

HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

NATIONAL BROADCASTING COMPANY, INC.

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OCT 3 1942

W. E. COLLIER

INDEX TO ISSUE OF OCTOBER 2, 1942

Senate Petrillo Probe To Be Radio's Next Big Show.....	1
Miller Seems Goner As ABA Buckles On Sword.....	2
R. J. Reynolds Company Denies Using Phony Radio Voices.....	3
FCC Amends International Radiotelephone Order.....	5
Davis Axe Cuts Wide Swath In FCC Publications.....	6
Press Defended In President's Radio Censorship.....	7
Paley Home From London Urges More Overseas Programs.....	9
WRC Announces Fall Season With Newspaper Splash.....	9
Trade Notes.....	10
ASCAP Reported Quarterly Royalty \$1,100,000.....	11
News And Radiomen Claim Censorship Excessive.....	11

No. 1468

SENATE PETRILLO PROBE TO BE RADIO'S NEXT BIG SHOW

Temporarily knocked off the track by the anti-inflation bill, which has completely occupied the attention of the Senators, the Senate investigation of James C. Petrillo is expected to get under way very shortly. At this writing Senator Burton K. Wheeler, of Montana, Chairman of the Senate Interstate Commerce Committee, in charge of the investigation, had not yet set the date for the hearings to begin but made it known that he would do so soon. At that time it will be announced whether the full committee will undertake the work or a strong subcommittee. If the latter, Senator D. Worth Clark, of Idaho, author of the Petrillo resolution will be the Chairman. In any case, Senator Clark will have a leading role. The Congressional elections now only a month away may also cause delay or interruptions but the subject is too live to be put aside indefinitely and sooner or later the fur will surely fly.

In the meantime, Mr. Petrillo continues to be the target for newspaper columnists and editors, to wit the following by Frank Kent of the Baltimore Sun in a widely syndicated article captioned: "Petrillo About to Tilt with Congress to See Which is the Bigger of the Two" -

"When Elmer Davis, supported by the War Department, recently told a Congressional Committee that the attitude of James C. Petrillo, arrogant boss of the musicians' union, was damaging the morale of United States troops and threatening the existence of small radio stations vital to the war effort, the question again was raised as to whether in this country union labor leaders are beyond Government control.

"Loudly proclaiming their patriotism all the while, these labor leaders brazenly have used the war to grab for money and power. Far from resisting, the administration has acquiesced and approved. The wage increases have gone far beyond the rise in the cost of living and great strides toward the labor politicians' ideal of the closed shop have been made through administration boards. For more than a year this sort of thing has been going on.

"The net of all this is that at no time has either the legislative branch or the executive branch of the Government been able - or willing - to discipline or control these labor leaders. On the contrary, with intimate personal White House relations, they have steadily pushed ahead their program.

"Not only are they established as the favored class but apparently they are entrenched. So when Mr. Davis makes his charge that in prohibiting new transcriptions and recording by musicians for use over the radio, Mr. Petrillo is lowering the morale of the troops and impeding the war effort, he brought up no new question.

"It is, of course, a serious charge, but whether corrective action will be had is doubtful. The stand Mr. Petrillo has taken is made possible by the strength which union leaders have acquired through administration support and by decisions of administration members of the Supreme Court.

"When a man like Mr. Davis makes as grave a charge as this, one would like to see him strongly supported by his White House chief. Without that support, the chances are his charge will not get far."

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MILLER SEEMS GONER AS ABA BUCKLES ON SWORD

With the organizers of the American Broadcasters' Association, the new rival of the National Association of Broadcasters, filing incorporation papers and preparing to meet to elect temporary officers, the days of Neville Miller as head of the National Association of Broadcasters appear to be numbered.

A special meeting of the National Association of Broadcasters, following its two day "do nothing" sessions at Chicago last week had previously been called in that same city for October 14th. The sole purpose of this meeting will be to decide whether or not Mr. Miller should continue as President of the NAB.

It was the intention of the ABA people to have their organization meeting in New York next Thursday, October 8, but this may be postponed until after the NAB meeting on the 14th to see what happens then. The ABA meeting might even be held in Chicago at the same time as the NAB gathering.

"If Mr. Miller were to be eliminated at Chicago, do you think there would be a chance of bringing the American Broadcasters' Association organizers back into the NAB fold and thus prevent the formation of a second broadcasters' association?" one of the leading ABA organizers was asked.

"I think it would take more than that", he replied. "There would have to be other concessions. For instance, the NAB would have to get rid of network representatives as members of its Board, and I don't think the chains would take thus losing their representation lying down."

A top-notch chain representative, however, did not concur in this.

"I believe the trouble is 90% Neville Miller and that the other 10% of the differences could be easily ironed out. It would seem to me the most unfortunate thing that could happen to the industry at this particular time when unity should prevail to have two rival associations trying to represent it."

"In your opinion then, it all depends upon Miller being pried loose from the NAB presidency?"

"Blasted, you mean", he retorted.

Incorporation papers for ABA were filed in Delaware several days ago and at the first ABA meeting, whether it be held in New York or Chicago, temporary by-laws will be adopted and officers elected to serve until the first membership meeting can be held at which time the membership will elect a new Board of Directors and adopt permanent by-laws. It was said that the temporary Board would probably include the following:

John Shepard, 3d, President of Yankee Network, and Chairman of Broadcasters Victory Council; Ted Taylor, Amarillo (KGNC, KFYO, KRGV), Executive Secretary of BVC; Walter J. Damm, WTMJ, Milwaukee, and President of FM Broadcasters, Inc.; James D. Shouse, WLW-WSAI, Cincinnati; Eugene Pulliam, WIRE, Indianapolis, President of Network Affiliates, Inc.; George B. Storer, President of the Fort Industry Co. (WSPD, WWVA, WMMN, WLOK, WAGA, WHIZ), and President of National Independent Broadcasters; Harry Bannister, Manager of WWJ, Detroit; E. B. Craney, Z-Bar Network (KGIR, KPFA, KRBM) in Montana, and KXL, Portland; Stanley Hubbard, KSTP, St. Paul.

There doesn't seem to be any doubt but that the new organization means business and is ready to go through to the finish. On the other hand, no one this writer has talked with believes there should be two broadcasters organizations. Therefore it would seem with Mr. Miller out - if his elimination could be assured - and gearing up the National Association of Broadcasters to war needs instead of jogging along at a peace-time gait as many seem to think it is doing - there still appears to be a possibility of some sort of a compromise with the ABA. If, however, the Chicago meeting fails to depose Mr. Miller and his present associates, it seems certain the American Broadcasters' Association will complete its organization and fight the NAB to a finish.

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R. J. REYNOLDS COMPANY DENIES USING PHONY RADIO VOICES

Answering a complaint issued by the Federal Trade Commission charging false advertising and misrepresentation, the R. J. Reynolds Tobacco Company, Winston-Salem, N. C., manufacturer of Camel cigarettes and Prince Albert smoking tobacco denied allegations of the FTC that the Company had represented in radio broadcasts that certain voices used in such broadcasts were those of persons named by it when in truth such voices were not those of the persons represented as being present.

The answer admits that the respondent in its advertising has represented that the smoking of Camel cigarettes is good for and advantageous to digestion; that science so proves, and that millions of smokers so attest, and that it has employed language in advertising which might be construed to mean that smoking Camels is

an aid to digestion, no matter where, what or when one eats, and keeps digestion working normally, but denies it has represented that Camels will do these things "even when the going is hectic". It denies representing that smoking of Camels enables the eating of favorite dishes at any time one pleases, but admits that it caused to be incorporated in certain advertisements a testimonial written by a smoker of Camels, stating that the smoking of Camels enabled him to eat "what I want...when I want it."

The answer admits representing that the smoking of Camels gives a "lift" in energy and picks up bodily energy but denies representing that it creates and activates the extra energy needed. The answer denies that the respondent represented that the quickest way to relieve fatigue is by smoking Camels, but admits incorporating in some of its advertisements a testimonial in which a Camel smoker stated "the quickest way I know to relieve fatigue is by smoking Camels".

The answer admits that the respondent has incorporated in advertisements testimonial letters of athletes and famous champions in which the writers state that they must guard their condition and not take chances and they smoke Camels; denies that it has represented that great athletes and outstanding stars of sport use Camels because from their own experience such use enables them to keep in condition, but admits incorporating in advertisements testimonial letters of such athletes in which the writers state that the smoking of Camels does not damage or affect good condition. The foregoing representations, the answer asserts, were discontinued in September 1937, and if made thereafter were made only sporadically and not as a part of any organized advertising campaign.

The answer admits representations that Camels never irritate the throat, are always gentle to the throat, do not leave a cigarette after-taste, and that people with sensitive throats can smoke as many Camels as they like, but denies representing that Camels are different or unique in this respect or that their smoking does not harm the throat. The foregoing admitted representations, the answer asserts, were discontinued in May, 1939, and if made thereafter were not as a part of any organized advertising campaign.

