

SENATE COMMITTEE DROPS RADIO TAX

The industry's all-out fight to lick the time sales tax bore first fruit Wednesday when Chairman Walter George (D-Ga.) announced that the Senate Finance Committee had eliminated the tax from the new federal revenue bill.

Now is the worst possible time to stop fighting. The committee can change its mind. The boys behind the tax can get some friendly senator to introduce it as an amendment when the bill reaches the senate floor. Or the House conference committee can insist that the tax be put back into the bill when it goes to conference to compromise differences between the House and Senate versions.

Let your senators and representatives know how you feel about it!

At the same time that Senator George informed newspapermen that the tax had been removed, he told them that the committee had instructed the Treasury and a sub-committee [Senators Brown (D-Mich.) and Danaher (R-Conn.)] to study a possible franchise tax. Whether this study would be completed in time for inclusion of a franchise tax in the current bill was conjectural, the chairman said.

The NAB is opposed to a franchise tax, unless the federal government reverses long-standing policy and makes all federally regulated industries stand the cost of their regulation.

The American Federation of Labor and labor unions dealing with the industry have continued to express their unqualified opposition to the tax. William Green, A. F. of L. president, urged all state federations and city central bodies to advise their senators and representatives of the federation's position.

After the Allied Printing Trades Council suggested last week that the Senate double the House tax, the NAB, through its special tax counsel, Ellsworth C. Alvord, sent the following letter to the Senate committee:

On August 21 there was submitted to your Committee, on behalf of Mr. John B. Haggerty (Chairman, Board of Governors, International Allied Printing Trades Association, and President, International Brotherhood of Bookbinders), a statement in support of Title VI of the pending bill (H. R. 5417), and recommending a 100 per cent increase in the radio broadcasting tax provided for by that title. While my oral testimony before the Committee (Hearings, pp. 676-681), together with the written memorandum which I submitted for the record (Hearings, pp. 681-689), constitutes an adequate reply to the arguments presented by Mr. Haggerty, his statement contains certain erroneous statements which require correction.

(1) *Need for Revenue*.—Mr. Haggerty's first argument is that the revenue needs justify the imposition of a special tax on radio

broadcasting, at double the rates proposed by the House. The simple answer to this argument is that the revenue needs can never be great enough to excuse an unjust, discriminatory tax.

(2) *Return on Investment*.—Mr. Haggerty next revives the specious argument that the tax is justified because radio broadcasters earn large profits on the investment in, or "value" of, their physical property. He speaks as though the only outlay required were the cost of a moderate amount of technical equipment. He completely neglects the need for operating capital, the certainty of early losses, the constant hazards of the business, and the necessity for plowing back earnings in order to maintain efficient service. In any event, capital is only one of many income-producing factors. As this Committee has repeatedly recognized, such

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

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

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factors as individual ability and initiative deserve equal encouragement.

(3) *Entertainment*.—In attempting to justify his position, Mr. Haggerty over-emphasizes the entertainment aspects of radio. Radio broadcasting is, as Mr. Haggerty says, the principal source of entertainment in America today. That entertainment, incidentally, comes to the public whether or not it can afford to pay for it; the cost being borne by the advertiser. Of far greater importance, however, is the fact that radio broadcasting is also the principal source of *information* in America today. In the latter respect, radio performs a unique and vital public service.

(4) *Monopoly*.—Mr. Haggerty once again puts forward the argument that the radio broadcasting industry's alleged monopoly, based upon a public franchise, justifies the tax. It has already been pointed out to this Committee that no broadcaster has a monopoly of the listening public, and that radio has no monopoly of advertising media. Furthermore, the necessity for regulation, far from justifying the proposed tax, does not even justify a tax based upon the costs of regulation, unless a similar tax is imposed at the same time upon all businesses regulated by the Federal Government. The imposition of such taxes would require the reversal of a long-standing national policy.

In an effort to demonstrate that the opposition of advertising agencies is founded solely upon a desire to protect a monopolistic source of unconscionable profits, Mr. Haggerty asserts that newspapers and magazines pay a 15 per cent commission to advertising agencies for securing advertising, but that radio broadcasters "pay rebates, and discounts as well as agency commissions ranging from 36 per cent upward." He alleges that these discounts line the pockets of the advertising agencies, and cites as his authority, first, a letter from Frank K. White, Treasurer of the Columbia Broadcasting System, to Editor and Publisher, the second, the National Broadcasting Company Red Network 1941 published rate card.

Curiously enough, Mr. White's letter, published in the May 3, 1941 issue of Editor and Publisher, specifically states that the standard 15 per cent commission is allowed to recognized advertising agencies; and carefully explains that discounts, which he states "correspond generally to the frequency and space allowances which are made to advertisers by magazines and newspapers", are passed along "to the advertisers (and not to the agencies)".

Similarly, Mr. Haggerty purports to quote the National Broadcasting Company published rate card, as indicating that large discounts are allowed to advertising agencies. His supposed quotation contains words which would prove his point if they appeared on the rate card, but the fact is that they do not appear there. Wherever the word "advertiser" appears on the rate card, Mr. Haggerty has inserted, after that word, the phrase, "(advertising agency)", so that his purported quotation is not a quotation at all.

As Mr. White's letter indicates, the discounts and rebates allowed by radio broadcasters correspond generally to the frequency and space discounts allowed by other advertising media. They are more volume discounts, inducing the advertiser to maintain his advertising throughout the year. In the case of radio, they tend to maintain program continuity, an obviously salutary result.

(4) *Wage-earners' Interest*.—Finally, Mr. Haggerty attempts to belittle the stake the wage-earner has in radio. Here again, he disregards the facts. The radio broadcasting industry has at least 22,000 full-time employees. Its annual pay-roll is about \$60,000,000, or well over \$1,100,000 weekly. The average weekly pay check in the industry is one of the highest in the country, and is becoming higher every year. In addition to full-time employees, about 30,000

more are employed on a part-time basis. Perhaps 250,000 more are employed in the manufacturing and distributing fields. Mr. Haggerty is not specific in his claims of a loss of job opportunities in the printing trades. In view of the increase in recent years in the aggregate circulation of both newspapers and magazines, it is at least doubtful whether he could be specific.

Mr. Haggerty fails to present a single valid argument in favor of the proposed tax. The fact of the matter is that the tax is being urged not because it will produce revenue, not because it is a sound tax measure, but solely in the hope that it will hamper the normal operation of competition between various advertising media. The use of the taxing power for this purpose cannot conceivably be justified. For labor as a whole and even for the printing trades alone, it would be a short-sighted policy. The stimulation of competition by the development of new industries does not destroy job opportunities, it creates them. In this connection, Mr. W. C. Hushing, Chairman of the Legislative Committee of the American Federation of Labor, had this to say to this Committee:

"This is not a new question to us by any means. In the middle 1890's there was another new industry coming into existence and in one of the Central Labor Unions on the West Coast, which was located in the largest West Coast city, there was an organization which came in with a proposal that no member of the organization, of organized labor, ride in an automobile, even to a funeral, and the motion was adopted. This proposal here is on all-fours with and is made for the same reason that that motion was passed through that central body over forty-five years ago; and in the future you will probably look back on this proposal in the same manner that you do on the one which I have just mentioned.

* * * * *

"This proposal in this Bill could well have been made against electric lights, because they put the manufacturers of oil lamps out of business, or could have been made by the candlemakers with the same force when the oil lamp came into use." (Hearings, Aug. 23)

I shall appreciate it if this letter can be incorporated in the record of the hearings.

William C. Hushing, A. F. of L. legislative representative of the American Federation of Labor, told the Senate Finance Committee that the federation was opposed to the radio tax.

Speaking August 23 at the final day's hearing, Mr. Hushing read the resolution against the tax adopted by the A. F. of L. Executive Council at its Chicago meeting.

He pointed out that the tax was the idea of several printing trades unions and was "simply an attempt to deprive the radio industry, a new industry, of some of the work or some of their income and to transfer it to an older industry."

Unions dealing with radio, he added, were opposed to the tax on the ground that it would deprive them of employment opportunities.

Mr. Hushing informed the committee that all the unions asking for the tax had increased their membership since the advent of radio, intimating that they had not suffered because of radio. He then told a story about a West Coast labor group which once adopted a resolution against union men riding in automobiles, and said that the tax proposal someday would seem just as silly.

