr. Harvey Wixson, Conferences, Leader: Mrs. A. V. Overman, 1007 W. 19th, Spokane, Lv. to Seattle 10:45 PM (Mil.).

Fri. 22—Ar. Seattle 8:00 AM (Mil.), Olympic Hotel, Conferences, Washington Education Association, Station Headquarters KJR % Mr. Bert Fisher, Leader: Mrs. Dale Marble, 8316 Dayton Avenue, Seattle.

Sat. 23—Seattle, Olympic Hotel, Radio Conferences, Lv. to Portland 11:30 PM (Gr. No.).

Sun. 24—Ar. Portland 8:00 AM (Gr. No.), New Heathman Hotel, Station Headquarters KEX % Mr. Arden Pangborn, Leader: Mrs. B. C. Taylor, 2793 S. W. Roswell Avenue, Portland, PM Evening Conferences Civic Theatre.

Mon. 25—Portland, New Heathman Hotel, Radio Council Conferences.

Tue. 26—Portland New Heathman Hotel, Radio Conferences, Lv. to Sacramento 7:00 PM (SP.).

Wed. 27—AM, En Route, Ar. Sacramento 6:00 P. M. (SP.), Hotel Senator, Station Headquarters KROY % Mrs. Royal Miller, Leader: Mrs. George M. Struve, Courtland (near Sacramento).

Thu. 28—Sacramento, Hotel Senator.

Fri. 29—Radio Conferences.

Sat. 30—Lv. to Oakland 7:35 AM (SP.), Lv. to Fresno 11:30 P. M. (Sp.).

Sun. 31—Ar. Fresno 5:40 AM, Hotel Fresno, Rest.

November:

Mon. 1—Fresno Hotel, Radio Conferences, Station Headquarters KMJ % Mr. Keith Collins, Leader: Mrs. J. Ross

Bowler, 4475 Inyo St., Fresno, Lv. to Los Angeles 12:15 AM (Nov. 2nd) (SP.).

Tue. 2—Ar. Los Angeles 9:30 AM (SP.), Address: % Mr. William Lee Woollett, Franklin Avenue, Hollywood, or % Mr. Don Gilman, V.P. Blue Network, Sunset & Vine, Hollywood, Leader: Mrs. R. H. Marvin, 211 E. Illinois St., Anaheim.

Wed. 3—Radio Conferences, Wilshire Ebell Club.

Thu. 4—West Coast Regional Conference, New England Women.

Sun. 7—Tea, All Patriotic Societies.

Thu. 11—Lv. Los Angeles 8:30 PM (SP) to Phoenix.

Fri. 12—Ar. Phoenix 9:50 AM (SP), Westward Ho Hotel, Radio Conference, Station Headquarters KOY % Mr. H. A. Safford.

Sat. 13—Phoenix, Westward Ho Hotel, Lv. Phoenix 4:00 PM (SF) to Albuquerque.

Sun. 14—Ar. Albuquerque 8:50 AM (SF), Francescan Hotel, Rest, Station Headquarters KOB % Mr. Frank Quinn, Leader: Mrs. G. D. Ruoff, 318 Grand Avenue, Albuquerque.

Mon. 15—Albuquerque, Francescan Hotel, Radio Conference, Lv. Albuquerque 8:10 PM to Denver.

Tue. 16—Ar. Denver 12:30 PM (SF), Albany Hotel, Radio Conference, Station Headquarters KOA % Mr. J. R. McPherson, Leader: Mr. Robert Hudson, Rocky Mountain Radio Council, 509 17th St., Denver.

Wed. 17—Denver, Albany Hotel, Lv. to Wichita 3:30 PM (SF).

Thu. 18—Ar. Wichita 1:10 PM (SF), Lassen Hotel, Station Headquarters KFBI % Mr. Roy Linton, Leader: Dr. Forrest Whan, University of Wichita, Lv. to Kansas City, Mo. 11:59 PM (SF).

Fri. 19—Ar. Kansas City 6:30 AM (SF), Mail: % Mrs. George P. Truitt, 6124 Walnut Street, Kansas City, Mo., Conference, Station Headquarters KCKN % Mr. Ellis Atteberry, Leader: Mrs. R. O. Baker, 820 E. 43rd Street, Kansas City.

Sat. 20—Lv. Kansas City 8:45 AM (Wabash) to Columbia, Ar. 11:55 AM Centralia (to Columbia by car), Daniel Boone Hotel, Conference, Stephens College, Leader: Dr. Sherman Lawton, Radio Director.

Sun. 21—AM Columbia, Stephens College, Lv. Columbia 6:45 PM, Ar. Centralia 7:30 PM, Lv. Centralia 7:47 PM, Ar. St. Louis 10:25 PM.

Mon. 22—Lv. St. Louis 9:25 AM for New York.

Tue. 23—Ar. New York 9:00 AM.

BMI REACHES ALL-TIME HIGH OF 831 STATIONS

Carl Haverlin, vice president of BMI in charge of Station Relations, has announced additional stations have joined BMI, bringing the total to the all time high of 831 stations, leaving only 73 stations which do not have a BMI license. This shows a remarkable industry-wide support of BMI.

GMC EXECUTIVE PRAISES WAR ADVERTISING COUNCIL

The following letter was sent to Chester J. LaRoche, chairman, War Advertising Council, from Don U. Bathrick, of the New York office of General Motors Corp.:

"Just want to drop you a line to tell you that from many sources I hear of the fine work being done by the War Advertising Council. It is apparently very much appreciated down here by many different departments of the government, and I think that you, the Board of Directors and all members of the Council should be told that your efforts are bearing fruit. The swell work you are doing is not being overlooked and, in my opinion, it is a great compliment to advertising and will do much to quiet the element down here who feel that all advertising is unnecessary."

BARTLEY ON DECK

Robert T. Bartley, new NAB War Director, is installed in Washington headquarters and is pitching into headquarters' activities with the rest of the staff. He already has made many contacts with government bureaus and departments and is taking over some of the duties relinquished by Russell Place, former NAB counsel now with OSS.

WHO; HERB PLAMBECK AND THE 336TH CORN BELT HOUR

Woody Woods, war program director of WHO, has sent NAB headquarters a couple of letters recently on the activities of Herb Plambeck, WHO farm editor who just returned from an overseas trip to war fronts, and a report on the WHO 336th Corn Belt Farm Hour and the Third War Loan Drive. We give you Woody's reports as is:

"Herbert Plambeck, WHO farm editor and U. S. war correspondent, returned last week from a two months' tour of the British Isles, arranged by the British Broadcasting Corporation.