The answer admits representing that Camels are the cigarette of costlier tobacco and that it is a well-known fact that they are made of finer, more expensive tobaccos than any other popular brand, but denies representing that all the finest cigarette tobaccos go into Camels.* * *The answer admits having represented that Camels are the leading or most popular cigarette with planters, but denies representing that tobacco planters know that only the choice, fine or costlier tobaccos are used in Camels.

The respondent denies representing that Camels burn 25 percent slower than most other competing brands but states it did represent that, according to independent scientific tests, they burn slower than any of the 15 other largest-selling brands tested. It also denies representing that the smoke of Camels contains 28 percent less nicotine than the smoke of other competing brands.

The answer further denies representing that Prince Albert smoking tobacco is 86 degrees cooler than most other brands of pipe tobacco and the coolest of all smoking tobaccos. The respondent's representation, the answer asserts, is that it asserted that in recent laboratory "smoking bowl" tests, Prince Albert burned 86 degrees cooler than the average of the 30 other of the largest-selling brands tested - coolest of all.

The respondent admits having used in its advertisements testimonials from users of its cigarettes, for some of which the writers have been paid, but states it has no knowledge that any of these testimonials do not reflect the actual personal experience, knowledge or beliefs of the signers.

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FCC AMENDS INTERNATIONAL RADIOTELEPHONE ORDER

In termination of International Radiotelephone Communications, the following order has been issued:

Whereas, an agreement has been reached between the appropriate authorities of the Governments of the United States and of Australia for the operation of a radiotelephone circuit between the United States and Australia;

Now, Therefore, By virtue of the authority vested in the Board by Executive Order No. 8964, dated December 10, 1941, the Board's Order No. 18, dated August 27, 1942, is hereby amended to read as follows:

It Is Hereby Ordered As Follows:

From and after the date hereof (September 30, 1942)

- (1) Non-governmental business radiotelephone calls between the United States and Great Britain shall be permitted subject to the prior approval thereof from the Office of Censorship. No personal radiotelephone calls shall be permitted between the United States and Great Britain.
- (2) No non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere other than Great Britain unless such call is made in the interest of the United States or the United Nations and unless an agency of the United States Government sponsors such call and obtains prior approval therefor from the Office of Censorship; Provided, However, That this provision shall not apply to American press calls or radio broadcast programs, or to such other press calls and radio programs as may be specifically approved by the Office of Censorship.

- (3) No calls of any nature, over the radiotelephone circuits under the jurisdiction of the United States, no matter where such calls may originate, unless sponsored and approved as provided in paragraph (2), shall be permitted to, from, or on behalf of, the following thirteen countries: Egypt, Finland, France, Iceland, Iran, Ireland, Latvia, Lithuania, Portugal, Spain, Sweden, Switzerland, and Turkey.
- (4) Personal calls other than those prohibited in the foregoing paragraphs may be completed between two points in the Western Hemisphere.

Subject to such further order as the Board may deem appropriate.

Nothing herein shall apply to existing regulations governing the use of cable, telegraph or radiotelegraph communications.

BOARD OF WAR COMMUNICATIONS

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DAVIS AXE CUTS WIDE SWATH IN FCC PUBLICATIONS

It is now possible to tell exactly what documents of the Federal Communications Commission got the axe in the preliminary swing of Elmer Davis, Director of the Office of War Information in cutting down government publications and mailing lists. The FCC casualty list follows:

Annual Report, Distribution cut 1300; FCC Reports Distribution cut from 200 to 150; Statistics of the Communications Industry, cut from 555 to 171; Permanent Calendar, cut from 825 to 335; Orders on Decisions, cut from 575 to 25; Proposed Findings, cut from 575 to 25; Orders instituting investigations and inquiries, cut from 575 to 25; ABC of the FCC, Discontinued; Radio, A Public Primer, Discontinued; Salary Report of Telephone and Telegraph Carriers, Distribution cut from 450 to 125; From the Mail Bag, Discontinued; Broadcast Actions, cut from 1855 to 1805; Telephone and Telegraph Actions, cut from 1275 to 1200; Actions Taken in Motions Hearing, cut from 535 to 450; Announcements in Docket Cases, cut from 1075 to 250; Weekly Analysis, Discontinued.

List of standard radio broadcast stations by: 1. Alphabetically, distribution cut from 3550 to 500; 2. Frequency cut from 1025 to 500; 3. State and City, cut from 1625 to 500; Report of Applications received for broadcast services, cut from 1610 to 1535; Lists of broadcast stations: Relay, Distribution cut from 800 to 50, FM, Discontinued, High Frequency, Discontinued, Television (Commercial and Experimental), Discontinued, Developmental, Discontinued, Facsimile, Discontinued, International, Discontinued, Class II Experimental, Discontinued, Non-commercial Educational and ST, Discontinued.

Also, Radio Service Bulletin (Confidential) Distribution cut from 650 to 325; List of stations other than broadcast 1. Call Letter, 2. Frequency, 3. Service, Distribution cut from 2200 to 1000; Report of Telephone and Telegraph Applications Received, discontinued public distribution; Action on Rules and Regulations, Distribution cut from 1235 to 1135.

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PRESS DEFENDED IN PRESIDENT'S RADIO CENSORSHIP

There was a strong comeback in favor of radio and the press on the President's criticism in connection with the censorship of the news of his secret swing about the country. President Roosevelt at the now famous press conference upon his return to Washington berated a minority of newspaper writers and radio commentators because they have been giving the country stories that are not true. The President said he thought most straight news stories were accurate. What he had in mind particularly, he said, were the columnists and commentators, who went in for sententious views. He granted that they were honest, but charged that they just didn't understand the country nor did they always know what they were talking about.

Later during the press conference, a reporter said he was unable to reconcile the President's praise of the press and radio in connection with his trip and his criticism of the press and radio.

The President said the two remarks were not related. Questioned about the individuals he had in mind in his criticism, he said the reporters standing before him knew who they were just as well as he did. He said he would not go in for personalities, one reason being that the individuals singled out would feel inflated.

A short time before the President held his press conference, Representative Halleck (R.), of Indiana charged on the floor of the House that the trans-continental trip had been a political journey.

"Millions of persons throughout the United States were aware of the facts, and I am reliably informed that many of them have berated the newspapers for allegedly suppressing the news because of their supposed anti-administration bias", Mr. Halleck declared. "This is decidedly unfair to the newspapers and to the radio. In common fairness to them, the President should at the earliest possible moment issue a statement assuming full responsibility for suppression of the facts and commending the newspapers and the radio for their cooperation with the administration."

Byron Price, Director of Censorship, despite the White House criticism, lauded the radio and the press, saying:

10/2/42

"For two solid weeks every newspaper, every radio station, every periodical in the United States kept as a secret the news of the President's trip across the country. Most of them knew about the trip which would ordinarily be big news as soon as it happened. But the only consideration in all their minds was the safety of the Commander-in-Chief in wartime.

"American press and broadcasters have never before made such a sacrifice of regular operations. Their act provides striking proof of the workability of voluntary censorship, which must rest upon the patriotism of the press and broadcasting agencies."

The Post in Washington, in a front page editorial, said:

"The Washington Post is deeply conscious of the responsibility of the press in helping to protect the person of the President. For three-quarters of a century this newspaper has worked hand in glove with the Secret Service in that regard.

"But this newspaper insists that conditions on the trip just completed were no different than on many other trips undertaken by President Roosevelt. Hundreds of thousands of citizens saw him. It was no secret in official Washington or in a number of teeming industrial centers. Any contention that there were safety factors that cannot be revealed is open to challenge for the simple reason that if there were the trip should have never been made.

"It was a secret only to the American people.

"It was a secret only to the great mass of patriotic citizens who read newspapers and listen to the radio and depend upon them for information.

"And who can blame these wonderful people if they say in the future, 'You can't depend on the newspapers for what is happening these days - they only print what they are allowed to print.'

"Winning this war depends upon the complete confidence in and whole-hearted support of Government by the American people. We believe that if the American people had been told from the scene - with appropriate slight delay and omission of itinerary, for safety's sake - what Mr. Roosevelt saw through the eyes of trained and free newspapermen and radio commentators, it would have been a tremendous and much-needed stimulation to the war effort.

"With the undemocratic secrecy that attended this trip, the belated reports given out at the President's press conference cannot be received as anything other than an 'electrical transcription' of the original.

"This newspaper feels a solemn obligation to protest a policy that is (1) unnecessary and inadvisable; (2) stimulating to malicious rumor and distrust, and (3) a step that can easily lead to abuse endangering a fundamental guarantee of our Bill of Rights."

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PALEY HOME FROM LONDON URGES MORE OVERSEAS PROGRAMS

Axis propaganda designed to create disharmony between the United States and Great Britain must be increasingly offset by transatlantic broadcasts, exchanged between the two nations, William S. Paley, President of the Columbia Broadcasting System said in New York this week, when he returned from England aboard a Pan American Clipper.

He said he found that American broadcasts had become generally popular in England, and he praised the part played by such reciprocal programs as those broadcast by the BBC from the United States and by American agencies from Britain.