The proposal to tax radio, he said, might just as well have been made against electric lights because they put the manufacturers of oil lamps out of business.

Statement by Lawson Wimberly

on behalf of the

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

(Affiliated A. F. of L.)

In Re: H. R. 5417, Title VI—Radio Broadcasting and Network Tax

This statement is presented to the Senate Finance Committee on behalf of the International Brotherhood of Electrical Workers, an American Federation of Labor affiliate, in opposition to the

proposed tax on radio advertising sales contained in Title VI of H. R. 5417. Time allotted for our appearance before the Committee did not permit detailed discussion of the various phases of this matter. We therefore wish to present some additional facts with respect to our objections to a tax being imposed only on radio advertising.

Undoubtedly, every one realizes that a radio station, like a newspaper, magazine or any other business must compensate its employees with income from some source. A radio station, like a newspaper or a magazine, derives its principal income, with which employees are paid, from advertising sales. While in the advertising field, the radio utilizes an entirely different type or form of sales appeal—it still must compete with all the other advertising mediums. For Congress to tax one medium of advertising without taxing all would certainly be discriminatory.

It is interesting to look into the background of the proposal to tax radio advertising and not tax newspaper, magazine or periodical advertising—which really constitutes the large volume of advertising sales. This proposal originated in the Ways and Means Committee of the House of Representatives when an agent of the International Allied Printing Trades Association, an organization of five unions in the printing industry, complained to the House committee that radio advertising was reducing the earning opportunities of members of the unions comprising the Association.

The records available do not support this allegation. If we can take the record of the number of members on which these unions have paid per capita tax to the American Federation of Labor as a standard of comparison, their membership has actually increased in the period of radio's greatest expansion. The following with respect to the number of members reported, is taken from the official proceedings of the American Federation of Labor for the years shown:

	Name and membership of respective unions				
	Typographical	Printing Pressmen	Bookbinders	Photo Engravers	Stereotypers
1925	71,000	40,000	13,600	7,200	6,800
1930	77,600	40,000	13,900	8,900	7,800
1935	73,400	32,000	11,700	6,700	7,900
1940	79,400*	43,700	18,700	10,500	8,400

It should be interesting to note the number of broadcasting stations which were licensed for operation during the above period. From reports of the Federal Communications Commission we find that the number of standard commercial broadcast stations were as follows:

1925	571 stations licensed
1930	612 " "
1935	605 " "
1940	814 " "

Figures could be given to show how the number of radio receiving sets in use in the United States has risen from a few hundred thousands to over 50,000,000 at the present time. We could also list authentic figures to show the tremendous increase in circulation of newspapers and magazines during the past 20 years; we could quote statistics to show that hundreds of thousands have been provided employment as a result of the development of radio, but we do not feel that is necessary, especially when this information is general knowledge.

The printing industry workers in attempting to have Congress enact a punitive tax on radio advertising, have selfishly disregarded these obvious facts. *They have also apparently ignored the fact that the radio broadcasting industry each year spends several millions of dollars for printed promotional activities.* The radio manufacturing industry spends considerably more for its sales and promotional work.

When the proposed tax was first broached, it was termed "an amusement tax" by its sponsors. The fact that it was so designated emphasizes the existence of inherent deficiencies which render such a disguise necessary. A properly formulated tax on amusement would impose the tax burden upon those who are the beneficiaries of the particular entertainment or amusement. The proposed tax

would be imposed upon the broadcasting stations and networks—upon the producer, not upon the consumer, and would have a detrimental effect directly upon employees in the broadcasting industry. The only measure of the amount of the tax would be the amount of revenue, irrespective of the quantity or quality of amusement afforded to any listener. While perhaps radio offers more entertainment with the advertising it carries than do newspapers with their advertising, there is no substantial basis upon which an amusement tax levy could be made upon radio.

Another fact regarding radio advertising that is generally overlooked is the type of advertising carried by the radio which requires the services of many vocations, including not only technicians and engineers, but musicians, actors, script writers, announcers and others. The annual wage bill of radio broadcasting amounts to several millions annually.

In view of these facts, we submit that there can be no justifiable reasons for taxing radio time sales unless there is an equal rate of taxation on all other forms of advertising. A radio advertising tax alone would have a very serious effect upon the earning opportunities of the members of this organization employed in the broadcasting industry, as well as thousands of others in broadcasting and other allied industries. This situation would not prevail to such a degree if the tax is made applicable to all forms of advertising.

We would like to reiterate our statement before the Committee to the effect that we are not opposing any tax that may be necessary—so long as that tax is equitable and applies to all alike. We submit that the tax proposed on radio broadcasting in this bill is a punitive tax, unreasonable, discriminatory, and partaking of the character of class legislation, violative of the fundamental democratic principle of equality under law. It should be stricken from the bill.

FCC Calls New Hearing on "Monopoly" Rules

On August 14, 1941, Mutual Broadcasting System, Inc. filed with the FCC a petition requesting it to amend its regulations dealing with network option time and the term of affiliation contracts. This petition has been set for oral argument before the Commission en banc on Friday, September 12, 1941 at 10 A.M. at a place hereafter to be announced. At that time the Commission will hear oral argument by Mutual Broadcasting System, Inc., and by any other licensees and network organizations who desire to be heard with respect to the chain broadcasting regulations as promulgated, the Mutual petition, or any other modification of any of the chain broadcasting regulations which those appearing desire to propose. All persons wishing to be heard are requested to file appearances with the Secretary of the Commission on or before September 10th. Written briefs may be filed on or before September 12th.

The chain broadcasting regulations will not be placed in effect with respect to existing affiliation contracts, or network organization station licenses, or the maintenance of more than one network by a single network organization, until after the disposition of the Mutual petition and of any other which may be filed.

Broadcast licensees will be afforded opportunity to adjust their operations to accord with rules with respect to chain broadcasting following the Commission's September 12 oral argument on petition of the Mutual Broadcasting System to amend same, the Commission said in a statement late Thursday.

Reasonable time will elapse after disposal of this and any other petition offered on that occasion before making such rules effective. This supplementary statement is issued in response to inquiries from the industry concerning possible Commission action in connection with this oral argument.

(*) Figure in 1939. This union not affiliated with AFL in 1940.

Priorities

As of Wednesday, August 27, this is the procedure to be followed by broadcasters possessing construction permits:

If a broadcaster needs every item of material and equipment to satisfy the construction permit, he should apply to Mr. Ward Freeman, Project Rating Section, Priorities Division, Office of Production Management, 462 Indiana Avenue, Washington, D. C., for a Project Rating. When, as and if granted this covers the entire bill of material.

In your letter, after advising Mr. Freeman that you are applying for a Project Rating, supply the answers to the following questions:

- 1—Owner or owners of the station.
- 2—Principal office of the broadcasting station.
- 3—Indicate the plant site.
- 4—Material produced. [Broadcaster can not fill this out.]
- 5—Justification of the project.
- 6—General description of the project.
- 7—Types and quantities of material and equipment required.
- 8—Number of certificate of necessity. [Disregard this as a broadcaster would not have such a certificate.]
- 9—Date of completion.
- 10—Cost.
- 11—Per cent completed now.

Now suppose the applicant has physical possession of part of the equipment, say transmitter plus some wire, etc. Under this circumstance the station is advised to fill out form PD-1. Attached to properly filled out PD-1s should be photostat copies of supporting data which would serve to indicate the necessity for the desired material.

A photostat copy of the CP should be attached to it, for example. If the station will be serving a substantial number of additional radio families, now denied regular service, this should be brought out in a letter. These and other things which demonstrate the need for station construction or improvements should be appended.

Full directions for returning the priorities form appear on the form itself. If not available in your city forms may be obtained by writing NAB or Information Division, Division of Priorities, Office of Production Management, 4th and Independence Avenue, Washington, D. C.

(Leon Henderson, OPACS director, announced that material would be allocated to keep in repair the nation's 50,000,000 receiving sets).