"He was a guest of the Ministry of Information at the invitation of the British Embassy to observe the agricultural war efforts of farm families in England, Scotland, Wales and Ireland. Appointed as a U. S. war correspondent for WHO by Headquarters, U. S. European Theatre of War, Mr. Plambeck visited many of the American army camps.

"Each Saturday noon, he broadcast a quarter-hour report of his impressions and observations by short-wave from the BBC studios in London through GSP on 15.31 megacycles which was rebroadcast simultaneously by WHO whose signal in turn was picked up and rebroadcast by other Iowa stations. To insure reception in Iowa, the same program was broadcast by other English short-wave stations on 9.58 and 11.68 megacycles during evening hours, transcribed by WHO and rebroadcast at 10 P. M. each Saturday night.

"On August 14th, the regular Corn Belt Hour (a half-hour musical and interview farm program) was originated in the BBC studios with English farm men and women as talent, broadcast by short-wave from GSP and rebroadcast with remarkable clarity by WHO, WOC, KICD, KBUR, KBIZ, and WOI. One of the Saturday programs on August 7th was arranged through NBC by short-wave to New York and by line to Des Moines.

"An additional series of programs specially arranged for WHO through BBC short-wave from London is being planned. Mr. Plambeck will continue his series of talks from WHO as a regular feature.

"The 336th Corn Belt Farm Hour was on the air Saturday, September 25 for the Third War Loan Drive in 100% cooperation with the Iowa War Finance Committee. It has been broadcast 336 consecutive Saturdays over WHO. From time to time, other radio stations have carried the broadcasts as special events justified; but last Saturday broke all records when 14 Iowa stations and one South Dakota station carried Plambeck's special farm program. They were WOC, KSO, KMA, WNAX, WMT, WOI, KBUR, KICD, KTRI, KSCJ, KROS, WSUI, KGLO, KFJB and the originating station, WHO. Program content consisted of talks and interviews by county chairman of Greene County, first Iowa county to reach its quota in the Third War Loan drive; state president of state 4-H Club girls, a seven-year-old schoolboy from Polk City, Iowa, and the superintendent of his school; a member of the Iowa AAA, a farmer veteran of World War I, a farm woman (a widow who operates and personally manages a four hundred acre farm), a U. S. Navy Petty Officer

with 24 years of service who said among other things, that the personnel of the Navy Recruiting Station in Des Moines was allocating 22% of the payroll to War Bond purchases; and the executive manager of the Iowa War Finance Committee. The broadcast was produced and directed by Mr. Plambeck."

RADIO NEWS CURRICULA WILL BE DISCUSSED

(Released by NAB News Bureau)

Standards of radio news writing and radio news broadcasting curricula in schools and colleges will be discussed Friday, October 15, by a sub-committee of the Radio News Committee of the National Association of Broadcasters in New York City.

Paul White, director of news broadcasts at CBS, and Bill Brooks, NBC director of special events, are working with Walt Dennis, news committee secretary, as the sub-committee.

Lyman Bryson, director of education for CBS, and Dr. James R. Angell and William Burke Miller of NBC's public service division will meet with the news committee sub-committee as advisors and counsellors.

It is proposed to set up curricula standards for radio news writing and radio news broadcasting courses, modeled after those now in effect at such universities as Northwestern, Columbia and Minnesota. Principal end in view is to help alleviate the serious manpower shortage in broadcasting newsrooms.

Engineering

PRIORITY REVISIONS

Preference rating order P-133 has been revised by WPB to make it the exclusive controlling order for obtaining maintenance, repair and operating supplies for radio broadcasting and communication. CMP regulations 5 and 5A, governing expenditures up to \$500 for capital equipment under the MRO rating, do not apply to these industries.

The amended order continues the AA-2 rating and the MRO symbol to broadcast stations for obtaining maintenance repair and operating supplies.

For operating supplies the rating of AA-5 with the MRO symbol is specifically assigned for the businesses of sound recording for commercial, educational and industrial purposes and in the operation and maintenance of public address, intercommunication, plant sound and similar electronic systems, including systems for the controlled distribution of musical programs.

Recording blanks to be used exclusively for broadcast purposes may be purchased by broadcast stations under the preference rating AA-2. Blank discs to be used for purposes other than broadcasting are assigned the preference rating AA-5 by the modified order.

Other changes in order P-133 include a clarification of tube inventory restrictions. Use of ratings and allotment symbol to buy or repair a tube is prohibited unless a person has in stock less than one new and one rebuilt tube, or two rebuilt spare tubes per active socket. However, no important change in the average radio station stock is likely to result from this restriction. Another added restriction bars use of the ratings to obtain supplies for War Emergency Radio Service, the amateur operators group under the Office of Civilian Defense.

Service repair shops doing maintenance and repair work for persons engaged in radio communication may use the rating and symbol of the customer to do such work, and the restriction on use of ratings apply as to the customer.

Tin and Fat Salvage

In an attempt to make salvage broadcasts more efficient, NAB asked all stations on September 29 how fat and tin collections were going. The idea was to discover any cities where fats were being destroyed after collection or not being collected; and cities where tin cans were not being properly cared for.

Helpful replies are acknowledged from stations listed below. Several observations in the incoming letters bear repeating because they point to situations that need correcting.

Tin Cans in Virginia, Minn.

"The tin cans are piling up on the grocery stores so that grocers no longer have room for additional cans and many are refusing to accept them," says Greg Rouleau, manager, WHLB, Virginia, Minn.

Dick Redmond, WHP, Has Point

"To the best of our knowledge, the stuff isn't being thrown into the river, but we do have plenty of reason to know that all is not well in the scrap pile. Reason being that we are frequently subjected to calls from listeners who wish to register a vast variety of complaints over the situation. Most of these complaints can be classed as being 'petty' but the one which is the most constant source of trouble is that 'the butcher on the corner refused to take our waste fats.'

"Trouble is, the complaint doesn't stop there. The listener is usually extremely resentful and demands an explanation as to 'whether the scrap drive is on the level,' and some tell us in no uncertain terms that they are 'beginning to doubt everything they hear over the air.' The latter remark is of course a spur of the moment impulse, (at least we hope it is), but it's an indication of something that can become extremely unhealthy.

"In an attempt to smooth things out, in cases where we can get the listener's name, we call the scrap drive authorities and report the matter. They in turn call the butcher. Then the butcher gets sore at us for butting in and before it's all over, everybody is annoyed with everybody and we're in the middle of the scrap . . . (and I don't mean the kind you can salvage).

"I do want to say in closing, that the authorities are also extremely cooperative and only too anxious to smooth the thing out, but it is our feeling that a thing of this kind can't be corrected once it has started. It's bound to find its way into the more serious phases of the war.