Programs that picture to England the real conditions and intentions of the United States and that serve the same purpose here by enlightening the American public to the true feelings and aspirations of the British, he explained, can do much to combat the Axis manoeuvre of sowing distrust.

Mr. Paley said that the British public was aware of the existence of anti-British feeling in the United States, and relied, in part, on radio broadcasting to allay such sentiment.

"This is a people's war", he said, "and the people have a right to be informed of every important circumstance affecting their destiny."

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WRC ANNOUNCES FALL SEASON WITH NEWSPAPER SPLASH

Something new in the National Capital - Station WRC announced NBC's "Fall Parade of Stars" by a full page display advertisement carrying pictures of such headliners as Charlie McCarthy, Jack Benny, Bob Hope, Phil Spitalny of the General Electric Hour of Charm and others. Carleton D. Smith, Manager of the station, said that this would be followed up by half and quarter pages from time to time calling attention to special events. Mr. Smith said it was simply a tie-in with NBC's other promotional efforts in connection with the "Fall Parade". The theme of the ad was:

"Here they come! Your favorite comedians! Your favorite band leaders! Your favorite entertainers!"

WJSV, CBS outlet in Washington, advertises regularly in the local papers but in the form of a radio column. The ad looks very much like the usual radio column and, in fact, is except that Columbia programs are featured exclusively.

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ASCAP REPORTED QUARTERLY ROYALTY \$1,100,000

ASCAP's royalty for the quarter ending Sept. 30, 1942, may amount to \$1,100,000, according to Variety, which says: "This sum is but \$18,000 less than was distributed for the parallel quarter of 1940. The divvy for that 1940 period constituted an all-time record for a third quarter.

"Even though the collections from radio are considerably less than they were for 1940, because of the lowered contract terms, the Society isn't far behind the accumulative royalties that prevailed for the same year. The split for the initial quarter of this year (1942) was \$950,000, or \$60,000 under the 1940 tally. For the succeeding three months (April-June) ASCAP's members received checks amounting to \$1,100,000, or just what it was for the like quarter of '40.

"ASCAP's income this year from field operations, which consists of hotels, restaurants, ballrooms, etc., has been the highest in its history. The increase has been largely due to the opening of many dine and dance spots in new war industrial areas and the fact that the use of music has been expended materially by restaurant operators throughout the country.

"ASCAP's income from radio this Summer has been considerably above expectations, indicating that spot as well as network advertising has been holding up solidly."

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NEWS AND RADIOMEN CLAIM CENSORSHIP EXCESSIVE

In a New York dispatch to the Washington Post, Bert Andrews writes:

"The extent of the dissatisfaction felt by Washington newspaper, news magazine and radio correspondents over what they feel to be an example of excessive censorship under the 'voluntary' censorship code was reflected in a half-dozen dispatches.

"While none of the writers was permitted under the code to explain what the dispute is all about, they were at liberty to say that they deferred with the application of censorship rules in the matter, although they agreed a less severe application might have been justified.

"Among those who wrote about the censorship issue involved were Roscoe Drummond, Chief Correspondent of the Christian Science Monitor, James J. Butler of Editor and Publisher, Raymond Z. Henle of the Pittsburgh Post-Gazette, and Warren B. Francis of the Los Angeles Times.

"Drummond put it this way in a dispatch carried in 'The Monitor': 'The Government is headed for trouble in the borderline application of the already exacting censorship. Washington newspaper and radio correspondents are virtually unanimous in believing that censorship has recently been going too far afield. . . This is not merely a professional dispute between the press, which might tend to err on the side of publication, and the Government's war agencies, which might tend to err on the side of suppression. There is dissent in high official quarters from the creeping extension of censorship regulations and the issue is certain to be out in the open shortly.'"

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INDEX TO ISSUE OF OCTOBER 6, 1942.

Radio And Press Still Boiling On Censorship.....	1
Peace Efforts Continue As ABA Completes Organization.....	3
James S. Vance, Former Owner Of WJSV, Dies.....	3
NAB Figures Radio Pays Petrillo \$15,000,000 Yearly.....	4
Fishbein Heads Committee To Study Program Morale.....	5
Sees U. S. Moving To Take Over Short-Wave Stations.....	6
Washington Trans-Lux Radio Building Sold.....	6
Philip Morris Files Answer To FTC Charges.....	7
Noted Speakers At Columbia University-NBC Project.....	8
Television Copyright To Present Big Problem.....	9
Besser, Noted Radio Pioneer, Dead.....	10
Paley Heads Hospital Drive.....	10
Soldiers Like Variety On Radio, War Dept. Finds.....	10
Trade Notes.....	11

No. 1469

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October 6, 1942

RADIO AND PRESS STILL BOILING ON CENSORSHIP

Probably never in the history of journalism and certainly not in the history of radio has such a prolonger and heated discussion been stirred up as the pros and cons in suppressing news of President Roosevelt's trip and the bawling out the President gave the radio and news correspondents upon his return to the White House. The radio people having the Government string attached to them, which they feared might be yanked at any time, were much less vociferous but the press led by the New York Times and the Baltimore Sun, probably the two leading Democratic papers of the country, surely went to town. The Sun saying that it was more like radio and press censorship practiced in enemy countries, added that the broadcasting stations and newspapers performance of duty in obeying censorship "had exposed them, and the country as a whole, to a singular piece of abuse by the President of the United States".

Very significant was what J. Roscoe Drummond wrote in the Christian Science Monitor:

"The Government is headed for trouble in the borderline application of the already exacting censorship. Washington newspaper and radio correspondents are virtually unanimous in believing that censorship has recently been going too far afield and are yet to be convinced that there are not purposes other than military security behind it.

"It is agreed that if the press comes to the point where it feels it has got to decide when it will and when it will not accept concrete applications of the voluntary code, the code is then skating on very thin ice and may go under any minute.

"But have those Government officials who talk about the alternative of compulsory censorship a real threat, or only a hollow threat?

"There can be no all-in compulsory censorship of the press and radio unless it is voted by Congress; and while, admittedly, Congress has not overpowering affection for the press, it cannot vote to enable the Government to censor the press unless it thereby votes to enable the Government to censor Congress. Obviously, if the Government acquires a compulsory censorship, it will possess the power to determine exactly what the press and radio shall and shall not report and broadcast from Congress.

"Under the prevailing voluntary censorship, any Members of Congress is an appropriate authority - and therefore a printable authority - for anything he wishes to say. Under compulsory censorship - if Congress chose to enact it - some executive official in

the Government would be empowered to censor any statement from any Congressman which he decided the press or radio should not report. Compulsory censorship could work on no other basis."

Mr. Drummond's name headed the long list of White House correspondents who sent a letter of protest to President Roosevelt.

The Editor & Publisher said:

"The consequences to newspapers may be unfortunate. Hundreds of thousands of people saw and probably heard the Chief Executive on his travels. Many of them, it can be assumed, are ardent admirers of the President - and they wondered why their newspapers and radio stations ignored an event which they cannot but regard as historic. They had no way of knowing that the White House itself - not the Office of Censorship, not the military authorities - had dropped the veil over the presidential journey. Political implications were inevitable - but this time the press was absolutely in the clear."

The Milwaukee Journal stated editorially:

"The damage of the secrecy was enormous and cannot yet be reckoned. The press was censored, the most important story of the day withheld from the public. Henceforth readers of newspapers and listeners to the radio are going to ask how much of the war is not being told them from Washington and how much of what is told them is true."

The Newark News had this to say:

"The trip from which the President returned was one in which he exercised absolute control of all sources of news. At the request of the White House, newspapers and radio suppressed all news of this tour, of which millions of people were aware. * * * After his brief taste of news dictatorship he returned to Washington impatient with the free news, free comment, more or less free interviewing and free speech-making that flourishes there. * * * The presidential tour must be considered harmful to the interests of a free press. Not news suppression, but the presidential attitude toward it is what is disquieting. * * * It seems to us the President cannot fight a war and conduct a running fight with the American press and radio, or part of them, without hurting both the war effort and general confidence in great agencies of public intelligence. * * *"

Claude Mahoney, who succeeded Earl Godwin, now with Ford, as a morning Washington commentator on the Blue Network, said that President Roosevelt's contradicting what some of his highest officials were saying in his absence with the approval of the Office of War Information was a slap in the face at Elmer Davis who, as Mr. Mahoney pointed out, was sitting right behind the President at the time he spoke. Arthur Krock, also nothing this clash with Mr. Davis and expressing the opinion that the coordinator of publicity must now swerve into Mr. Roosevelt's course and give new instructions to Davis, wrote in the New York Times:

"The people must no longer be charged with complacency, sloth, overoptimism, selfishness and guilty partnership in all the error and inefficiency of Washington. The crafty 'we' must be restricted in application, Labor must not be told that any of its war record makes bad reading. The orators and their ghosts at OWI must somehow discover a way to praise the government and the people, criticize Congress and vague sections of the press and radio, stress the dangers and difficulties of the war in a way to get the highest popular assistance in eradicating them, and yet not go so far as to say that we are losing."