Engineering

RECORDING STANDARDS

A meeting of the Executive Committee of the Recording and Reproducing Standards Committee was held in New York City on August 20. Those present were R. M. Morris, NBC, Chairman; H. A. Chinn, CBS; C. Lauda, Jr., World; R. A. Lynn, NBC (guest); E. T. Mottram, Bell Labs; I. P. Rodman, Columbia Recording; and L. C. Smeby, NAB, ex officio.

The Committee made a more detailed study of the answers to the NAB Recording Questionnaire (see REPORTS, p. 612, July 18). In order to proceed with the work of standardization, it is necessary to know what the present practice of the manufacturers is. The Committee, therefore, formulated a comprehensive questionnaire to be sent to all manufacturers for the purpose of obtaining this information. A time table was set up for the purpose of insuring that the results of the questionnaire will be tabulated for use at the next meeting of the main committee on October 23.

It was suggested that the adoption of standards might be expedited by dividing the items into three categories, (1) those already standardized by custom, (2) those upon which standardization is

important, (3) those which fall into the class of "good engineering practice."

The Recording and Reproducing Standards Committee now has a membership of 58 including practically all the leaders in the field. The membership is as follows: Alliance Mfg. Co., P. M. Turner, Chief Engineer; Altec Service Corp., J. H. Littenberg; Associated Music Publishers, K. R. Smith, Chief Engineer; The Astatic Corp., J. R. Bird, Chief Engineer; Audio Devices, Inc., C. J. LeBel, Chief Engineer; Bell Telephone Laboratories, Inc., E. T. Mottram; Blackett-Sample-Hummert, Inc., Henry Rahmel, Studio Manager; David Bogen Co., Inc., Joseph B. Hersh, General Manager; Broadcast Productions, John Stamford, Owner; The Brush Development Co., Dr. S. J. Begun; C. K. Recorders, Pliny O. Clark, Manager; Central Broadcasting Co., WHO, P. A. Loyet, Technical Director (Representing NAB); Christensen Recording Studios, Carle A. Christensen, Owner; Columbia Broadcasting System, Inc., Howard A. Chinn (Representing NAB); Columbia Recording Corporation, I. P. Rodman, Director of Engineering; Electrical Research Products, F. C. Schmid, Licensing Engineer; FM Broadcasters, Inc., Samuel Waite; Federal Recorder Co., Inc., Jack Seigel, Head, Recorder Division; Federal Transcribed Programs, Inc., A. Ralph Steinberg, President; Film Associates, Ray Arn, Owner; General Communication Products Company, R. J. Thompson, Chief Engineer; General Sound Corporation, Edgar P. Kampf, President; Gray Manufacturing Co., H. T. Stenhammer, Director of Research; Lillian Gurdoni Radio Productions, Stan Gurdoni, Recording Engineer; Harvard University, Frederic V. Hunt; Hollywood Recording Co., John Hirsch, Owner; Illinois Educational Sound Service, R. W. Damron, Owner; John D. Keating, John D. Keating, Owner; Kermitt-Raymond Corporation, Raymond R. Green, General Manager; Mirror Record Corporation, Paul K. Trautwein; C. P. MacGregor Transcription Company, Arthur Q. Felthausen, Chief Engineer; Memovox, Inc., Sigurd A. Sollic, Sales Manager; Miller Bros. Recording Studio, Ross J. Miller, Partner; Musicraft Records, Inc., Earl Carter, Engineer; National Association of Broadcasters, Lynne C. Smeby, Director of Engineering; National Broadcasting Company, Inc., Robert M. Morris, Business Manager Radio Recording; Pacific Sound Equipment Co., Inc., Robert G. Metzner, President; Permo Products Corporation, F. M. Hummel, Sales Engineer; Photo & Sound, Inc.; Poinsettia, Inc., Earl P. Carter; Presto Recording Corporation, George J. Saliba, President; B. A. Proctor Company, Inc., B. A. Proctor, President; Radiad Service; RCA Manufacturing Co., Inc.; E. T. Dickey, (Representing RMA); Radio Features of America, Oliver W. Nicoll, Director Programs and Production; Reeves Sound Studios, Inc., Hazard E. Reeves, President; Rek-O-Kut Corporation, George Silber; Robinson Recording Laboratories; J. P. Seeburg Corporation, Hugh Davis, Engineering Department; Shure Brothers, Benjamin B. Bauer, Chief Engineer; Star Record Company; Technisonic Recording Lab., James M. Althouse, Chief Engineer; United Artists Bureau, R. B. Eaton, General Manager; Universal Microphone Co., Ltd., Ralph L. Power, Ph.D., Promotion Manager; Thomas J. Valentino, Inc., T. J. Valentino, Sales Manager; Western Sound & Electric Lab., Inc., Edward M. Dieringer, President; WGAR, Morris Pierce, Chief Engineer, (Representing NAB); World Broadcasting System, Charles Lauda, Jr., Plant Manager.

Chairman—Lynne C. Smeby.

Executive Committee—Howard A. Chinn; C. Lauda, Jr.; Robert M. Morris, chairman; E. T. Mottram; I. P. Rodman.

Interference from Trucks

The automobile or motor truck in ordinary operation is a rough-and-ready broadcasting station and interferes seriously with short wave radio communications, according to radio experts of the Department of Commerce.

Most motorists are unaware of the annoyance they cause as they drive along city streets. However, radio broadcasting companies, radio manufacturers, government experts in the communications field and automotive engineers are fully alive to the problem.

One leading broadcasting company has conducted a series of tests and made a large number of measurements to determine the

extent of interference from different types of ignition systems installed in motor vehicles.

A special committee set up by the American Standards Association is giving the problem close attention. A committee of engineers appointed by the Radio Manufacturers Association also is actively at work and a committee of automotive engineers is cooperating.

One way to eliminate interference of this kind is to place a shield over the spark plugs and other exposed parts of motor vehicle ignition systems. Experiments along this line are understood to have eliminated the interference at least to a large extent. Other means have been devised.

This type of interference is understood to be especially serious in television operations. Even frequency modulation, designed to eliminate much of the interference normally encountered in radio communications, is said to be affected under certain conditions.

Technical experts of the Federal Communications Commission, the National Bureau of Standards and other interested government agencies are keeping in touch with developments.

Sales Managers Executive Committee Meets

The Sales Managers Executive Committee met in New York Monday and Tuesday to discuss industry sales problems and plan a coast-to-coast series of district sales meetings.

Presiding was Chairman Gene Carr, WGAR, Cleveland, and committee members present were John Outler, WSB, Atlanta, representing large stations; E. Y. Flanagan, WSPD, Toledo, medium stations; Robert MacKenzie, WCMI, Ashland, Ky., small stations; George Frey, NBC; Arthur Hayes, CBS, and Linus Travers, WAAB, Boston, representing Mutual-affiliated stations. C. E. Arney, Jr., and Frank E. Pellegrin attended from NAB headquarters.

Tuesday's meeting included a conference with a committee from the New York Radio Time Buyers Association, consisting of John Hymes, Lord & Thomas, and William Maillefert, Compton, and with national station representatives holding affiliate NAB membership: Edward Petry, of Edward Petry & Co.; Russel Woodward, Free & Peters; George Bolling, John Blair & Co., and Jerry Lyons, Weed & Co.

Problems discussed included station affidavits, local and national rates, survcs and coverage maps, dealer-cooperative advertisers, visual presentations, per-inquiry and free time requests, handling of commercial mail, merchandising and station promotion, program schedules and similar matters. As a result of the meeting closer cooperation was pledged by the Time Buyers association in helping to solve mutual problems, in line with the theme set by the sales managers committee "to make it easier for more clients to buy more time on more stations."

Full details on specific action and recommendations will be sent each sales managers' district chairman, to be presented to the NAB membership at the forthcoming district meetings.

BMI

Joining the Parade

The Kiwanis Club of Rockland, Massachusetts; the Chamber of Commerce of Alma, Michigan; the Lions Club of Ridgewood, Brooklyn, New York; and the Chamber of Commerce of Lancaster, Pennsylvania, have all notified BMI that they plan to adopt *Hi, Neighbor* as a "break the ice" song to open their luncheons and meetings.

Dr. Benjamin Lelyveld, Secretary of the Kiwanis Club of Rockland, Massachusetts writes:

"At our meeting this week our club adopted the song *Hi, Neighbor* for our club song.