"That's how it is in Harrisburg and vicinity, and here's wishing you success in any steps you may take to correct the situation."

The above is from Dick Redmond, WHP, Harrisburg, Pa. Mr. Redmond attached a typical letter from a listener which follows.

Typical Listener Complaint

"So many of your broadcasts are to housewives to save fates. It would be wise to broadcast to the stores and butchers to accept the fats. I find, after saving it, the worst job is to get rid of it. Last Saturday my daughter took some to two different butchers. The last one, at 6th and Boas, even used profane language and was not going to take it. She told him she was going to let it sit, then he took it. There are also butchers in the Broad street market who will not take it."

Junior Commandos Collect Fat

The success of fat collection in Roanoke, Va., according to Jack Weldon, program director, WDBJ, is due in a large

NOTE TO MANAGERS

Since fat and tin collections are important to the war effort, stations can make a further contribution by being sure that these products are collected and handled properly. Dick Redmond, in letter below, clearly points out what happens to radio unless the entire operation is clean cut.

Paul Morgan, government man, said that he will make every attempt to clean up bad situations which are reported by stations to NAB. We will appreciate your help.

Sincerely yours,

ARTHUR STRINGER

part to the activities of the Junior Commandos.

They call on housewives every Saturday and deliver the collected fat salvaged to the schools. There it is picked up by a local renderer.

Campfire Girls Collect Fat

LeRoy Stahl, program director, KFBB, Great Falls, Mont., is sure that every pound of fat collected locally gets into the proper channels.

"The campaign locally," he said, "is under the sponsorship of the Campfire Girls. They collect it twice a month on regular routes, or individual donations can be made at any time at their headquarters. The girls pay the housewives in War Stamps although many housewives donate the fats without other consideration. All proceeds from the sale of the fat by the Campfire Girls go into the funds of the various Campfire Groups.

"Personally, we think this is superior to having the butcher do it. It's a big proposition for the girls, one they really work at, while for the butchers it's only an added pain in the neck."

Fats Thrown in River

The letter which caused this investigation came from Harper M. Phillips, general manager, KYUM, Yuma, Arizona, and is as follows:

"It has been revealed that due to the lack of proper collection, the waste fats from the vicinity of Yuma are being dumped into the Colorado River!

"Because so much stress has been placed on this particular drive by the OWI Allocation Plan, we at KYUM feel that this condition reflects on the part radio is playing in the war effort.

"But what I would like to know is whether or not similar situations exist in other parts of the country? And if so, isn't there something more that we as an industry can do in this regard?

"We use the OWI announcements for the waste fats drive, and get results. But should our job stop at that point? Should we continue our efforts even further and see that these fats are packed and shipped to the proper agency?"

Paragraph from newspaper clipping relating to dumping fats into river:

"Mayor Ingall asked Supt. of Streets Haupt how the tin can drive was getting along. Haupt replied that only about 50 pounds of the cans had been collected and that the reason for the lack of response apparently was that the people were

disgusted with the way previous drives had ended, notably the scrap iron campaign, most of the iron still standing on the Madison Ave. lot more than a year after the drive. *Also the waste fat drive, with the butcher shops full of jars of waste fats which had not been collected as promised. Consequently the butchers will accept no more waste fats and the street department has to dump the waste fat into the river.*"

Thanks to the Following

WCOV, Montgomery; WFOY, St. Augustine; WHO, Des Moines; WAVE, Louisville; WFBR, Baltimore; WHLB, Virginia; KMBC, Kansas City; KFBB, Great Falls; WSNY, Schenectady; WHP, Harrisburg; WMBS, Uniontown; WJHL, Johnson City; WRNL, Richmond; WRVA, Richmond; WDBJ, Roanoke.

FEDERAL COMMUNICATIONS COMMISSION

NOBLE'S STATEMENT TO FCC ON BROADCAST POLICY

FCC Chairman James Lawrence Fly has announced receipt of a statement from Edward J. Noble, who recently purchased, subject to Commission approval, the stock of The Blue Network, Inc., from the Radio Corporation of America, outlining the policies he plans to follow in allocating time on the air.

The statement was requested by the Commission in a public hearing on the proposed transfer on September 20. The statement has been placed in the public record of that proceeding and will be considered by the Commission in its decision on the transfer.

Mr. Noble's statement follows:

"Federal Communications Commission,
Washington, D. C.

DEAR SIRs:

At the adjourned hearing on September 20, 1943 regarding the proposed transfer of the ownership of The Blue Network, Inc. to American Broadcasting System, Inc., of which I am the sole stockholder, I was requested to submit to your Commission for inclusion in the record a written statement of general policy with respect to the sale of broadcasting time for other than the advertisement of commercial goods and services which would be put into effect in event of approval by the Commission and consummation of such transfer.

After careful consideration of the matter and with realization, which I am sure the Commission shares, of the difficulties and perplexities involved in actual practice and administration, I am prepared to say that my policy, stated in general terms, will be to refrain from adopting any restrictions which will automatically rule out certain types of programs on the basis of the identity or personality of the individual, corporation, or organization sponsoring or offering them. I propose to meet each request for time with an open mind and to consider such requests strictly on their individual merits and without arbitrary discriminations. More particularly, I think that the operation of a national network should follow a policy whereby all classes and groups shall have their requests, either for sponsored or sustaining time, seriously considered and network time determined in accordance with true democratic principles and with the aim of presenting a well-rounded and balanced broadcast service in the best interests of the public and of the Network.

With regard to the sale of time in addition to the sustaining time already provided for the discussion of con-

troversial issues, consideration will be given to the use of a limited amount of time for this purpose insofar as consonant with the maintenance of listener audience and interest and thereby of the usefulness of the Network as a medium of public discussion.

At the above hearing I was also asked to advise regarding instances in which station WMCA has sold time to organizations other than business organizations, and in that connection wish to advise that time has been sold by that station to the following non-business organizations:

- *Gospel Broadcasting Ass'n, Los Angeles, Calif.
- *Young Peoples' Church of the Air, Phila., Pa.
- *Lutheran Laymen's League, St. Louis, Mo.
- First Baptist Church, New York City
- Sunday Morning Meditations, New York City
- St. Christopher's Inn, Grammoor, N. Y.
- Society of Jewish Science, New York City
- Unity School of Christianity, Kansas City
- Political parties during campaigns.

(* Fed to WMCA by Mutual Broadcasting)

In this connection I may add that station WMCA under my direction has recently accepted from the Greater New York Industrial Union Council of the C.I.O. one minute "spot announcements" under its sponsorship urging voters to register for the Fall elections.