While the names of Elmer Davis and Byron Price, Director of Censorship, have been brought freely in the discussion, there has been no mention or criticism of either William B. Lewis, OWI Radio Head, who is subordinate to Mr. Davis, or to J. Harold Ryan, Assistant Director of Censorship.

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PEACE EFFORTS CONTINUE AS ABA COMPLETES ORGANIZATION

Unless there is an eleventh hour change, the American Broadcasters' Association will adhere to its original plan of holding its first organization meeting at the Hotel Ambassador in New York City this Thursday (October 8). If there is a change, the meeting may be switched to Chicago to coincide with the meeting of the National Association of Broadcasters in Chicago next Tuesday (October 13).

The NAB had originally been called for October 14 meeting but since the Federal District Court is to hear the arguments on the plea of the Department of Justice for a temporary injunction on Monday, the 12th, and so many of the NAB people would probably attend, it was felt that time might be saved by holding the Directors' meeting on Tuesday.

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JAMES S. VANCE, FORMER OWNER OF WJSV, DIES

James S. Vance, 66 years old, former owner of Station WJSV in Washington, D. C., which still carries his initials as its call letters, died Saturday at his home in McLean, Virginia, after a long illness.

In Washington, Mr. Vance founded the Fellowship Forum in 1921. Several years later he established the radio station, which he operated as the WJSV Corp. until 1935, when it was sold to the Columbia Broadcasting System. After selling the radio station, he went into the printing business. He headed the Independent Publishing Co. and published the American Protestant until his retirement.

Born in Bibbs County, Ala., Mr. Vance went to New York in 1910 and became business manager of New Age, Scottish Rite publication. He later joined the staff of the Analyst, a financial paper published by the New York Times.

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NAB FIGURES RADIO PAYS PETRILLO \$15,000,000 YEARLY

A study of James Caesar Petrillo's ban against electrical transcriptions and other types of musical recordings, published and distributed last week by the National Association of Broadcasters, points out that:

1. Earnings of union musicians for services in radio broadcasting have increased steadily with the growth of radio until today they exceed an estimated \$15,000,000 a year. Union musicians earn millions of dollars additional in making recordings (at a minimum scale of \$10 per hour) and electrical transcriptions (at a minimum scale of \$18 per hour).

2. Approximately 225 of the communities in which broadcasting stations are located do not have enough musicians to form a local of the American Federation of Musicians.

3. More than one-half of the membership of the American Federation of Musicians consists of non-professionals who are not entirely dependent on music for a livelihood.

4. Members of the American Federation of Musicians are engaged in more than 150 other occupations, trades, businesses and professions; and for them music is really only a pin-money sideline.

5. More than one-half of the broadcasting stations of the country are small stations with annual gross income, before deducting salaries and other operating expenses, of less than Mr. Petrillo's annual salary and other personal income from his union. More than 450 stations have annual gross receipts of \$75,000 or less; and the gross receipts of 137 of them are \$15,000 or less. Two hundred radio stations actually lose money, while the average annual net profit, even before taxes, of the stations whose total receipts are less than \$75,000 is approximately \$1,000 per station. If these stations were forced to hire even a few musicians for the 15 or more hours that they are on the air, musicians' salaries would consume more than these stations' gross receipts from all sources, and they would be put out of business.

6. Undoubtedly there are some unemployed musicians, especially in the large cities, but the majority of people about whom Mr. Petrillo talks, while they may be unemployed as musicians, are not without gainful employment in other occupations.

The results of the study are being widely distributed, with the first copy going to Senator D. Worth Clark, of Idaho, Chairman of the sub-committee of the Senate which will investigate the Petrillo ban. At this writing Senator Burton K. Wheeler had made no further announcement with regard to the Senate Petrillo hearings, but they were expected to be forthcoming within the next few days. The Federal District Court is still scheduled to take up the Petrillo case in Chicago, Monday, October 12th.

In the meantime, Oscar F. Hild, President of the A. F. L., Cincinnati Musicians Union, forbade radio broadcast of music to be played at an Army Air Force dance band at a USO party scheduled for last Friday night in Cincinnati.

Hild said his union held contracts with all Cincinnati radio stations denying them the right to broadcast the music of non-union musicians.

"We have no protest against the band", Hild said. "Our protest is against the USO, which sometimes uses union bands, sometimes non-union, and at other times, service bands."

In New York objections by the American Federation of Musicians (AFL) forced the War Savings Staff of the Treasury Department to abandon presentation of specially-prepared musical programs over a network of frequency modulation radio stations, it was disclosed.

Local 802 of the union disapproved of a Treasury plan to accept the offer of the Perole String Quartet to play free of charge on the grounds that the FM stations did not use any musicians on a regular basis. Through the quartet's offer, the Treasury hoped to take advantage of the greater fidelity of transmission inherent in FM broadcasting.

William Feinberg, secretary of the local, said the union told the Treasury that the quartet could volunteer to play over any station it chose providing the station ordinarily employed some musicians. He said F.M. broadcasts did not maintain staff orchestras as standard stations do.

Mr. Feinberg added that if the Treasury's request was granted, it would be possible for a station never to hire musicians regularly and still offer the best of musical programs through the participation and interest of the Government.

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FISHBEIN HEADS COMMITTEE TO STUDY PROGRAM MORALE

A scientific approach to the morale qualities of network broadcasting was announced by Niles Trammell, President of the National Broadcasting Company, with the formation of an Advisory Committee headed by Dr. Morris Fishbein, Editor of the Journal of the American Medical Association. Associated with Dr. Fishbein will be Dr. Henry R. Viots, noted Boston neurologist. Also Dr. Winfred Overholser, famous psychiatrist, Superintendent of St. Elizabeth's Hospital in Washington.

The Committee will work under the supervision of Dr. James Rowland Angell, Public Service Counselor of the National Broadcasting Company, President Emeritus of Yale University.

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SEES U.S. MOVING TO TAKE OVER SHORT-WAVE STATIONS

In the widely syndicated "Washington Merry-Go-Round", Drew Pearson writes:

"Very quietly the Government is moving to take over the short-wave broadcasting stations of the entire country.

"Four years ago, when Roosevelt was charged with being a socialistic New Dealer, Congress debated for days over the idea of one lone Government radio station, and a terrific lobby was organized to block it.

"But now the taking over of a group of private stations is not causing a ripple. In fact, the big broadcasting companies, which never made a profit on short wave, seem anxious to let the stations go.

"The deal is being worked out by Elmer Davis' OWI, and will include three large international stations owned by NBC, CBS, and Crosley. All programs will originate from the General Motors Building in New York except for some programs to be prepared by the Rockefeller Committee in Washington. A hook-up is planned with certain foreign stations, particularly the Fighting French outlet in Brazzaville.

"Director of the new network is slated to be Pete Nelson, former head of World Broadcasting in Boston.

"Congressional approval will be necessary but, in contrast to the fight of several years ago, is expected to be easy."

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WASHINGTON TRANS-LUX RADIO BUILDING SOLD

The Trans-Lux Building, Washington, housing the Radio Corporation of America, the National Broadcasting Company and the Blue Network was sold this week by Mrs. Evalyn Walsh McLean, widow of the late Ned McLean, former owner of the Washington Post and the Cincinnati Enquirer.

The amount involved in the real estate transaction was not disclosed, but the property, fronting 93 feet on H Street, N.W., 206 feet on 14th St. and 53 ft. on New York Avenue, is known to be assessed at \$1,400,000.

Erected in 1936 on the site of the old Oxford Hotel, which was built by Mrs. McLean's father, Thomas Walsh, Colorado mining magnate, the building was under a 40-year lease to the present purchaser, Mrs. McLean is also known for her large social entertainments and as the owner of the famous Hope Diamond.

In negotiations for the sale of the Trans-Lux Building, completed last Saturday when the new owner took possession, settlement was made through the Columbia Title Insurance Co. of Washington. Mrs. McLean was represented by Attorney Evert Bono Major, and G. Calvert Bowie, Vice President of H. L. Rust Co. Bowie and Major arranged refinancing of the property through the Prudential Life Insurance Co.

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PHILIP MORRIS FILES ANSWER TO FTC CHARGES

Philip Morris & Co., Ltd., Inc., manufacturers and distributors of Philip Morris cigarettes, Dunhill cigarettes and Revelation smoking tomacco, with executive offices in New York and factories in Richmond, Va., has filed an answer to a complaint issued by the Federal Trade Commission which charged the respondent with misrepresentation and false advertising of its products.

The answer admits the respondent has disseminated advertising of its products in magazines, newspapers, by radio broadcasts and other advertising mediums, but alleges that the complaint of the Commission does not correctly state the substance of some of the advertising claims made by the respondent for its products and many allegations of the complaint are therefore denied. These claims, as set forth in the complaint, include representations that Philip Morris cigarettes cause no nose or throat irritation, that they protect the throat, and that they are useful in forestalling the harmful effect of cigarette smoking. Included in this group of claims is the allegation in the complaint that respondent has represented that "Revelation" pipe tobacco is free from "bite" and that the properties and qualities of Revelation pipe tobacco are similar to those claimed for Philip Morris cigarettes.