"As a former professional dance pianist I can say that the work you seem to be doing both in this direction and in the

way of backing unknown composers is of distinct advantage to the musicians of the country."

Hi, Neighbor is climbing rapidly up the list of most-played numbers. It ranks 19th in network performances for the week ended August 24.

BMI's Lusty Infant

Radio Tunes, BMI's brain baby, is off to a good start with its first tune *I See A Million People* showing up on the list of network favorites. The tune is by the same team that wrote the highly successful *Walking By the River*. The theme, a romantic natural for these times, or for any times, is based on the idea that there are millions of people in fancy, but in reality only two.

Bob Sour, who wrote the lyric, has proven his ability time after time to touch the heartstrings. Una Mae Carlisle, the composer, who is rapidly gaining popularity as a singer and orchestra leader, has a rare gift for melody.

Recordings have been made by Miss Carlisle, Teddy Powell, Cab Callaway, Jan Savitt, and Benny Goodman. Billboard has the following comment to make on the tune: "*I See A Million People* shows possibilities and should definitely be stocked."

Swell Place

The United States War Department has selected BMI's *It's A Swell Place To Be* as the official song of the Ravenna Arsenal of Ravenna, Ohio. Plans call for the use of the song at other locations where defense projects are under way. The writers are Marsh Crosley of Akron, Ohio, and Bill Wirges of New York.

Britain is Catching Up

Indication that the British know a good song when they hear one is offered in their acceptance of *I Hear A Rhapsody*. *Rhapsody* has just arrived on the British list of best sellers and is climbing rapidly to the top.

Alexander in the Movies

Alexander the Swoose, hero of the song of the same name, has joined the cast of *Hedda Hopper's Hollywood*, a Paramount picture featuring Kay Kyser and his band, to be released on September 16th. World premier of the picture will be held at the Milwaukee American Legion Convention.

Inside Stuff

Illustrative of the opportunity BMI has brought to those in the music business who did not share in the ASCAP distribution is a story in the current *Variety* about a song plugger who has become the publisher of "what looks like a smash hit."

"He was without a job for over a year prior to the ASCAP-radio split," says *Variety*, "and had been living on relief money obtained from the industry's benevolent organization, Professional Music Men, Inc. His break came when an ASCAP firm agreed to return the song in question to the writers because of the firm's inability to exploit the number on the networks. The unemployed plugger soon fell heir to the song and licensed it for radio through Broadcast Music, Inc. A band leader recorded the tune and included it consistently in his remote broadcasts. In quick time three other bands put the song on wax. Recently an ASCAP publisher offered the plugger \$5,000 for outright transfer of the number, but the ex-reliever turned the proposition down."

There is no way of estimating how many publishers and employees of publishers have found opportunities through BMI. But if we made a rough guess of an average of ten employees per publisher we would have three thousand, which all goes to show that any break in established procedure is an opportunity for someone.

Co-eds, Touchdowns, and Siss Boom Bah!

Broadcasters are all set to play BMI football this year with *You Made a Touchdown in My Heart*, *Georgette the Majorette*,

BMI FEATURE TUNES

September 1 - September 7

1. WASN'T IT YOU
2. I WENT OUT OF MY WAY
3. YOU MEAN SO MUCH TO ME
4. DELILAH
5. HI, NEIGHBOR
6. YO TE AMO, OH BABY
7. ALL ALONE AND LONELY
8. RELUCTANT DRAGON
9. HAVE YOU CHANGED
10. A PRETTY CO-ED HAS GONE TO MY HEAD

and Siss Boom Barbara Brown in the backfield and a new top tune by a prominent writer, *A Pretty Co-ed Has Gone to My Head* as Center. The writer of the words and music is Captain Paul Fogarty, a producer at WGN. Captain Fogarty crashed through to the big time a few years ago with his *Betty Co-ed*.

Asked about his own football experience the Captain contributes the following verse which he wrote and the *Chicago Tribune* published:

Substitute '93

(Friday Night)

I'm a ninth string sub on the varsity club.
My number is old '93.
And I realize that just ninety-two guys
Are quite a bit better than me.
But my gal thinks I'm the best back of all time.
Another Red Grange more or less.
And if she's her way, she'll be there Saturday,
So, brother, I'm sure in a mess.
The first thing she'll miss is my name on the list,
Of players who MIGHT get to play,
Guess I went too far, when I said I would star,
That's why I'm unhappy today.
The head coach don't know if I'm Tom, Dick or Joe,
He spoke to me once—saying "Hi."
Tho I did infer in my letter to her,
That I kinda apple'd his eye.
Well, alack-alas, I'll be there on the grass,
At gametime—with chin on my knee,
It might help like, if she'd save just one yell,
For substitute—old '93.

(Saturday Night)

Well, I guess my name made the gallery of fame,
That drop kick of mine saved the day.
I'm the fair haired lad—just a kid Galahad,
The king of the campus—they say.
My gal has my pin, I've her rouge on my chin,
The head coach is calling me "Son."
My "ninety-three" has been taken from me,
The new one they gave me is "one."
If you keep it mum, I will tell you how come,
I happened to get such a chance.
When "Butchy" O'Brien tore a hole thru the line,
He tore a big hole in his pants.
Says the coach, says he, "Hey there—YOU—ninety-three,"
"Get out there, give Butchy your pants."
But I thought he said—tho I may be misled,
"Get Butch out of there—here's your chance."

Christmas in September

Preparation for the holidays is practically completed at BMI, which will spend its first Christmas with the broadcasters. Last

year with ASCAP music on the air Christmas was not much of a problem and this year it will not be either as BMI has available many new orchestrations of familiar Christmas carols. Among them are *God Rest You Merry Gentlemen*, *O Little Town of Bethlehem*, *We Three Kings of Orient Are*, *Good Christian Men Rejoice*, *Good King Wenceslas*, *Away in a Manger*, *Hark the Herald Angels Sing*, *Deck the Halls with Boughs of Holly*, *I Saw Three Ships*, and *The First Noel*—not to speak of the well known *Silent Night (Holy Night)* and *Jingle Bells*.

Old Tunes—New Lyrics

The BMI public domain lyric department, under the direction of Irving Weil, is fitting new lyrics to familiar melodies and has about sixty new ones available for vocalists who wish to sing melodies that have been known to radio audiences over the past twenty years. One of the new lyrics by Gertrude Forster to the tune *Romance* follows:

Should you across the years recall our days together,
Those far off happy hours now lost and gone forever.
If but one corner of your heart is all I claim,
Remember dear, my love for you will always be the same.

Your face in dreams I see, so near you seem to be,
I press your lips to mine tenderly again;
I hear the melody, that once you sang to me,
It wakes anew, my longing and my pain.

Like some divided stream your life and mine must be,
To drift apart and flow for ever t'ward the sea,
No one can take your place, the years will not erase
Those days I shared with you;
I live them through and through in mem'ry,
In dreams your sweet caresses belong to me,
Once more your lovely image each night I see.

The longing and the pain,
Return to me again,
In dreams in dreams of you.

National Defense

Indicative of the manner in which stations are able to serve their local citizenry, WSTV, Steubenville, Ohio, has just begun the broadcast of a series of programs on Americanism, Wednesdays at 8:00 p.m. Featured on the program are persons from real life who tell their story. Cooperating is the Ohio office of WPA.

Flying Cadet Series

WCAU, Philadelphia, plans to continue its dramatic series on "Flying Cadets of the Navy". The programs are produced by WCAU for use of stations throughout the Fourth Naval District. Joe Connolly, special events director, and Joe Gottlieb, script writer, went to the Jacksonville, Fla., air base for material for six 15-minute programs for later recording in WCAU studios with professional talent.

"Thirty-four radio stations throughout Pennsylvania, southern New Jersey and Delaware have informed the Cadet Procurement Office for the Fourth Naval District of their intention to carry the program."

Stars and Stripes Forever

"Stars and Stripes Forever" is the name of a new strip program just started over KGGF, Coffeyville, Kan. Melvin Drake, manager, has planned to incorporate several of the national defense spots in each show along with transcribed band music.

"Send 'em — We'll Air 'em"

Says Robert Bentley, patriotic director, WCPO, Cincinnati, Ohio: "Thanks for the new 'Keep 'em Flying' spots. 'Keep 'em Flying' to us, please, and we'll keep 'em on the air."