Very truly yours,

/s/ EDWARD J. NOBLE."

FREE SPEECH

An Exploration of The Broadcaster's Duty

(Address by Chairman James Lawrence Fly, FCC, before the Radio Executives Club, New York City, October 7, 1943.)

Two weeks ago in Boston, and again Tuesday night over the Columbia Broadcasting System, I outlined what seems to me one of the important goals to be achieved in the post-war settlements—freedom to listen. As you know, the Axis-dominated portions of the world have no such freedom today. Nazi radio receivers are limited in range and frequency so that only the outpourings of domestic propaganda transmitters are audible. Broadcast signals from outside the Axis sphere of influence are on occasion jammed. And listening to such broadcasts is made a criminal offense, punishable in some instances even by the death penalty.

Such conditions, it seems to me, are intolerable anywhere on the face of the earth if we are to build a sound and peaceful post-war world. For freedom to listen is in some respects as important as the other freedoms for which we fight, and must be similarly guaranteed. In the modern world, freedom of speech is not enough if it is not complemented by freedom to listen—which can be defined broadly as access for the general public to what is said by means of the mass medium for the dissemination of ideas and opinion—the radio.

Here in the United States, we today have freedom to listen in an almost absolute degree. Our radio receivers have free-turning dials and band-switches, and there is no law which hinders listeners from tuning in the program of their choice—or from turning off the radio altogether.

The listeners, however, are shackled by a few outmoded conventions which in reality the industry should never have inflicted on its audiences. Radio is the greatest medium thus far created for the dissemination of information. Those entrusted with the facilities of radio cannot impair the freedom to listen by restrictions imposed at the transmitter end.

One such restriction is the ban imposed by some stations

and networks on the sale of time to groups and organizations and the discrimination against such groups or organizations imposed by others. Thus cooperatives, small business men's associations, labor organizations, and all sorts of other groups find it either difficult or impossible to buy time on the air.

This restriction on free speech arises from the fact that radio has been tremendously successful in promoting the sale of merchandise and services. Because of this success, some elements in the industry argue that time should be sold *exclusively* to vendors of merchandise and services.

Narrow and Confining

To my way of thinking, that sort of talk is altogether too narrow and confining for a free people, proud in its freedom and prepared to fight to the death to maintain its liberty. Of course, the sale of merchandise is an essential ingredient in our way of life, and one to be defended. But to say that America means nothing more than that, to forget our glorious heritage of *ideas* as well as worldly goods, is to betray a considerable portion of all that has made our nation great. By all means let American radio continue to be the greatest medium for the advertising of goods and services that the mind of man has yet devised. But to restrict broadcasting to this single function—or to any other single function—is to betray the very foundations of a free radio.

This is a democracy. Radio can function truly as an effective mechanism of free speech only if it serves the people as a whole. In our entire social and economic structure there are many important segments of people. In one such segment are the big industrial concerns with commodities for sale. But by what logic can we conclude that only this one segment can adequately reflect the viewpoint of all the other important facets of our society? Can broadcasting, while restrained to carry the voice of the one group and only the one group lay claim to being an effective instrument of democracy? Programs should not be banned because they are intended to convey messages. Nor should they be banned because of the identity of certain groups that request the necessary time for projecting their programs on the airwaves. There is no danger in allowing all responsible groups in a democracy to be heard.

A second restriction on free speech over the radio is the new but widespread ban against permitting the solicitation of memberships over the air. Listeners can be urged by radio to enjoy romance through sparkling teeth or to correct faulty elimination, but they cannot be urged to join a cooperative, a labor union, a business men's association, Kiwanis, the Knights of Columbus, or even the Society of Conservative Philosophers. There is a sheer arbitrary nature about the ban against soliciting memberships over the air. Time can be bought for the sale of shoes and soap and sealing wax, cigarettes, beer, institutional goodwill, and cathartics. But time can't be bought or received gratis for the solicitation of memberships—except, of course, by mutual insurance companies. The very nature of the exception emphasizes the censorious quality of the rule.

Not long ago I asked a witness before the Commission substantially this question

Here in Washington, D. C., we suffer from taxation without representation. Would you sell time to the District of Columbia Association against Taxation without Representation for the purpose of getting members for that organization?

The answer was, "No."

I next asked

Suppose the year were 1776. Would you then have sold time to the Massachusetts Bay Colony

Association against Taxation without Representation for the solicitation of memberships?

I got no answer.

What Would Sam Adams Say?

I sometimes wonder what Samuel Adams and Tom Paine would have said, what scorching phrases their pens would have devised, to describe a restraint on free speech which would have prevented them from soliciting members for their libertarian organizations before the American Revolution. I wonder what Margaret Fuller and Susan B. Anthony would have said to a ban preventing them from using radio to advocate their cause or even procure members for their women's suffrage leagues.

Yet this is the very ban which the Samuel Adamses, the Tom Paines, the Margaret Fullers and the Susan B. Anthonys of our own generation must suffer on the radio.

A democracy is not only a group of merchants with products to sell. This democracy is rich above all others in the variety of its groups. We need never be bored by a lack of diversity in points of view. Since the sum total of these points of view is democracy, radio, a force in this democracy, should reflect an adequate cross-section.

This is a democracy—in every crisis which has faced us as a nation, we have relied again and again on free debate for decisions upon which our salvation has depended. Perhaps the prime barrier to free speech on the air is the ban imposed by many stations and networks on the sale of time for the discussion of controversial issues. (And what is a "controversial issue" if not merely a current issue?) No matter how worthy the cause, no matter how important the issue, and no matter how eager a wide listening public may be to hear such discussion, a rule followed by many stations and networks prevents the purchase of time. This ban as well as the restriction against the sale of time to certain groups or persons is so wholly out of keeping with American traditions of free speech which we have maintained for more than a century and a half, that arguments in its favor must be examined with the greatest care.

One argument urged in favor of banning the sale of time for discussing controversial issues is that the radio is not merely a vehicle for free speech; it is also a means of amusement and entertainment, an advertising medium, a musical instrument, and many things besides. If time is sold for controversial discussions, it is asked, how can radio continue to fulfill these other functions?

The answer, of course, is that selling time for the discussion of controversial issues does not mean selling all the time on the air for such discussion, or selling time for more discussion than the public wants to hear. If there is one principle more firmly established than any other in American radio, it is the principle of a well-balanced program structure. If radio were overloaded with *any* particular kind of program—opera, dance bands, soap operas, or symphony music—it would quickly lose its universal popularity. Station managements are perfectly familiar with this fact, and adhere to the principle of a well-balanced program structure with a fair degree of success. And this principle would continue unimpaired even if a reasonable amount of time were sold for the discussion of controversial issues.