The complaint alleged that the respondent represented through advertisements in magazines and other media that it would send upon request reprints of all papers published on the influence of hygroscopic agents on irritation from cigarette smoke, but that the respondent has purposely failed to send any such reprints which show that the agents used in the manufacture of its cigarettes are irritating to the throat. The answer admits that it has not sent to all persons requesting them reprints of all papers published on the influence of hygroscopic agents, but alleges that it has adopted and continuously followed the ethical practice of sending reprints only to members of the medical, dental and allied professions. The answer further asserts that the cigarettes manufactured and sold by the respondent are different from other leading brands of cigarettes that contain a different hygroscopic agent. That use of this different agent renders the smoke of its cigarettes less irritating and this difference is established by scientific research which the respondent believes is authentic and conclusive and that the respondent has truthfully and appropriately advertised the result of such research.

The answer admits allegations of the complaint as to disseminating advertisements of Dunhill cigarettes which were represented as "blended to a private formula of Alfred Dunhill, Ltd." and that over the facsimile signature of "Alfred Dunhill" on the package it was stated that "the method employed in the blending of Dunhill cigarettes insures the complete enjoyment of their ripe Turkish and domestic tobaccos" while the only indication of domestic origin is the legend "Made in U.S.A." in small type. The answer admits the representation, but denies knowledge as to the truth or falsity of the Commission's contention that a portion of the purchasing public prefers imported cigarettes and will pay a higher price for them than for American cigarettes. The answer denies the charges of the complaint that the representations have the tendency to deceive and mislead the purchasing public into the belief that Dunhill cigarettes are manufactured in England.

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NOTED SPEAKERS AT COLUMBIA UNIVERSITY-NBC PROJECT

Distinguished leaders in Western Hemisphere activities will be brought together in New York in an Institute of Inter-American Affairs October 10, 11 and 12, commemorating the 450th anniversary of the discovery of America.

The forum is sponsored jointly by Columbia University and the NBC Inter-American University of the Air.

Speakers already scheduled, with more to be announced, include President Nicholas Murray Butler, of Columbia University; Dr. James Rowland Angell, NBC Public Service Counselor and General Supervisor of the NBC Inter-American University of the Air, and former President of Yale; former President Carlos Davila, of Chile; Dr. Don Luis Quintantilla, Mexican Minister to the United States; James L. Fly, Chairman of the Federal Communications Commission; Dr. John W. Studebaker, United States Commission of Education; and others.

Chairman Fly of the FCC and Commissioner of Education Studebaker are to speak Monday, October 12, at an 8:30 P.M. session in Radio City. The topic is "Cultural Relations".

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Fred S. Hirsch and William W. Hirsch, trading as Innerclean Manufacturing Co., 846 East Sixth St., Los Angeles, and Wilbur C. Jeffries, engaged in the advertising business as W. C. Jeffries Co., 165 North LaBrea Ave., Los Angeles, are charged in a complaint issued by the Federal Trade Commission with misrepresentation in the sale of a medicinal preparation. The complaint alleges that the respondents have disseminated advertisements in newspapers, circulars, pamphlets, radio broadcasts and other advertising media.

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BESSER, NOTED RADIO PIONEER, DEAD

Dr. Herman Besser, inventor of the Besser X-Ray tube and noted radiologist, died in New York last Sunday after an illness of two months. He was 72 years old. Dr. Besser was also a pioneer in radio and during the First World War he taught radio construction. Among his students were many who later became military radio operators.

A pioneer in the field of X-ray, he held the chair in Roentgenology at Polyclinic Hospital in 1906. From the moment of the discovery of the X-Ray by William Roentgen, Dr. Besser conducted experiments in the then unknown science. He published the first magazine devoted to the science. It was the Skiagraphic Atlas. At that time he carried on a voluminous correspondence with Roentgen about their mutual efforts in the new field. Roentgen was a frequent contributor to Dr. Besser's magazine.

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PALEY HEADS HOSPITAL DRIVE

Just back from England, William S. Paley, President of the Columbia Broadcasting System, is now heading New York's annual United Hospital Fund drive. While in London, Mr. Paley studied the work of doctors, nurses and hospitals in communities under the threat of frequent attack.

"He knows first hand", said Roy E. Larsen, President of the Fund, "the vital necessity of war preparations by our seventy-six voluntary New York hospitals and their affiliated services. Our hospitals are already preparing to receive large numbers of casualties, to move patients on short notice under attack, to continue to train more and more skilled doctors, nurses and technicians to serve with the armed forces and to help the multiple emergency casualty stations."

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SOLDIERS LIKE VARIETY ON RADIO, WAR DEPT. FINDS

What the average soldier wants to hear on his radio is dance music, news, comedy and sports. Reporting on a survey conducted in Army camps throughout the United States, the War Department said Sunday the soldier does not care a great deal for serial drama, operas and hill-billy music.

One soldier in six owns a radio and slightly more than half the men listen to a program at some time during a typical weekday, it was learned. For some reason more listen on Thursday than any other weekday. Popular "sweet" and dance music led all the rest in preference, with 87 percent favorable, while 86 percent of those surveyed expressed a liking for news broadcasts. Sports scored 69 percent and symphonies and operas but 32 percent.

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: : : TRADE NOTES : : :
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Colonel R. Ernest Dupuy, former Chief of the Planning and Liaison Branch of the War Department, Bureau of Public Relations, has just become Chief of the News Division with completion of reorganization of the publicity set-up in the Department in Washington.

Major Gen. Alexander D. Surles continues as Director of Public Relations, Col. Stanley G. Grogan, former Chief of the Press Branch has been promoted to Deputy Director.

The news division in the reorganization includes all six branches: press, radio, pictorial, publication, analysis and continental liaison.

The Federal Communications Commission approved a wartime power of attorney for the affairs of licensee Joe L. Smith, Jr. to be handled by his father, Joe L. Smith, Sr., insofar as it relates to radio stations licensed to or controlled by Joe L. Smith, Jr., (broadcast stations WJLS, Beckley, West Va., and WKWK, at Wheeling, and relay station WAIE).

Federal Communications Commission has lost three of its top legal lights. General Counsel Telford Taylor and an assistant, Ralph L. Walker, are Majors in the Army, and Lucien Hilmer, another assistant, has joined the Board of Economic Warfare.

The Governor of the British Broadcasting Corp. Harold Nicolson, answered Nazi propoganda charges of bad behavior by saying that trouble among the Americans was "only about half" of that in the British army.

Fred M. Thrower, Jr., General Sales Manager of the Blue Network Company, was elected a Vice President of the company, it has been announced by Mark Woods, President. The Blue Network Company is a direct subsidiary of the Radio Corporation of America, recently having been separated from the National Broadcasting Company.

Sponsor of the United States submarine GRUNION overdue in the Pacific for some time and presumed lost, was Mrs. Hooper, wife of Admiral S. C. Hooper, former Chief of Naval Communications and well known to the industry. The GRUNION was launched Dec. 22, 1941.

In a half-hour salute to Station KFAR, Fairbanks, Alaska, when that station increased its power from 1,000 to 5,000 watts, General Electric's shortwave station KGEI at San Francisco produced a playlet which made radio history in the Northern territory, according to reports just received in the United States.

Never in its 20 years of existence has WEAJ charged admission to a studio broadcast, but beginning Wednesday, Oct. 7, WEAJ will sell War Stamps and Bonds to any or all of its more than a million yearly visitors who particularly enjoy the air programs they have seen. Sponsors signifying marked enthusiasm in the plan are cooperating in the arrangements.

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

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INDEX TO ISSUE OF OCTOBER 9, 1942

No Censorship In U.S. Program Clearance, Says OWI.....	1
Force, Of NBC, New OWI Radio News Editor.....	2
Likely Industry Only May Learn Radio Tube Results.....	3
Calls F.D.R.'s Trip Biggest Secret In History.....	3
House Hears FCC Bribery Probe Demand.....	5
U. S. To Lease Short-Wave Stations.....	6
A. F. L. Backs Petrillo In Music Fight.....	7
ASCAP Third-Quarter Distribution \$1,056,000.....	8
ABA Meets And Elects Temporary Directors.....	9
Committee Formed To Foster Better Wartime Music.....	9
Trade Notes.....	10
White And Ream New CBS Vice-Presidents.....	11
First Lady Commends Ruppel For Soldier Letters.....	11

NO CENSORSHIP IN U.S. PROGRAM CLEARANCE, SAYS OWI

(Note: This is not for publication but is a confidential report of a closed circuit talk to broadcasting stations by William B. Lewis, Chief of the Radio Bureau of the Office of War Information).

In a closed circuit talk to broadcasting stations, William B. Lewis, Chief of the Radio Bureau of the Office of War Information, explained that Regulation No. 2 hereafter requires the clearing of all Government programs through the OWI.