WGAR's "War" Coverage

John Patt, vice president and general manager, WGAR, Cleveland, is firmly convinced that the production of the station's series of transcriptions from Army camps is a definite public service to listeners and he is sparing no effort or expense to back up his contention. Since last spring a staff of engineers and representatives of Carl George's program department have covered Camp Claibourne, Camp Shelby, Fort Knox, Selfridge Field, Chanute Field and the Naval Stations at Grosse Isle, Michigan and the Great Lakes Base at Great Lakes, Illinois.

At the present time the men are at Wright and Patterson Field. Early in September David Baylor, who has been in charge of these broadcasts, will leave for the Louisiana war games to setup coverage for WGAR's listeners. A few days later he will be followed by three engineers and Program Director George. They plan not only to take their recording equipment but also the short wave mobile unit so as to be able to pick up broadcasts on the run. Transcriptions will be air expressed back to Cleveland. With proper plane connections broadcasts will be on the air within eighteen hours.

Coal Campaign

From as far west as KUTA, Salt Lake City, Utah, letters favorable to the coal campaign, details of which were released to stations on August 20, have been received.

Says Jack A. Burnett, account executive, KUTA: "Your folder 'Coal Dealers Can Prevent a Coal Tie-Up This Winter by Acting Now' has been very well received here."

Federal officials concerned with the coal campaign assured us, this week, that there is an ample supply of coal in every section of the country for dealers to work on. Because of the flood of publicity about shortages in most materials it is fortunate that no shortage of coal exists now. The shortage will show up some two or three months in the future. By storing coal in the bins of the ultimate consumers, coal dealers will be doing a service to their customers and to the country.

ANY SCRIPTS!

The U. S. Office of Education has requests from several broadcast stations for scripts on the subject of vocational defense training. That office would like to send scripts that have already been tested on the air. It will be appreciated by William D. Boutwell, director, information service, U. S. Office of Education, Washington, D. C., if broadcasters having such scripts will forward them to him with a note giving him permission to supply them to these other stations.

PROMOTION

At WCBS, Springfield, Ill., there is a utility program that is now in its fourth year and which, according to Jack Heintz, manager, "is practically an institution as we have almost forgotten it is a commercial show."

At our request Mr. Heintz has written several paragraphs concerning this program in the belief that they may prove helpful to other broadcasters with or without utility sponsorship.

The program is known as "Homemakers Institute." Frequent guest speakers are local persons of interest and representatives of various food companies. It is scheduled each Wednesday afternoon, 2:30-3:00 p.m. CST, and always broadcast before a capacity audience. Always, people from a dozen to several hundred, are turned away. Seats are provided for two hundred.

The homemakers program has always been informal and conducted in a "homey" sort of way. It even permits an open forum discussion for thirty minutes after the broadcast is off the air.

"From our point of view and that of the utility, the Central Illinois Light Company," he said, "it is most gratifying that there is a constant and large turnover of audience, despite the fact that there is always a portion of the audience that come back each week."

RESTRICTS VISITORS

Chairman James Lawrence Fly of the Defense Communications Board has addressed notices to all persons engaged in the wire or radiocommunications industry, including manufacturing, directing attention to the following resolution adopted by the Defense Communications Board restricting access to communication plants and stations:

"WHEREAS on account of the importance to national defense of the plants and facilities of the communications industry it appears desirable to restrict free access thereto;

"BE IT THEREFORE RESOLVED that all persons engaged in the wire or radiocommunications industry, including manufacturing, be requested to take all measures necessary to ensure that access to premises containing communications equipment or facilities (other than the premises necessarily open to the general public) be restricted to employees, federal, state, or local government officers, acting in their official capacity, and other persons considered necessary by the management in the conduct of its business.

"BE IT FURTHER RESOLVED that all persons engaged in the wire or radio communications industry, including manufacturing, be requested to exclude representatives of any foreign government, persons, associations, or corporations, from access to the premises containing communications equipment or facilities (other than premises necessarily open to the general public) except only upon express permission granted at the direction of the Defense Communications Board."

COST OF LIVING

Another rise in living costs for wage earners and lower salaried workers in the larger cities was reported for the month ended July 15 by the Labor Department. The increase was 0.6 per cent, making the total increase almost 7 per cent since the outbreak of the war. The department's index July 15 stood at 105.2 per cent of its 1935-39 average.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

Following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 1. They are subject to change.

Wednesday, September 3

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), **920 kc.**, 1 KW night, 5 KW LS, unlimited time.

Friday, September 5

KFNF—KFNF, Incorporated, Shenandoah, Iowa.—Renewal of license, **920 kc.**, 500 watts night, 1 KW day, share KUSD.

FUTURE HEARINGS

During the past week the Commission has announced the following future hearings in broadcast cases. They are subject to change.

September 15

KPAC—Port Arthur College, Port Arthur, Texas.—Modification of license, **1220 kc.**, 1 KW, unlimited time, DA-night.

Consolidated Hearing

NEW—Herald Publishing Company, Klamath Falls, Oregon.—C. P., **1400 kc.**, 250 watts, unlimited time.

NEW—Dorman Schaeffer, Klamath Falls, Oregon.—C. P., **1400 kc.**, 250 watts, unlimited time.

October 3

NEW—Frequency Broadcasting Corporation, Borough of Brooklyn, New York, N. Y.—C. P., **620 kc.**, 500 watts, daytime.

WEEU--Berks Broadcasting Company, Reading, Pa.—C. P., 850 ke., 1 KW, unlimited time, DA-night.

October 9

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—C. P., 1070 ke., 50 KW, DA-night, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Southern Calif. Broadcasting Co., Pasadena, Calif.—Granted construction permit (B5-P-3108) for a new station to operate on 1430 ke., 1 KW, daytime only. Exact site to be determined, subject to Commission's approval.

Washington Broadcasting Co., Washington, Pa.—Granted petition for reconsideration and grant without hearing the application for a new station; cancelled hearing heretofore scheduled, and granted construction permit to operate on 1450 ke., 250 watts, unlimited time.

Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted construction permit for a new (FM) station to operate on frequency 48100 ke. for commercial FM broadcasts; coverage 9,300 square miles; population 3,900,000.

KONO—Mission Broadcasting Co., San Antonio, Texas.—Granted modification of license (B3-ML-1085) to increase hours of operation to unlimited time. Facilities of KMAC when that station goes on new frequency (Station KONO now operates on 1400 ke., 250 watts day and night; shares with KMAC).

KPQ—Westcoast Broadcasting Co., Wenatchee, Wash.—Granted construction permit (B5-P-3150) to install a new transmitter and antenna, increase power to 500 watts night, 1 KW day, and change frequency to 560 ke. (now operates on 1490 ke., 250 watts, unlimited time).

W9XC—Central Broadcasting Co., Mitchellville, Iowa.—Granted modification of construction permit (B4-MPEX-5) to change frequency to 1040 ke. (under NARBA), make changes in antenna system and extend completion date to 150 days after grant (now has construction permit for new developmental broadcast station to use 1000 ke., A3 emission; 150 KW night and day; hours of operation, 12 midnight to 6 a. m., CST).

WRNL—Richmond Radio Corp., Richmond, Va.—Granted construction permit (B2-P-2995) to install a new transmitter, make changes in directional antenna for night use only, and increase power to 5 KW. (Now operates on 910 ke., 1 KW, unlimited time, DA).

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted construction permit (B1-P-3207), subject to redesign antenna and location approval, to install new transmitter, employ directional antenna both day and night, increase power to 10 KW, day and night, unlimited time, move transmitter to Waverly & Church Roads, Cheltenham Twp., Penna., and move studio to site to be determined in Philadelphia. (Now operates on 990 ke., 1 KW, daytime).

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted special service authorization (B5-SSA-5), to operate on 1090 ke., 250 watts, unlimited time. (Now operates on 1400 ke., 100 watts night and day; shares with KKKO; and construction permit for 1090 ke.; 250 watts, unlimited).