A second argument frequently raised against such sale of time is that the best financed groups would buy the most time, and hence that radio would become an instrument serving only one side of each issue—the side with the most money. In the early days I joined in the expression of such apprehension of the devastating effect of sheer economic power. However, economic power has well nigh taken over under the present system and we are left with no alternative but to insist that management perform its

duty to the public. I know we can, and indeed we must, rely upon the basic principle of fair and well-rounded discussion which I am sure radio is attempting to accomplish. Selling time for the discussion of controversial issues does *not* mean making of radio a common carrier, willing to sell every prospective purchaser as much time as he will buy. The station licensees, in whose hands control of programming properly and necessarily belongs, must inevitably exercise discretion, in order to ensure that radio shall become the tool of no special group or interest. Indeed, there is no denying that radio management today does *not* sell time for the selling of products to all who request it. Likewise the same management, whose judgment comes at high prices, ought to be able to exercise it in this field. The Federal Communications Commission summed up this aspect of radio in its Mayflower opinion, when it stated

Licensee Assumes Obligation

Freedom of speech on the radio must be broad enough to provide full and equal opportunity for the presentation to the public of all sides of public issues. Indeed, as one licensed to operate in a public domain the licensee has assumed the obligation of presenting all sides of important public questions, fairly, objectively and without bias. The public interest—not the private—is paramount. These requirements are inherent in the conception of public interest set up by the Communications Act as the criterion of regulation . . .

This statement by the Commission is frequently misunderstood. The frame of reference is the licensee and not the independent commentator or the particular kind of program the licensee permits on the air. The licensee's duty is evenhanded treatment of all sides of an issue and should be firmly imbedded in our system of radio. It should continue to govern even when time is sold for controversial discussion. In the future as in the past well-financed groups will be prevented from securing more than their share of radio time by the proper exercise of the licensee's discretion. Although the licensee himself must not abuse the facilities with which he is entrusted, still he must not set up easy rules so that he need not face squarely the problem of delivering to the public a full public service.

A third point frequently made is that we are opening the door for a re-establishment of the continuing harangues of so-and-so. That is simply not true. We are interested in free speech on current lively issues. The long continued sale of time to an extremist with an axe to grind is in itself an effective way to bar the door to those who would present discussions of current issues, and thus would be a restraint on the speech mechanism in terms of its over-all duty to the public.

A fourth and final argument against the sale of time for controversial discussion is that such time is now freely given. It is true that radio has given vast quantities of time for this purpose, and has thereby gained the esteem of millions of listeners. I know of no one who would want to end unsponsored discussions. But if the American radio is to remain dedicated to the fundamental principles of free speech, mere handouts of time are not enough for a variety of reasons.

A purchaser of time has many advantages over a mere recipient. First of all, he can choose his hour—subject of course to the station's or network's prior commitments. The recipient, on the other hand, must take whatever hour the donor chooses to hand out—and I need not tell this audience what a tremendous difference there is between one hour and another.

Also, with respect to network programs, a purchaser of time can procure the broadcasting of his programs over specified stations, while the recipient of time cannot find out even after the show is over which stations have carried his program. Unlike purchasers of time, their network may consist of 15 stations instead of 150. And that, I venture to suggest, is not the kind of restraint on free speech which the Founding Fathers, were they alive today, would view with any complacency.

Revenue Enters In

Finally, the ban against selling time for controversial discussion serves to limit the time available for such discussion. When station managements—and advertisers—determine how much classical music and how much jazz, how much news and how much comedy to weave into their balanced program structure, building up a wide listening audience is their sole concern. But when they must determine how much time shall be *donated* for free discussion, another element necessarily enters in—the need of revenues. Advertising revenue is the rock upon which the American system of broadcasting is built. Revenues must be broad enough and firm enough to support the entire broadcast system. The maintenance of broad, firm revenues necessarily limits the time which can be donated free of charge to discussion or to anything else; it especially limits the choice hours which can be donated. Thus, if discussion is to be permitted only during donated time, it will necessarily be hemmed in by considerations of revenue. Clearly the best way to eliminate this restraint on free discussion is to remove the ban on time sales. This need not mean, of course, that free time is to be refused for controversial discussions. This type of program is desirable and lack of broadcast income should not be a reason for denying listeners.

At present the problem is especially pressing because, as you know, some networks and stations are either approaching or have reached that happy haven of the radio industry—"standing room only" during the evening hours. The year 1943 is by a considerable margin the most profitable year in radio history; during some hours and over some stations and networks there is in fact an acute shortage of available time. Under such circumstances it is especially unfortunate, and especially irksome, to limit controversial issue broadcasts to the scarce and less desirable periods which remain unsold.

The cuffing about that certain of the best forum or round-table programs are now taking is clear evidence of the shortage of time for commercial users. I cannot conceive American listeners turning away from the forum or round-table type of programs; their popularity is too firmly rooted in the hopes and aspirations of the people. There are other dangers to these programs which should be discussed quite freely.

One danger lies in the suggestion that the hour-long forums be reduced in time to 30 minutes. An obvious difficulty with this suggestion is that it would reduce by half the amount of time devoted to each discussion, and thus halve the program's effectiveness. But the true objection, it seems to me, lies deeper than that. A half-hour forum program, in which each disputant squeezes in his edgewise word to beat the threatening time signal, would be killed as effectively as the babe in Solomon's court. After all, history does not record that the great historic town meetings at Concord and Lexington and in Faneuil Hall in Boston were stopped in half an hour by the sounding of a gong.

Somewhat subtler than the proposal to cut the town-meeting-type programs in half is the proposal to change their times to less desirable hours or to book them temporarily and to be shuffled again. Those of you who are advertisers know what that means. When effort has been

invested and audiences built up over the years for a particular program at a particular time, certainly no advertiser engaged in selling his wares would take a change of hour without protest. In the case of the forum programs, there is no advertiser to complain about the "bump," but there are listeners. Public debate during the hours when housewives listen with one ear would be as inappropriate as a farm and home hour after midnight.

A third proposal—and this one was publicly confirmed before the Commission two weeks ago—is the plan to sell one or more of the programs of this type to a sponsoring advertiser. However, it is somewhat ironical that not poverty but the greatest prosperity in radio history is the source of this plan to sell what has never been bartered since 1776—the town meeting and the free round-table discussion.

Who Does Selecting?

If there be a sponsor, one may wonder who is to be permitted to select the subject and the speakers? I think it is to the credit of at least one network that they contemplate no sale, at least for the present, of this type of program. One warning that is present is that selling the forum may well add to the burden of the broadcasters own prejudices, the further burden of at least considering the prejudices of the sponsor.