"Let me say at the outset that this new regulation is in no way a new type of censorship putting bars between local broadcasters and patriotic groups and government agencies", Mr. Lewis declared. "The cordial relations that have existed up to now must continue if the broadcasting industry is to keep doing its job for the war effort.

"Don't make any changes in your present method of handling and clearing war programs until you've worked out procedures with the nearest OWI radio representative.

"Many of you have already heard from the OWI regional office in your territory - or - if the letter hasn't arrived yet, it's on its way. This will be your opening contact with our branch representatives on this regulation, and I know you will give them promptly the information they ask.

"You'll remember that some time ago we suggested you appoint from your staff, a 'war program manager'. Hundreds of stations have done so, and it's worked out successfully. These war program managers are responsible for all contacts with field offices of Government agencies, and keep a watchful eye over the war messages and war programs their stations put on the air.

"The war program manager is the logical person to be your permanent contact with the OWI field representative, discussing with him the clearance procedures to be followed locally on all official radio material.

"I know that all of you realize Regulation No. 2 is not concerned with station-originated programs unless they request specific information or cooperation from some Government agency. The producer of the individual program should go directly to the Information Division of the agency involved. The agency, in turn, will notify the OWI what assistance or material has been supplied.

10/9/42

"Regulation No. 2 marks a first step toward further and smoother coordination. It lays the groundwork for still another plan that will enable you to serve the war effort more efficiently, with less wasted effort, less confusion, more results. The details of this plan are not ready to be announced, but will follow as soon as the operation of Regulation No. 2 begins to straighten out.

"In the meanwhile, from you people out there, running the individual radio stations of America, we ask these things at this time:

"First, that you keep right on with your war programs and your local contacts with Government agencies and your plans for new and better shows.

"Then, that you work with the nearest OWI radio field man, and set up clearance procedures with him and with all the field representatives of official agencies.

"And, lastly, that you give us full cooperation in the national pattern of radio coordination which we are striving to create. Only by concerted action can the war effort reach its goals.

"In closing, I want to take this opportunity to thank every one of you for the vast amount of energy and enthusiasm you have put into your work on behalf of an America at war. I know that all of the Government agencies which are finding radio such a successful medium for reaching the American public wish me to pass along their appreciation for your excellent and unfailing cooperation. Here at the Radio Bureau of the Office of War Information we stand confinned that no other industry in the nation has tiven more fully, and without recompense, of its facilitis."

The OWI Radio Bureau has mailed to every broadcaster a list of the cities in which OWI field offices are located.

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FORCE, OF NBC, NEW OWI RADIO NEWS EDITOR

Arthur Force, of the National Broadcasting Company, has been named editor of the Radio News Section, News Bureau, Office of War Information. Mr. Force goes to OWI with fifteen years newspaper and radio news experience. He was night news editor of the National Broadcasting Company in New York City and previously worked on newspapers in New York, Newark, Detroit and Toledo.

The OWI Radio News Section will become the liaison agency for radio news press associations, newscasters and news commentators.

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LIKELY INDUSTRY ONLY MAY LEARN RADIO TUBE RESULTS

Chairman James L. Fly hasn't decided yet whether or not the results of the tube survey which the Federal Communications Commission is making, will be made public. The problem came up at a press conference when Mr. Fly was asked if any progress had been made on tubes and manpower.

"Progress, yes", Mr. Fly replied. "No particular steps to report, however."

"Are the results of the tube survey going to be announced in the near future?"

"Are you asking now as to whether they will be announced or as to the time?" the Chairman countered.

"Well, (a) as to whether they will be announced, and (b) as to the time."

"If it will be announced it will be at an early date", the FCC head answered. "I simply haven't thought through the problem as to whether the results should be made public. Undoubtedly they will be available to many people in the industry. I just don't know off hand whether they will publicize the results generally. It is predominately an industry matter."

"Do you draw a line when you say publicize generally and trade papers?"

"The point I was making - when the Domestic Broadcasting Committee is in possession of the full information, you can see that it will have pretty broad circulation within the industry, and I should think that, everything else being equal, we should like to publish it at least in the industry magazines so that every member of industry will know the score, but there may be some arguments to that and we simply haven't got to that question", Chairman Fly concluded.

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CALLS F.D.R.'S TRIP BIGGEST SECRET IN HISTORY

Representative Shafer, of Michigan, had the following editorial captioned "Harum-Al-Rashid With a Brass Band" from the Chicago Tribune, reprinted in the Congressional Record:

"The tactics of Harun-al-Rashid, who sallied forth at night to see what his loyal subjects were doing and saying, are, of course, susceptible to modern improvements. Mr. Roosevelt's journey demonstrated once more that America is, indeed, the land of superlatives. His secret was undoubtedly the biggest secret in history.

10/9/42

Probably less than half the people in the communities through which he passed have been talking about it for the last 10 days. Between 50,000 and 70,000 soldiers were required to guard the route he traveled on the Pacific Coast and at one place, it is reported, the President addressed 50,000 persons. But at least it was a well kept secret to the shut-ins who depend on the newspapers and the radio for their news. The censorship office decreed that the President's movements were a military secret and not a single newspaper in the United States printed a word of them until he was safely back in the White House. Now some of their readers who don't know the circumstances accuse them of boycotting the President.

"As Representative Halleck noted in Congress, these uncontrollable urges to go out and see what the people are thinking and saying seem to seize possession of Mr. Roosevelt about once every 2 years. In 1936 there was the inspection of the drought areas, of which Mr. Halleck was so unkind to say that they consisted of about 5 minutes of drought inspection and 5 days of parades. In 1938 there was a similar swing around the circle, and in 1940, as everyone will remember, the tension of international events which was going to keep the President in Washington relaxed enough to permit him to inspect defense plants in those areas in which the people were least suspicious that what Mr. Willkie was saying was only campaign oratory. It is understood, of course, that these trips have all been nonpolitical. The fact that elections also occur at 2-year intervals is purely a coincidence.

"This is the first of the trips that Mr. Roosevelt has made in camera. As time goes on repetition of the device may bring refinements. When the Prince of Wales, the present Duke of Windsor, wished to avoid the panoply of state visits he traveled under one of his minor titles, as Baron Renfrew. The 21-gun salute to the President was abolished on the trip just finished. Perhaps in the future Mr. Roosevelt will prefer to travel under one of his subsidiary titles, such as President of the American Red Cross or of the Warm Springs Foundation."

Addressing the New Jersey Press Association at New Brunswick, Byron Price, Director of Censorship, again paid tribute to the radio and the press for keeping the secret.

"I am sure the public will applaud the press and radio for what they did in this instance", Mr. Price said. "Yet, I wonder how many readers ever stop to consider that this process of thinking first of the welfare of the country goes on every day, every hour, through the newspaper plants of the country.

"Is it too much to ask that newspaper readers and radio listeners do as well? If the professional news distributors can keep the faith, why can't the amateurs?"

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HOUSE HEARS FCC BRIBERY PROBE DEMAND

The Federal Communications Commission was called on by Representative Wigglesworth (R), of Massachusetts, to affirm or deny the old charges that "members or former members" of the Commission have taken payments from broadcasting firms in return for official favors. This came up in a discussion of an appropriation of \$559,000, roughly, which was recommended by House Appropriations sub-committee in addition to approximately \$7,437,000, which the FCC has already had for this fiscal year.

The extra money was requested to allow the Commission to investigate the personnel of international and domestic foreign-language broadcast stations, to continue the survey of telegraph service, to make a survey of the foreign language program service, to make a study of the labor supply in the communications industry, to do work in the so-called inter-American communications field, and to make a very substantial enlargement of their offices at Kingsville, Texas, San Francisco, Portland, Oregon, London, and in Washington. It includes a Director of a Foreign Broadcast Intelligence Service.

"There has been for years, as you know, a lot of smoke around the activities of the FCC and around its relationship with the networks which it is supposed to control," Mr. Wigglesworth declared at the same time revealing that he had quizzed FCC Chairman James L. Fly during recent hearings before the House Appropriations Committee, asking whether John Farnham, Government investigator, had reported that Sam Pickard, a former member of the old Radio Commission, had been guilty of grossly improper conduct while in office.

Mr. Fly said the report had shown a "critical attitude" toward some of Mr. Pickard's official acts, but that the investigation was still in progress.

On this point, Congressman Wigglesworth told the House he understood the record would show that Mr. Pickard's actions in supporting the interests of a major radio network - he named the network but later ordered the name deleted from the record - "at a time when Mr. Pickard was anticipating an early association with that network" would justify the FCC in finding his conduct in office to be "grossly improper".

Again during the hearing, Representative Wigglesworth asked Mr. Fly whether Farnham had reported "that charges had been made against another former member of the FCC of receiving financial gratuities" from broadcasters.

"Rather than a charge, I think that was just a rumor", Chairman Fly testified, adding that the matter "is still pending".

Mr. Wigglesworth declared that several independent sources had made charges that one network paid a former Commissioner for favorable official treatment.

On the alleged \$5000 cash and bond deal, Mr. Fly told the committee that "it is one of the phases of the matter that is now outstanding".