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted petition to reconsider and grant without hearing applications for renewal of license and for authority to transfer control; cancelled hearing heretofore scheduled on renewal application, and granted renewal of license to operate on 990 ke., 1 KW, daytime only; and consent to transfer control of Seaboard Radio Broadcasting Corp. from Joseph M. Nassau, James A. Nassau, John Morgan Davis, Theo. H. Elsner, Edward D. Clery, Jack Compter, Margaret R. Collins, and La Verne K. Shiffer, to Paul F. Harron, Joseph Lanz, John B. Kelly, and Anthony J. Drexel Biddle, Jr.

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Granted modification of construction permit (B3-MP-1368) subject to proof of performance, to make changes in equipment and

for approval of directional antenna. (Has construction permit for 990 ke., 10 KW, unlimited time, DA-N).

RENEWAL OF LICENSES

WBNX—WBNX Broadcasting Co., Inc., New York City.—Granted renewal of license for the period ending August 1, 1942.

WFBL—Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—Granted renewal of license for the period ending August 1, 1942.

The following stations were granted further extensions of licenses on a temporary basis only, for the period ending October 1, 1941, pending determination upon applications for renewal:

WCNW, Brooklyn, N. Y.; WHK, Cleveland, Ohio; WIRE and auxiliary, Indianapolis, Ind.; WKAT (Aux.) Miami Beach, Fla.; WORK, York, Pa., and WWRL, Woodside, L. I., New York.

W2XVP—City of New York, Municipal Broadcasting System, New York City.—Present high frequency broadcast station license was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1941.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Present high frequency broadcast station license was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1941.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Present high frequency broadcast station license was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1941.

DESIGNATED FOR HEARING

Northeastern Penna. Broadcasters, Inc., Wilkes-Barre, Pa.—Construction permit (B2-P-3221), for new station to operate on 1240 ke., 250 watts, unlimited time. Requests facilities of WBAX.

Key Broadcasters, Inc., Wilkes-Barre, Pa.—Construction permit (B2-P-3222), for new station to operate on 1240 ke., 250 watts, unlimited time. Facilities of WBAX.

Central Broadcasting Co., Wilkes-Barre, Pa.—Construction permit (B2-P-3218), for new station to operate on 1240 ke., 250 watts, unlimited time. Requests facilities of WBAX. Exact site and antenna system to be determined subject to Commission's approval. (All three of foregoing applications for the 1240 channel to be heard jointly.)

MISCELLANEOUS

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for extension of termination date of petitioner's temporary license for operation of station WBAX, and extended license from September 1 to November 1, 1941.

Peter Q. Nyce, Alexandria, Va.—Dismissed petition for rehearing directed against the action of the Commission on June 24, 1941, granting without hearing the application of Long Island Broadcasting Corp., Brooklyn, N. Y., for construction permit to increase power of station WWRL from 250 watts to 5 KW, install new transmitter and vertical antenna, and use frequency 1600 ke., unlimited time.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Denied petition for rehearing directed against the action of the Commission July 16, granting the application of Helena Broadcasting Co., Helena, Ark., for construction permit to erect a new station using frequency 1490 ke., 250 watts, unlimited time.

KFJM—University of North Dakota, Grand Forks, N. Dak.; Dalton LeMasurier, Grand Forks, N. Dak.—Granted petition to reconsider and grant without hearing the application of KFJM for renewal of license and for modification of license to change operating time from unlimited to 2 hours a day, 3 to 5 p.m.; together with application for construction permit for LeMasurier to operate station all but the two hours used by the University. (Station operates on 1440 ke., 500 watts night, 1 KW LS.)

Western Mass. Broadcasting Co., Pittsfield, Mass.—Adopted order removing application for a new station from the hearing docket and placing same in pending file pursuant to Order No. 79.

- WFAM, Inc., Lafayette, Ind.—Denied petition for assignment of call letters WFAM to new station authorized July 30, 1941.
- W59C—WGN, Inc., Chicago, Ill.—Granted modification of special temporary authority to operate frequency modulation (FM) station commercially on **45900 ke.**, with power of 3 KW, on a temporary basis only for a period of 60 days.
- WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Granted motion for continuance of hearing now scheduled for September 10, on application for construction permit, and hearing extended to October 9.
- Herald Publishing Co., Klamath Falls, Ore.; Dorman Schaeffer, Klamath Falls, Ore.—Granted motion for continuance of hearing from September 8 to September 15, on applications for new station to operate on **1400 ke.**, 250 watts, unlimited time, in Klamath Falls.
- Granite District Radio Broadcasting Co., Murray, Utah.—Extended to September 10 the time for filing Findings of Fact and Conclusions due June 6, in re application for new station to use **1490 ke.**, 250 watts, unlimited time.
- KFJM—University of North Dakota, Grand Forks, N. Dak.; Dalton LeMasurier, Grand Forks, N. Dak.—Granted continuance to September 8 of hearing now scheduled for August 25 on application of KFJM for renewal of license and modification of license, and application of LeMasurier for construction permit to operate station KFJM.
- Scripps-Howard Radio, Inc., Houston, Texas.—Granted motion to strike item No. 6 from notice of hearing in re application for new station to operate on **1230 ke.**, 250 watts, unlimited time.
- Homer Rodeheaver, Winona Lake, Ind.—Granted petition to accept late appearance in re application for new station to operate on **1480 ke.**, 1 KW, daytime.
- WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted motion for continuance of hearing now scheduled for August 27, on application for renewal of license, and hearing continued to September 26.
- WOAI—Southland Industries, Inc., San Antonio, Texas.—Granted petition for leave to amend application to change to NARBA frequency, and increase power, on condition that amendment is filed within 30 days.
- The American Legion, Dept. of Hawaii, Honolulu, T. H.—Denied petition for change in location of hearing on application of Hawaiian Broadcasting System, Ltd., for a new station in Honolulu.
- The American Legion, Dept. of Hawaii, Honolulu, T. H.—Granted petition to take depositions in application of Hawaiian Broadcasting System, Ltd., for a new station.
- WJPR—John R. Pepper, Greenville, Miss.—Granted motion to amend application for new station to change frequency from **1600 to 1420 ke.**, and power from 1 KW to 1 KW night, 5 KW-LS, and application removed from hearing docket.
- KDRO—Drohlich Bros., Sedalia, Mo.—Granted motion to dismiss without prejudice, application for new station to operate on **800 ke.**, 1 KW, daytime only.
- WEEU—Berk's Broadcasting Co., Reading, Pa.—Granted motion for continuance of hearing now scheduled for September 3, on application for construction permit to operate on **850 ke.**, 1 KW, unlimited time; DA-night. Hearing continued to October 3.
- * W2XWG—National Broadcasting Co., Inc., New York City.—Granted extension of special authority for the period August 28 to October 27, pending final authorization and completion of construction of applicant's new FM broadcast station, to operate station W2XWG on **45100 ke.**, 1000 watts, at 350 Fifth Avenue, New York City.
- KAHP—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Cal.—Granted special temporary authority to operate regularly licensed relay station KADB on **1622, 2058, 2150, and 2790 ke.**, power of 200 watts, A3 emission, on August 29 and 30, 1941, only.
- W9XYN—Head of the Lakes Broadcasting Co., Superior, Wisc.—Granted extension of special temporary authority to operate high frequency experimental broadcast station on **43000 ke.**, 1000 watts power, special emission for FM, with transmitter located at 39th St. and Tower Ave., Superior, Wis., for the period August 30 to October 29, EST.
- W47A—The Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted special temporary authority to operate with main studio at the transmitter of FM broadcast station W47A for a period beginning August 30 to September 28, 1941.
- WCKY—L. B. Wilson, Inc., Cincinnati, Ohio.—Granted extension of special temporary authority to operate daytime with a nondirectional antenna until sunset at Sacramento, Cal., for the period August 25 to September 23 (B2-S-762).
- KWAT—Midland National Life Ins. Co., Watertown, S. Dak.—Granted special temporary authority to remain silent after 4 p. m., CST, on September 1, only, in order to observe Labor Day (B4-S-1048).
- WEAU—Central Broadcasting Co., Eau Claire, Wisc.—Denied special temporary authority to operate additional time from 8:30 p. m., CST, to conclusion of Greenbay Packers football game on August 23; and to operate from 8 p. m., CST, to conclusion of Gus Lesnovich-Tami Mauriello light heavyweight championship boxing bout on August 26, only (B4-S-924).
- WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate from sign-off time (August, 7 p. m.; September, 6 p. m., CST), to 9 p. m., CST, on August 29, 30 and 31 and September 1, for the purpose of broadcasting programs in connection with the St. Charles Homecoming and Labor Day celebration, only, on a non-commercial basis (B4-S-995).
- W8XAD—WHEC, Inc., Rochester, N. Y.—Granted extension of special temporary authorization to operate a high frequency experimental broadcast station on **42600 ke.**, 1000 watts, special emission for FM, for the period August 29 to October 28, 1941.
- Telegraph-Herald, Portable-Mobile, area of Dubuque, Iowa.—Granted license for new relay station formerly licensed to Mason City Globe-Gazette Co. under call KDJB; frequencies **1622, 2058, 2150, 2790 ke.**; 125 watts power. To be used with applicant's standard broadcast station KDTH, Dubuque (B4-LRY-233).
- Telegraph-Herald, Portable-Mobile, area of Dubuque, Iowa.—Granted license for new relay station formerly licensed under call KQHS; frequencies **1622, 2058, 2150, 2790 ke.**; 2 watts power only. To be used with applicant's standard broadcast station KDTH, Dubuque (B4-LRY-232).
- W65H—WDRC, Inc., Hartford, Conn.—Granted extension of special temporary authority to operate FM station commercially on **46500 ke.**, 1000 watts, special emission for FM, for the period August 29 to October 27, 1941, pending completion of construction pursuant to construction permit (B1-PH-35).
- WGST—Georgia School of Technology, Atlanta, Ga.—Ordered that hearing on renewal of license now scheduled to be held September 3 in Atlanta, be changed to be held in Washington, D. C., and that issues for hearing be re-examined to determine if broad enough to get record of entire situation.
- WOWO—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Granted extension of special temporary authority to operate on an unlimited time basis for a period August 23 to September 21.
- W1XSO—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43700 ke.**, 1000 watts, with transmitter located at Avon, Conn., for the period September 1 to October 31, 1941.
- W41MM—Gordon Gray, Winston Salem, N. C.—Granted special temporary authority to operate FM station W41MM commercially on **44100 ke.**, 3000 watts, with transmitter atop Clongman's Peak, N. C., for the period November 15 to December 14, 1941, pending completion of construction of FM station.