In addition to the obvious danger I perceive in the treatment forum programs are likely to receive, there is an additional danger in the hand-outs of free time. The poor relation who gets the free time cannot hope to attract the attention that the time buyer builds up—with his day-by-day bombardment. Furthermore, admitted to this inner sanctum because he has a product to sell, the buyer of time has in some cases injected his own philosophy into his program. At times it is subtly done; at other times it is quite obvious; at all times such propaganda should be properly labelled. We, as Americans, believe that to judge the validity of anyone's arguments we have the right to know for whom he speaks. A symphony program with fifteen minutes of sponsored philosophy is objectionable to a good many listeners who have tuned in for the symphony. So clumsy an attempt at indoctrination, undesirable as it is, does not equal the more insidious tactics of injecting the sponsor's ideas into a news broadcast as "news." The stealth with which some so-called commentators can move from the field of legitimate news into an appeal to the great virtues of the company and its principles and its ideas leaves all but the critically-minded unaware of what has overtaken them. It is arguable that the time buyer who has managed to get on the air with a product to sell perhaps ought to be allowed his bit of philosophizing. The newspaper, however, labels advertisements as such. And radio can and ought to do the same thing. For example, note the confidential manner in which Gabriel Heatter moves from his news comments and calls you over to the side to tell you how awful your hair looks today. The essential thing, however, is that he be identified and the philosophy identified at the moment in order that it can be properly evaluated in the light of its source. One of the most certain methods of destroying the poison of false propaganda is frankly to expose it to the sun and air of informed criticism. If one of the ills to which a democracy is heir is that all may speak, then the cure is more democracy.

David Lawrence explored some of the foregoing principles the other day in his column, he said: "It so happens that Mr. Fly is absolutely right in his criticism and he takes the sound position this correspondent took." Naturally, as a wholly objective commentator I will not take up all the various irrelevancies in the remainder of Mr. Lawrence's article. But he did go on to say I might make a speech to this effect. So who can say that left is left and right is right and ne'er twain shall meet?

Now I want to move in and further stir up the current healthy ferment regarding commentators. Still another question in regard to free speech is raised by the recent discussion of the policies of one network regulating the expression of the views and opinions of its news analysts. Personal opinions should not, of course, be aired in the guise of news; but, assuming competency, if the statements are properly labelled as opinion, I can hardly see the reason why they should not be aired.

The arguments for restricting news analysis to factual presentations are no secret; no doubt you have seen them competently set forth in full-page advertisements. Also, and here we have an example of American radio at its best and freest—they have been debated on the air, over the very network which takes the restrictive view. Certainly, it is a matter to which radio can point with pride, that a network is willing to afford equal time for discussion to the most outspoken opponents of its own position.

I, myself, find several difficulties, however, with limitations on commentators. The first is our old friend, free speech. It is a little strange to reach the conclusion that all Americans are to enjoy free speech except radio commentators, the very men who have presumably been chosen for their outstanding competence in this field. Facts, construction or analysis of words dealing with facts, and opinions tend to blend one into one another indistinguishably.

The censorship of news commentators is in fact a two-way process, if some materials be selected out, other materials are selected in. What tremendous power is wielded by the single man who exercises this breadth of discretion for a great broadcasting system. In lodging that power over the whole output of news analysis and opinion, are we not well nigh setting up both a censorship and the very Company editorial policy which some have sought to avoid by curbing independent commentators? And with such a scheme if one man falls, all must fall. And who, after all, in the field of opinion can be wholly objective? I am not, and sometimes I even suspect you are not.

The ban on free comment by news analysts places them, and the radio industry, at a serious disadvantage vis-a-vis the newspapers and other media. Let me give an actual example taken from the script of a commentator whose network limits him to factual statements. This commentator could not state his own views, but he could, of course, announce as a fact that so-and-so held such-and-such a view. So radio listeners the other night heard the following from one of our most competent commentators.

As Drew Middleton, the very able correspondent of the New York Times in London reported to-day. . . . And this isn't just Mr. Middleton's view. He says it's the view of Allied military observers in London. . . . But Mr. Middleton points out. . . . And his military sources in London conclude. . . . and Mr. Middleton indicates the military men in London are thinking. . . . According to the Washington correspondents. . . . In the New York Times of August 29 there was an article. . . . which stated flatly that. . . . The Atlantic Monthly says. . . . An AP correspondent reports tonight. . . . All the Washington correspondents agree. . . .

and so on, all those phrases taken from a single 15-minute script.

Let Public Be Given Opinions

I venture to suggest that listeners want to know what radio analysts themselves think. The listeners can get AP and UP opinion from the newspapers, the Atlantic

Monthly's opinion from the Atlantic Monthly. But where, under the new dispensation, can they get the opinions of Bill Shirer and Ed Murrow? For my money, I will take Bill Shirer and Ed Murrow and give them serious thought. The London newspaper correspondents whose opinions are quoted in the text above are certainly outstanding men whose views are worth hearing; but are they so very much superior to radio's own correspondents? And if they are, why doesn't radio employ them and give them as much freedom to comment as a crack newspaper man has under his own by-line?

The fact is, of course, that radio does have some of the most competent commentators and analysts on earth; and it would be a pity if the rules of the very medium which brings their *voices* to the people prevents their *opinions* from reaching the people. Any policy that requires these men to mouth second-hand opinions serves no purpose. The public is looking to these men at that moment. I wonder if it is not the best method to select the most competent men and give them their rein, bearing in mind, of course, there should be an over-all general balance?

The job of proper labelling of news comment and analysis should not present insurmountable difficulties. A noteworthy statement of the principles which properly govern news commentators was contained in an editorial in the St. Louis Post Dispatch for September 24, 1943, from which I quote:

First of all, the public has a right to be told the facts, . . . with nothing important withheld, nothing added. This is *news* . . . It is . . . an image still to be brought into sharp focus, . . . News is not opinion, but it is a basis of fact upon which opinion is formed.

. . . Second . . . the public has a right to know the meaning of the facts in the opinion of specialists who are in a particularly favorable position to see the facts and to form accurate opinions concerning them. This is *editorializing*. . .

. . . Of recent years, there has been found to be a place for analytical opinion in news accounts, through the medium of signed articles; . . . The public needs all three of these services; . . . Radio should have a place for all three, and should keep them sharply distinguishable.

In *Broadcasting Magazine* for October 4, 1943, the same thought was driven home; they properly pointed out that:

There lies the solution—news must be so labeled, clearly and plainly. Analysis and comment should be slugged as such and by-lined. . . .