Of this deal, Representative Wigglesworth told the House that Farnham's report showed the broadcaster paid out the \$5,000 (\$1,000 cash and \$4,000 in Government bonds), and also produced a notebook in which were written the names of the seven members of the FCC. The word "yes" was written beside five of the names, he said, while one member was noted as 'absent, not voting', and another 'present and not voting'.

Congressman Wigglesworth added that when placed under oath the broadcaster denied being told the money would go to the Commissioners and said he had destroyed the notebook. The notebook later was reported to have turned up with the list of Commissioners missing, Mr. Wigglesworth said.

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U. S. TO LEASE SHORT-WAVE STATIONS

The House acting on the report of Appropriations Subcommittee headed by Clarence Cannon, Democrat, of Missouri, Thursday voted funds for the leasing of radio facilities and for the construction and installation of additional short-wave transmitters to counteract Axis radio propoganda throughout the world.

The War Communications Board had previously approved "in principle" a broad plan for Government development and control of all the Nation's short-wave facilities as part of the Office of War Information's strategy to reach audiences in enemy territory.

Following the action of the House, Murphy Brophy, Chief of the Bureau of Communications of the Office of War Information announced that the leasing by the Federal Government of the fourteen short-wave radio transmitters in this country for official broadcasting overseas for the duration of the war is expected to be completed next week.

One-third of the broadcasting time on short-wave and one-third of the expense of leasing the transmitters would be allotted to the Coordinator for Inter-American Affairs, while the overseas branch of the Office of War Information would use the remaining two-thirds of the time and contribute proportionately to the subsidy, officials said.

It is honed that eight new transmitters may soon be added, increasing the total to twenty-two.

Germany is also reported to be increasing the number of her short-wave transmitters, which will soon number about 100.

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A.F.L. BACKS PETRILLO IN MUSIC FIGHT

As had been expected, the American Federation of Labor in convention at Toronto, unanimously adopted a resolution endorsing the action of James C. Petrillo, head of the American Federation of Musicians, in his fight on broadcast stations and juke box recordings. The resolution charged that the broadcasting industry, the anti-trust division of the Department of Justice and the press have "ganged up" on the American Federation of Musicians "and launched one of the most vicious campaigns in labor history in order to prevent a just and equitable solution" of the problem of the use of "live musicians" for making records and electrical transcriptions.

The Revenue Bill, which has the right of way in the Senate, continues to block plans for the Petrillo Senate Petrillo investigation. Also the Senators may be waiting to see if anything develops at the Petrillo Federal Court hearing in Chicago next week. It was explained at the office of Senator Worth D. Clark, of Idaho, author of the resolution, however, that setting the time for the hearing and a decision as to whether the entire Interstate Commerce Committee or a sub-committee will undertake the task may be expected any day now.

During the past week, two of the country's best known newspapers, neither of which owns a broadcasting station, and both of which had on several occasions blasted Mr. Petrillo, the New York Times and the Washington Post again went after him. In an editorial captioned "Petrillo's Progress", the Post, anticipating the Toronto action, said:

"It will be interesting to see whether the American Federation of Labor, now in convention at Toronto, follows the lead of its Executive Council and supports Mr. Jimmy Petrillo in his war of extermination against juke boxes and transcribed radio programs. Very probably the supplementary report on the controversy, prepared by the Executive Council, will be put into the form of a resolution and adopted by the convention without much, if indeed any, dissent.

"As a rule the machinery of the convention works pretty smoothly in upholding the decisions of the council. Yet there must be among the labor leaders now in Toronto many who are intelligent enough to perceive that the arrogance and intransigence of Mr. Petrillo has wrought more damage to the cause of organized labor than all the propaganda of the Association of Manufacturers and the United States Chamber of Commerce combined. Merely as a matter of tactics the Executive Council's support of Petrillo at this juncture would seem almost as sorry a blunder as the unwillingness to remove the notorious racketeers, William Bioff and George F. Browne, from the council until the very eve of their conviction.

"Meanwhile, it occurs to us that if the broadcasting companies really want a showdown with Mr. Petrillo, they can have it without waiting for Congress. They can try the experiment of doing without music on their programs - except, of course, for such music

10/9/42

as has already been recorded or is not controlled by Mr. Petrillo, and there is a good deal of both available. Not long ago a little show of backbone on the part of the broadcasters brought ASCAP back within bounds of reason. A little more courage now might have more effect in inducing Mr. Petrillo to change his mind than all the moral indignation in the world."

The New York Times editorial was captioned "Petrillo Marches On", and read:

"Undeterred by Congressional investigations or Department of Justice prosecutions, Petrillo marches on, telling the American people what they can and cannot hear. It is a rare day on which he does not think of some new suppression. The weekly rebroadcast of Jack Benny's radio program to the Pacific Coast has been canceled because of the fight by Petrillo's union against transcriptions. He has demanded, according to officials of the Blue network, that both the early and late Benny shows be produced with 'live talent', or that the musicians be paid double wages.

"Is Petrillo foolish in carrying his campaign so far? Or has he sized up the American politician correctly? Congress, he is confident, will not dare to take any serious action before election - or even after. Meanwhile it is important for all of us to keep in mind that indignation against Mr. Petrillo personally is futile. He is merely a symptom. Petrillo and union leaders like him will continue to impose their private dictatorships at least as long as Congress (1) acquiesces in the Supreme Court's decision that labor unions enjoy sweeping immunities from the anti-trust acts; (2) acquiesces in the Supreme Court's decision that labor unions enjoy sweeping immunities from the Federal Anti-Racketeering Act; (3) forces employers to recognize and deal with unions but does nothing whatever to compel these unions to conduct their affairs responsibly; (4) retains a state of law which forces an individual to join a union, whether he wants to or not, because his source of livelihood would otherwise be cut off, by boycotts of himself and his employers, or by other means."

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ASCAP THIRD-QUARTER DISTRIBUTION \$1,056,000

The Board of Directors of the American Society of Composers, Authors and Publishers has authorized distribution to members for the third quarter ending September 30, 1942, of \$1,056,000.

This brings the total distribution to members for the first three quarters of 1942 to \$3,106,000. Checks will be mailed to members on October 10th.

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ABA MEETS AND ELECTS TEMPORARY DIRECTORS

The American Broadcasters' Association formed in opposition to the National Association of Broadcasters, met in New York yesterday (Thursday) and formed a temporary organization. The following pro tem Directors were elected to serve until a membership meeting could be held and permanent organization effected:

John Shepard, 3d, President of Yankee Network, and Chairman of Broadcasters Victory Council; Ted Taylor, Amarillo (KGNC, KFYO, KRGV), Executive Secretary of BVC; Walter J. Damm, WTMJ, Milwaukee, and President of FM Broadcasters, Inc.; James D. Shouse, WLW-WSAI, Cincinnati; Eugene Pulliam, WIRE, Indianapolis, President of Network Affiliates, Inc.; George B. Storer, President of the Fort Industry Co. (WSPD, WWVA, WMMN, WLOK, WAGA, WHIZ), and President of National Independent Broadcasters; Harry Bannister, Manager of WWJ, Detroit; E. B. Craney, Z-Bar Network (KGIR, KPFA, KRBM), in Montana, and KXL, Portland; Stanley Hubbard, KSTP, St. Paul.

Mr. Shepard, one of the leading spirits of the new organization, did not completely rule out the possibility of an ultimate compromise with NAB. He said that the NAB Directors would meet in Chicago next week and perhaps the opposing factions might find some common ground for discussion, depending upon what action the NAB Directors might take at that time.

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COMMITTEE FORMED TO FOSTER BETTER WARTIME MUSIC

A National War Time Music Committee composed of representatives of various Government agencies was formed in Washington last week to foster and encourage better wartime music.

Interest in this drive for more patriotic music for use in their wartime programs was expressed in many Government agencies. To coordinate these interests and to gain the support of the music industry in writing and publishing songs to aid in the war effort, William B. Lewis, Chief of the Radio Bureau of the Office of War Information, called a series of meetings with Government agencies and the committee was formed. The various agencies plan to pool their facilities for more and better wartime music in the communities of America. The efforts of the National War Time Music Committee will be directed toward stimulating wartime musical activities in communities, schools and civic organizations throughout the country.

"This active interest on the part of the Government in patriotic music as a psychological weapon of war can be attributed in part to the dissatisfaction with the popular music which has been published and popularized during this war", says the OWI. "This dissatisfaction has come from writers, publishers, broadcasters and from the American public itself."

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: : : : TRADE NOTES : : : :
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Radio telephone service across Siberia to Russia was authorized this week by the Federal Communications Commission. The agency approved a special permit for the American Telephone & Telegraph Co. to conduct radio telephone testing between Dixon, Calif., and Khabarovsk.

The arrest of three Germans accused of transmitting espionage information by secret radio was announced Wednesday by the Chilean Government, which still maintains diplomatic relations with the Axis. Interior Minister Raul Morales has ordered them deported. A Chilean, Carlos Robinson, who was taken into custody with them must stand trial.