APPLICATIONS FILED AT FCC

570 Kilocycles

- WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Construction permit for reinstatement of construction permit (B4-P-2579) as modified for installation of directional antenna for night use, and increase in power from 1 and 5 KW to 5 KW day and night.

580 Kilocycles

- WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit to install new transmitter and increase power from 5 KW to 5 KW night, 10 KW day.

590 Kilocycles

WKZO—WKZO, Incorporated, Kalamazoo, Mich.—Construction permit for increase in nighttime power from 1 to 5 KW and make changes in directional antenna for night use.

680 Kilocycles

WPTF—WPTF Radio Co., Raleigh, N. C.—Construction permit to make changes in equipment (tubes in last radio stage).

810 Kilocycles

NEW—Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane, d/b as Hoosier Broadcasting Co., Indianapolis, Ind.—Construction permit for a new broadcast station to be operated on 810 kc., 250 watts and daytime hours of operation.

850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of construction permit (B1-P-2201) for new transmitter, directional antenna for night use, increase in power and hours of operation, requesting changes in transmitting equipment.

860 Kilocycles

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Modification of construction permit (B5-P-2631) for 860 kc., 1 KW, daytime or unlimited time provided directional antenna installed and transmitter site approved, requesting new transmitter, directional antenna for night use, 1 KW, unlimited time and approval of transmitter site.

1150 Kilocycles

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—License to cover construction permit (B4-P-2608) as modified, for transmitter, installation of directional antenna for day and night use, increase in power and move of transmitter.

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—Authority to determine operating power by direct method.

1180 Kilocycles

WLDS—Hobart Stephenson, Milton Edge, Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, Jacksonville, Ill.—Modification of construction permit (B4-P-2465) for a new broadcast station, requesting change in type of transmitter, approval of transmitter and studio sites and approval of antenna.

1240 Kilocycles

NEW—Charles P. Blackley, Staunton, Va.—Construction permit for a new broadcast station to be operated on 1240 kc., 250 watts, unlimited hours.

1250 Kilocycles

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Modification of construction permit (B3-P-2985) as modified for installation of directional antenna for night use, new transmitter, change frequency, increase in power and move of transmitter, requesting changes in directional antenna system.

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Modification of construction permit (B3-P-2985) as modified, for new transmitter, installation of directional antenna for night use, change in frequency, increase in power and move of transmitter, requesting an extension of completion date from 9-21-41 to 1-21-42.

WGNV—WGNV Broadcasting Co., Inc., Newburgh, N. Y.—License to cover construction permit (B1-P-2948) as modified, for change in frequency, power and new transmitter.

WGNV—WGNV Broadcasting Co., Inc., Newburgh, N. Y.—Authority to determine operating power by direct method.

1290 Kilocycles

KUOA—KUOA, Inc., Siloam Springs, Ark.—Authority to install automatic frequency control equipment.

KOIL—Central States Broadcasting Co., Omaha, Nebr.—Modification of construction permit (B4-P-2609) for installation

of directional antenna for night use, increase night power, requesting extension of completion date from 8-29-41 to 10-28-41.

1320 Kilocycles

WJHP—The Metropolis Co., Jacksonville, Fla.—Construction permit to change frequency from 1320 to 640 kc., increase power from 250 watts to 50 KW, install new transmitter and directional antenna for day and night use and move transmitter from Jacksonville to Marietta, Fla.

KLCN—Fred O. Grimwood, Blytheville, Ark.—Modification of construction permit (B3-P-3037) for installation new transmitter and antenna, increase in power and move transmitter, requesting change in frequency from 1320 to 950 kc., and make changes in transmitter.

1340 Kilocycles

NEW—J. E. Rodman, Fresno, Calif.—Construction permit for a new broadcast station to be operated on 1340 kc., 250 watts and unlimited hours. (Requests facilities KARM.)

1350 Kilocycles

KSRO—Ernest L. Finley, Santa Rosa, Calif.—License to cover construction permit (B5-P-2916) as modified, for new transmitter and directional antenna for day and night use and change in frequency.

KSRO—Ernest L. Finley, Santa Rosa, Calif.—Authority to determine operating power by direct method.

1380 Kilocycles

KBWD—Wendell Mayes, Joe N. Weatherby, B. P. Bludworth and J. S. McBeath, d/b as Brown County Broadcasting Co., Brownwood, Texas.—License to cover construction permit (B3-P-2672) as modified for a new station.

KBWD—Wendell Mayes, Joe N. Weatherby, B. P. Bludworth and J. S. McBeath, d/b as Brown County Broadcasting Co., Brownwood, Texas.—Authority to determine operating power by direct method.

1400 Kilocycles

NEW—Bartlesville Broadcasting Co., Bartlesville, Okla.—Construction permit for a new broadcast station to be operated on 1400 kc., 250 watts, unlimited hours.

KELD—Radio Enterprises, Inc., El Dorado, Ark.—License to cover construction permit (B3-P-3123) for changes in tubes in last radio stage.

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Construction permit to install new transmitter and antenna and move studio and transmitter.

1410 Kilocycles

WNBC—State Broadcasting Corp., New Britain, Conn.—License to cover construction permit (B1-P-2723) as modified for changes in equipment, increase in power and changes in directional antenna for day and night use.

WNBC—State Broadcasting Corp., New Britain, Conn.—Authority to determine operating power by direct method.

1440 Kilocycles

NEW—Edward Tom O'Brien, David Shepard, Howard S. Johnson, and John W. Boler, a partnership, d/b as Brainerd-Bemidji Broadcasting Co., Brainerd, Minn.—Construction permit for a new broadcast station to be operated on 1550 kc., 1 KW, unlimited time. Amended: to change frequency from 1550 (1600 NARBA) kc. to 1400 kc., reduce power to 250 watts, change type of transmitter and make changes in vertical antenna.

1490 Kilocycles

KYCA—Southwest Broadcasting Co., Prescott, Ariz.—Acquisition of control of licensee corporation by KTAR Broadcasting Co. through purchase of 65 shares common stock from Albert Stetson.