It is important to remember that radio is a news medium. It publishes by means of the electrical printing press—the microphone. As a medium more intimate and more sensitive than the printed page, it must sharply delineate and define its services. The intelligence and the know-how of radio, evidenced in its two decades of meteoric growth, are available. The issue, now that it has been provoked, must be met head-on; not avoided.

Broadcasting Magazine is right. The industry has these things right out in the open and it must deal with them. You can no longer sweep them under the bed. But remember CBS and the other nets have much on the asset side of the ledger. Here we have the most intelligent news service and the most capable people in the business. Press and motion pictures are far behind. We can, if we will, capitalize on this great reservoir of talent, radio's own great power and its broad tolerant management.

Under the present restrictions on types of programs, groups who may be heard, and radio's own commentators,

the industry is frozen to a policy that does not allow healthy growth and expansion in the field of free speech. This great young and progressive industry must not be frozen at any status quo.

John Milton said:

Though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do ingloriously, by licensing and prohibiting, to misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse in a free and open encounter?

Now Milton may be a bit off on his statistics. John Kieran will undoubtedly know more precisely. And I own that at least in a seeming free competition truth may lose an occasional battle. But her seasonal average is tops. And hers is the system to which a democracy must pin its faith.

Industry Is Responsible

There are some no doubt who will urge that a democratic control of radio will bring a great many problems to management; that the discretion of management will be heavily taxed. There is no question that management will be harassed considerably—isn't this why management talent comes high? They are the ones who must undertake this responsibility if we are to have a free radio. The transmitters and mechanics of radio are efficient. This is a democracy and just as it will not work itself without the efforts of its people so, too, in the broadcasting industry transmitters will not operate themselves in the public interest. Licensees must have discretion and they must use discretion. Licensees must become aware that starting right now management should take stock of itself and re-explore the whole significance of free speech applied to radio. We can no longer operate under dodge clauses. No precedents ought to be allowed that will make this industry automatically stagnate. Any dodges similar to those intricate clauses employed in a corporate indenture to enable a trustee to duck his responsibility must be weeded out fast. Management has a public trust, and it cannot be dodged.

One point should be clear—these are not government problems in the first instance. They are primarily problems for the industry itself to face and to solve in the best traditions of American free speech. There must be intelligent re-exploration and there should follow appropriate industrial self-regulation. It is the industry on whom responsibility lies, and it is the industry which must answer for having maintained or having subverted our fundamental principles of freedom.

It is to you especially, therefore, that I say: in the world of darkness American radio shines forth. In this world of movement let us see to it that American broadcasting continues to move as a living thing, a vital thing in the onward march of democracy, emitting meanwhile no radiation reminiscent of the dead mackerel in the moonlight.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 11th. They are subject to change.

Monday, October 11

Broadcast
Consolidated Hearing

To Be Held in the Federal Court Room, Federal Building,
Miami, Florida

- Ralph A. Horton (Assignor), The Fort Industry Company (Assignee), Fort Lauderdale, Fla.—Voluntary assignment of C. P., and license of WFTL; and licenses of relay stations WAAD and WRET; **1400 kc.**, 250 watts, unlimited. Under C. P.: **710 kc.**, 10 KW, unlimited, DA night.
- Ralph A. Horton, Fort Lauderdale, Florida.—License to cover C. P., and authority to determine operating power by direct measurement; **1400 kc.**, 250 watts, unlimited. Under C. P.: **710 kc.**, 10 KW, unlimited, DA night.
- The Fort Industry Company, Fort Lauderdale, Florida.—Modification of license to move main studio from Fort Lauderdale, Florida. (Contingent upon granting of B3-APL-15). **1400 kc.**, 250 watts, unlimited. Under C. P.: **710 kc.**, 10 KW, unlimited, DA night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

- WTMC—Ocala Broadcasting Co., Inc., Ocala, Fla.—Granted construction permit (B3-P-3535) for authority to increase power from 100 to 250 watts, necessitating changes in the transmitter.
- KWFT—Wichita Broadcasting Co. (a corporation), Assignor; Wichita Broadcasters, a partnership, Joe B. Carrigan, Mrs. Joe B. Carrigan, P. K. Smith, Trustee; P. K. Smith, Mrs. Claude M. Simpson, Jr., Assignee; Wichita Falls, Texas.—Granted consent to assignment of license of station KWFT, from Wichita Broadcasting Company (a corporation) to a newly formed partnership consisting of the stockholders of the present licensee (B3-AL-381).
- WSAV—E. E. Murray, Sr. (Transferor), Harban Daniel and Catherine Murray Daniel (Transferees), Savannah, Ga.—Granted consent to transfer of control of WSAV, Inc., licensee of station WSAV, from E. E. Murray, Sr., to Harban Daniel and Catherine Murray Daniel. No monetary consideration involved (B3-TC-332).
- WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Granted construction permit (B1-P-3538) to install equipment to replace equipment destroyed by fire on April 28, 1943, subject to whatever action may be taken upon application for renewal of license.
- WINS—Hearst Radio, Inc., New York City.—Granted modification of construction permit (B1-P-3026 as modified) to change frequency from **1000** to **1010 kc.**, all other terms of construction permit to remain the same, and make changes in directional antenna system (B1-MP-1720).
- The Ohio State University, Columbus, Ohio.—Granted position for reconsideration of application for new relay broadcast station, and granted same in conformity with relaxation policy of August 28, 1943 (B2-PRY-286).
- Houston Printing Corp., Houston, Texas.—Granted petition for reconsideration of application for new relay broadcast station, and granted same in conformity with relaxation policy of August 28, 1943 (B3-PRY-274).
- WHEC, Inc., Rochester, N. Y.—Granted petition for reconsideration of application for new relay broadcast station, and granted same in conformity with relaxation policy of August 28, 1943 (B1-PRE-427).

DESIGNATED FOR HEARING

- KQW—Pacific Agricultural Foundation, San Jose, Calif., Ltd.—Designated for hearing application for modification of license to move main studio to San Francisco (B5-ML-1172).

FCC AUTHORIZES CONSTRUCTION OF RELAY BROADCAST STATIONS

The Commission announced adoption of a Decision and Order (B-191), granting the application of Larus and Brother Company, Inc., licensee of station WRVA, Richmond, Va., for construction permits to establish two new relay broadcast stations. Both of the low-powered transmitters needed for the stations were acquired by WRVA in April, 1942. When set up, the two relay stations will be used for emergency purposes only, upon failure of the normal wire lines connecting the transmitter and studios of Station WRVA.