FM APPLICATIONS

NEW—Globe-Democrat Publishing Co., St. Louis, Mo.—Construction permit for a new high frequency broadcast station to

be operated on **44700 kc.**; coverage: 15,850 square miles; population: 1,858,665. Amended: to change coverage to 13,083 square miles and population to 1,766,569.

NEW—Portland Broadcasting System, Inc., Portland, Me.—Construction permit for a new high frequency broadcast station to be operated on **47100 kc.**; coverage: 5,050 square miles; population: 256,466. Amended: to change coverage to 3,980 square miles.

K53LA—Standard Broadcasting Co., Los Angeles, Calif.—Modification of construction permit (B5-PH-32) for a new high frequency broadcast station, for changes in antenna system and change in studio location.

MISCELLANEOUS APPLICATIONS

NEW—Commercial Radio-Sound Corp., Portable-Mobile.—Construction permit for a new Class II Experimental Public Address Relay Station to be operated on **162080 kc.**, 1/10 watt, special emission for frequency modulation.

W8XO—The Crosley Corp., nr. Mason, Ohio.—Construction permit to make changes in equipment and increase power from 100000 and 500000 watts to 100000 and 750000 watts.

NEW—Wichita Broadcasting Co., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **30820, 33740, 35820, 37980 kc.**, 2 watts, A3 emission.

WNBT—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to increase power of the aural transmitter from 2200 watts to 2800 watts.

FEDERAL TRADE COMMISSION ACTION

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

COMPLAINTS

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.

Life Savers Corporation, Port Chester, N. Y., is charged with violation of the Robinson-Patman Act through price discrimination and through allowances made to some of its retailer customers for services and facilities furnished by them in the sale of the respondent's confection product "Life Savers." (4571)

Par-A-Pac Company—Arnold Thompson and Joyce Kittinger, trading as Par-A-Pac Company, 521 Fifth Ave., New York City, engaged in the sale and distribution of a non-medicated pad or device designated as "Par-A-Pac" and "Par-A-Pac Natural Heating Pad," are charged, in a complaint, with misrepresentation. (4568)

Queen Chemical Company—A complaint has been issued charging Charles Shrader, trading as Queen Chemical Co., 126 Arden Road, Mount Lebanon, Pittsburgh, with misrepresentation in the sale of a drug preparation known as "Shrader's Queen Brand Capsules" and as "Queen Brand Capsules." (4570)

CEASE AND DESIST ORDERS

Commission has issued the following cease and desist orders during the past week.

Cinchona Products Institute, Inc., 10 Rockefeller Plaza, New York City, a New York Corporation, has been ordered to cease and desist from misrepresentation in advertising the drug quinine. (4398)

Disabled American Veterans of the World War Rehabilitation Dept.—Use of the corporate name "Disabled American Veterans of the World War Rehabilitation Department" by a Chicago corporation selling historical books, or representing in any manner that such corporation is identical to, identified with, or is a constituent part of the Disabled American Veterans of the World War, a national patriotic organization, is prohibited under a cease and desist order issued against the Chicago corporation and four of its officers, Frank J. Mackey, L. C. Maier, Daniel C. Moore and Robert T. Mackey. (4492)

William Clarence Ohlendorf, trading under the names W. C. Ohlendorf, Clarence Ohlendorf, C. Ohlendorf and Dr. Ohlendorf, 1924 Blue Island Ave., Chicago, has been ordered to cease and desist from misrepresentation in the sale and distribution of a medicinal preparation. (4079)

Peoples Hardware Stores—Domenico Del Vecchio, trading as Peoples Hardware Stores, 1434 Florida Ave., N. E., Washington, dealer in paints and other commodities, has been ordered to cease representing that he manufactures the paint products he sells and that he offers them at savings of 20 per cent to 35 per cent or at any other savings in excess of the actual savings available from the prices charged by competitors for similar products. (4495)

Reed-Harlin Grocer Company—Prohibiting violation of the brokerage provision of the Robinson-Patman Act, a cease and desist order has been issued against the Reed-Harlin Grocer Co., West Plains, Mo., which operates branch warehouses in Missouri and Arkansas; against John R. Reed and Orr M. Reed, trading as West Plains Brokerage Co., West Plains, Mo., and against six companies found to have sold merchandise to Reed-Harlin Grocer Co. through the brokerage firm. (4486)

STIPULATIONS

During the past week the Commission has made public the following stipulations:

Continental Diamond Company—W. K. Quinn and C. E. Quinn, trading as Continental Diamond Company, Beloit, Wisc., engaged in selling various articles of jewelry, the jewelry being for the most part simulated diamond rings, have stipulated to cease and desist from using the terms "free," "gift" or "free of extra cost" or other terms of similar meaning to describe a wrist watch or other article of jewelry included in a combination offer with simulated diamond rings or similar articles of merchandise; from representing by use of the word "diamond" or any abbreviation thereof, as part of their trade name, that they sell diamonds; representing that a man's wrist watch advertised and sold by them is shock proof, or from the advertising or sale of finger rings marked in any manner so as to exaggerate or otherwise misrepresent the total or relative amount or fineness of gold therein contained. (02867)

Dr. Deederer Products—Dr. Carlton Deederer, trading as Dr. Deederer Products, Miami, Fla., stipulated to cease certain representations in the sale of "Vitamina," an oil extracted from sharks' livers, and in the sale of the "Vitaminascope," a device for determining Vitamin A deficiency. (02861)

Home Treatment Service—James M. O'dell, trading as The Home Treatment Service, 1959 Cortland St., Chicago, has stipulated to cease certain representations in the sale of medicinal preparations designated "Pur-Erb Compound No. 1," "Laxative Tea Compound," "Bathing Tea #22," "Fu-Tina," "Nerve Sedative Compound," and "Home Ointment." (02864)

Reclamo Manufacturing Company—William Schwalge, trading as Reclamo Manufacturing Company, 2306 North Western Ave., Chicago, engaged in selling an oil filter designated "Reclamo," has stipulated to discontinue representing that no other device than Reclamo removes kerosene and distillate from motor oil, or that no other such device applies heat from the exhaust manifold, or that Reclamo is the only oil filter refiner available for use on automobiles, trucks, tractors or diesel engines, or that the National Bureau of Standards recommends oil reclaiming. (02866)

Salus Laboratory, Inc., trading as Italian Imperial Company, 644 Pacific St., Brooklyn, engaged in selling a medicinal preparation designated "Tonico Del Cappuccino," has stipulated to cease and desist from representing that the preparation has been approved by legal authorities; that it is a general tonic or possesses other than bitter tonic properties, or will cause one to gain weight or possesses any value as a weight builder in excess of that of a stomachic or stimulant to the appetite; that the preparation is indispensable for children or helps their growth; or that it possesses any therapeutic value in excess of that of a stomachic or stimulant to the appetite. (02865)

Stop-Lite Products, Incorporated, 849 South 6th East St., Salt Lake City, engaged in selling three drugs designated "Stop-

Lites," "Haps," and "Anti-Acid Tablets," has stipulated to discontinue representing that the tablet preparation designated Stop-Lites relieves a cold or is a remedy or cure for a cold, or that it is of any benefit in the treatment of a cold or rheumatism beyond inducing laxation and affording temporary relief from the physical discomfort symptoms incident to or associated therewith; or that Stop-Lites are different from any other product intended for the same purpose and use; or that they constitute an effective internal antiseptic; or that Anti-Acid Tablets aid digestion. (02862)

Supreme Publications—Morris N. Beitman, trading as Supreme Publications, 3727 West 13th St., Chicago, has entered into a stipulation to cease certain representations in the sale of a book entitled "Complete Authorized Radio Servicing Course." (02860)

Vita Health Food Company—Walter Camp and Werner Orbach, trading as The Vita Health Food Co., American Health Products Company, and Eastern Health Food Stores Assn., 3040 14th St., N. W., Washington, D. C., have stipulated to cease certain representations in the sale of food products and medicinal preparations designated "Almano," "Bro-Sak," "Cali-Kelp Tablets," "C-Veg-Salt," "Dalmatian Sage Leaves," "Nutrolac," "O-Pep-O-Mint," "Pomona Grape Juice" and "Seven Herbs Laxative." (02863)