In granting the applications, the Commission noted that any obstacle in the granting of WRVA's petition because of the Commission's Memorandum Opinion of April 27, 1942, with respect to the use of critical materials, had been removed by the FCC's later statement of policy made August 28, 1943, authorizing the construction of new relay broadcast stations under certain conditions.

PROPOSED FINDINGS ADOPTED

At the same time the Commission adopted Proposed Findings of Fact and Conclusions (B-192), proposing to deny application of the Black Hills Broadcast Company (KOBH), Rapid City, So. Dakota, for construction permit to install new transmitting equipment, change transmitter location, install a directional antenna system for both day and night use and change operating assignment from **1400** to **610 kc.**, increase power from 250 watts to 5 KW, unlimited time.

The change in operation sought by station KOBH, the Commission held, would be inconsistent with the terms of the North American Regional Broadcasting Agreement (NARBA), as it would cause interference to Canadian station CJAT, and Mexican station XEBX.

MISCELLANEOUS

- Stephen A. Vetter, Miami, Fla.—Denied petition to intervene in the hearing on applications of WFTL for assignment of license, license to cover construction permit and modification of license; exceptions noted by counsel for petitioner.
- KWOC—Radio Station KWOC, Poplar Bluff, Mo.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1550).
- WSLS—Roanoke Broadcasting Corp., Roanoke, Va.—Granted authority to determine operating power by direct measurement of antenna power (B2-Z-1548).
- KGBK—Helen Townsley, area of Great Bend, Kans.—Present license for relay broadcast station further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending December 1, 1943.
- WAEA—WAPO Broadcasting System, area of Chattanooga, Tenn.—Present license for relay broadcast station further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending December 1, 1943.
- KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Continued hearing now set for October 4 to November 4, in re application for modification of license to increase power to 5 KW, unlimited time.
- Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Denied petition requesting reinstatement of petitioner's application for new station to operate on **1050 kc.**, 1 KW power, daytime only (B2-P-3307, Docket No. 6231).
- Rock Island Broadcasting Co., Rock Island, Ill.—Placed in the pending files without action at this time, pursuant to the policy adopted on February 23, 1943, application (B4-PH-138), for new high frequency (FM) broadcast station to operate on **44500 kc.**
- WCLE—United Broadcasting Co., Cleveland, Ohio.—Granted motion to dismiss without prejudice application for modification of license to operate on **640 kc.**, 500 watts, limited time.
- WHKC—United Broadcasting Co., Columbus, Ohio.—Granted motion to dismiss without prejudice application for construction permit to operate on **610 kc.**, 1 KW, DA-night, unlimited time.

APPLICATIONS FILED AT FCC

1450 Kilocycles

KVAK—S. H. Patterson, Atchison, Kans.—Construction permit to make changes in transmitting equipment and increase power from 100 watts to 250 watts.

1460 Kilocycles

KGNF—Great Plains Broadcasting Co. (a corporation), North Platte, Nebr.—Voluntary assignment of license to radio station WOW, Inc.

1490 Kilocycles

KNOW—Frontier Broadcasting Co., Austin, Texas.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WWPG—Lake Worth Broadcasting Corp., Palm Beach, Fla.—Modification of license to change corporate name of licensee to Palm Beach Broadcasting Corporation.

WEIM—Ruben E. Aronheim, Fitchburg, Mass.—Voluntary assignment of license to Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Meyers, d/b as radio station WEIM.

1370 Kilocycles

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924 as modified), which authorized change of frequency, increase in power, installation of directional antenna for day and night use, and new transmitter and move, for extension of completion date from 11-1-43 to 2-1-44.

1390 Kilocycles

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Voluntary assignment of license to Gene T. Dyer, Vivian I. Christoph, Gene T. Dyer, Jr., F. A. Ringwald, Louis E. Moulds, Grace V. McNeill, William F. Moss, doing business as radio station WGES.

1230 Kilocycles

KVEC—Christina M. Jacobson, trading as The Valley Electric Co., San Luis Obispo, Calif.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

KGNF—Radio Station WOW, Inc., North Platte, Nebr.—Construction permit to make changes in transmitting equipment, change frequency from 1460 to 1240 kc., change power from 1 KW to 250 watts and hours of operation from daytime to unlimited.

MISCELLANEOUS APPLICATIONS

NEW—Burns Avenue Baptist Church, Detroit, Mich.—Extension of authority to transmit programs from Burns Avenue Baptist Church, Detroit, Mich., to radio station CKLW, Windsor, Ontario, Canada.

NEW—WFAM, Inc., area of Lafayette, Ind.—Construction permit for a new relay broadcast station to be operated on 30820, 33740, 35820, 37980 kc., 15 watts power and A3 emission.

NEW—Matheson Radio Company, Boston, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc., with coverage of 3,600 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.

Ancestral Survey and as Professional Collection Association, 333 State Street, Detroit, engaged in the collection of delinquent accounts, is charged in a complaint issued with unfair and deceptive acts and practices in commerce. (5056)

Continental Forwarding System, and as Southern Michigan Collection Service, 404 Dwight Bldg., Jackson, Mich., engaged in the collection of delinquent accounts, is charged in a complaint with unfair and deceptive acts and practices in commerce within the meaning of the Federal Trade Commission Act. (5058)

Dip Net Smelt Fishermen's Association, its committee, V. G. Davis, Kris Pedersen and C. W. Fisher and members, Walter Dixon, A. A. Fisher, Philip Plebuch and Lloyd Dixon; Columbia River Smelt Corporation; Cowlitz Smelt Co., and Olie Soleim, trading as Central Smelt Co., all of Kelso, Washington, are charged in a complaint with unfair methods of competition and monopolistic practices and policies having a tendency to increase the cost of food. (5055)

Irving's, 10th and E Sts., N. W., Washington, D. C., engaged in the sale of women's apparel and furnishings, is charged in complaint with misrepresentation. (5057)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

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

Andrew J. Lytle and Richard Carl Lytle, 221 Everett Bldg., Akron, Ohio, and William Edgar Spicer, 302 Bond Bldg., Washington, D. C., have been ordered to cease and desist from falsely representing that, in the operation of a business designed solely to locate delinquent debtors, they are connected with the United States Government or any of its agencies. (4829)

Milwaukee Importing Co., 2039 North 34th St., Milwaukee, Wis., selling and distributing Malt Cereal, a coffee substitute, has been ordered to cease and desist from falsely representing that he has been unable to fill orders or ship merchandise due to war conditions, shortage of labor, or raw materials, or to any other causes which do not exist. (4980)

Montgomery Ward & Company, Inc., Chicago, has been ordered to cease and desist from certain misrepresentations in the sale of fabric garments. (4638)