WPB September 26 amended order L-148, covering production and delivery of equipment for telephone and telegraph companies, to allow deliveries 90 percent or more completed by September 8. This will permit completion of projects for which only final construction details remained to be taken care of when L-148 was issued.

The amendment covers wire communication equipment, parts and equipment for telephone and telegraph switchboards, instruments, repeater equipment, power equipment, cable wire and various miscellaneous items and parts.

Federal Trade Commission has ordered the makers and distributors of Dr. Lyons Tooth Powder to stop "misrepresenting" that product in radio network programs and other advertising media. FTC claims that R. L. Watkins Company of 170 Varick St., New York City, is misrepresenting its product when it uses the following statement: "Do as your dentist does - use powder."

J. R. Poppele, Chief Engineer of WOR and Chairman of the Scholarship Committee of Communications Magazine, has announced the winners of this year's Marconi Memorial Scholarships.

Edward Lombard of Syracuse, N. Y., wins the two-year course in radio and electrical communication at RCA Institutes. The one-year course in aviation radio at Midland Television and Radio Schools of Kansas City, Mo., goes to John Raymond Miller of Orange, Calif.

A group of 69 WAVE storekeepers and radio operator candidates left Washington Thursday for two Midwestern Naval training centers. The first of their classification, they will enter the schools' first classes. The prospective WAVE radio operators will report at the University of Wisconsin at Madison. They will receive an intensive four-month course in radio operation and maintenance before being assigned to naval establishments.

Announcing that "reasonable" advertising expenses would be recognized as legitimate costs in renegotiating war contracts, Under-Secretary of War Robert P. Patterson said Thursday he expected the entire controversial question of renegotiation to be cleared up by legislation now before the Senate Finance Committee.

10/9/42

The Mutual Network last month had a gross of \$707,283 from time sales or 33.7% better than it had been for like month of 1941. On the first eight months of this year, MBS is 55.8% up over 1941.

Two awards of the 1942 Contest on Wartime Direct Mail and Printed Promotion have been given to the Columbia Broadcasting System, the network announced on Tuesday. Radio sales' entry of spot broadcasting mailing pieces was judged "one of the Fifty Direct Mail Leaders"; the network's entry of brochures on broadcasting facilities received Honorable Mention.

The contest, held by the Direct Mail Advertising Association, was limited to promotion pieces released after December 7. The awards are to be presented at the DMAA one-day convention in New York October 16.

Al Ross has been named WOR's new Commercial Program Manager. For the past year Mr. Ross has done free-lance work, including the writing of Jack Dempsey's "Sport Quiz".

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WHITE AND REAM NEW CBS VICE-PRESIDENTS

Frank K. White and Joseph H. Ream have been elected Vice-Presidents of the C.B.S. Mr. White will retain the office of Treasurer, which he has held since 1937, and Mr. Ream will retain the office of Secretary, which he has held since 1938.

"Columbia, in the past four months, has lost three Vice-Presidents, - Harry C. Butcher, Lawrence W. Lowman and Mefford R. Runyon to the armed forces", Paul W. Kesten, CBS Vice President and General Manager, said, "and the election of Mr. White and Mr. Ream as Vice Presidents is in recognition of their increased duties and responsibilities in the management of the corporation."

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FIRST LADY COMMENDS RUPPEL FOR SOLDIER LETTERS

In the "Washington Merry-Go-Round", Drew Pearson writes: "Mrs. Roosevelt gives credit to Louis Ruppel, (formerly of the Columbia Broadcasting System, but now Assistant to the President of the Crowell-Collier Publishing Co.,) for starting the idea of sending letters to men in the service giving news of their shop or office. "But no matter who started it", Mr. Pearson adds "the idea is giving a lot of boys a lot of good news and gossip from home."

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

INDEX TO ISSUE OF OCTOBER 13, 1942

Senate Told Of Radio Dealers' Plight.....	1
Critical Communications Manpower List Submitted.....	3
FCC, WPB, Tackle Problem Of Providing Station Tubes.....	3
Canadian Minister Quips About NBC Swing.....	4
Court Throws Out Petrillo Case; A.F.L. Attacks Arnold.....	5
Commentator Seen As Key To Nebraska Senatorial Race.....	7
House Passes Territories Censorship Bill.....	8
Democrats Point To Communications Legislation.....	9
Committee To Further Government Publicity Cut.....	9
Action By FCC.....	10
Trade Notes.....	11

No. 1471

October 13, 1942.

SENATE TOLD OF RADIO DEALERS' PLIGHT

What the radio dealers were up against in endeavoring to adjust themselves to war conditions was told to the Senate Small Business Committee by Harold Stoll, President of the Colony Radio Company, of Washington, D. C. J. S. Bartlett, Managing Director of the Electric Institute of Washington, presented the problems not only of the radio retailers but all electric appliance dealers and servicing organizations. It was during these Senate hearings to find a way to assist the merchants to withstand the shock of the new war economy that the prediction was made that unless drastic action were taken, 300,000 small business men would be forced to close in 1943.

Mr. Stoll painted a very gloomy picture. He said that the volume of his business had dropped from between \$15,000 and \$20,000 a month to \$8,000. He declared that concerns that now had 4 and 5 stores would be lucky if they could keep one. Mr. Stoll pointed to the problems of increased cost of labor, the hidden cost, such as poor workmanship, the wartime attitude of labor and continued turnover and lack of profit due to increase in sales and higher salaries, necessity for suspension of outside service, adjustment of lease obligations, and orderly voluntary liquidation (as differentiated from a poor bankrupt condition).

Mr. Stoll said that without realizing it, the overhead was shifting from sales to servicing but that with the present difficulty in securing help that service could not carry it. Where he had 17 service men employed, Mr. Stoll said that now he had only one who had been with him more than a year. He said he received 100 calls for service a day but that he would be fortunate if he could handle 40 a month. He had long ceased to accept any more orders. He told of an effort Washington radio dealers made in connection with one of the large vocational high schools of the city. A lot of money was spent advertising the offering of a free course in servicing part-time work while the student was going to school but with all these inducements only 4 men responded.

According to Mr. Stoll the attitude of the men whom the radio dealer is able to hire these days is "If you don't like what I'm doing or don't want me, there are plenty of others who do." "They never heard of doing 9 hours a day work", Mr. Stoll added.

Asked if any of the big radio manufacturers had tried to come to the rescue of the dealers, Mr. Stoll replied: "Not a one of them has been near me."

Speaking for the electric appliance industry as a whole, Mr. Bartlett told the Senators:

10/13/42

"Because of the opportunity to perform an essential service in the war economy, it was felt that small business in the electrical industry was in an exceptionally favorable position, but unless prompt relief is made available, which would make it possible for repair and maintenance work to be done at a profit, it is estimated that 50% of the servicing agencies which have been repairing electric appliances will be forced out of business by the end of 1943.

"Former sources of profits to the servicing and repair business have been eliminated because no more electric appliances are available for sale, and a major part of other electrical apparatus and equipment has been put under strict priority regulations. During former days, much of the repair and maintenance work was carried as a service incidental to the sale of new devices. Appliances and equipment, after serving for a few years, were traded in for new devices which were more modern and efficient. Owners of appliances have been accustomed to paying repair charges more nearly in proportion to the cost of new equipment than based upon the actual cost of the work to the repair agency. In the past, it would have seemed quite unjust to charge \$6.00 for the repair of a \$9.95 radio, and yet in many cases, repairs to a small radio actually cost the repair agency as much as repairs to a larger, more expensive set.

"While the electrical industry is very definitely not in favor of price subsidies, as such, it was admitted that a subsidy would appear to be the only alternative to relief under existing price ceilings, if this important servicing and repair work is to continue.

"A request was made by Mr. Bartlett that present regulations covering inventory control of electrical supplies be amended to exclude merchandise frozen as a result of Government regulation or now under strict priorities from the maximum permissible inventories, so that stocks of other lines could be replenished to provide a satisfactory working inventory and thus permit an equitable distribution of electrical supplies to those wholesalers carrying a sizable investment in frozen equipment.

"It was stated that no control of new entries into the electrical business would be necessary, inasmuch as available supplies and equipment were now so limited and that such control would be inadvisable if it prevented new entries of responsible agencies into the repair and maintenance field.

"Full utilization of every unit of all existing facilities in the repair and maintenance field must be maintained to assure adequate functioning of this important factor in our war economy."

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CRITICAL COMMUNICATIONS MANPOWER LIST SUBMITTED

The Board of War Communications has transmitted to the War Manpower Commission lists of critical occupations and definitions of such positions in the standard and the international broadcasting industries and the radio communications and wire telephone industries.

This material was prepared by various technical committees of the Board of War Communications at the request of the War Manpower Commission. The committees are composed of representatives of government, labor, and industry. They are furnished to the War Manpower Commission for that agency's consideration and appropriate action in connection with the establishment of a standard list of critical occupations. It is presumed that these lists will also be used by draft boards in considering Selective Service policies in drafting key personnel from the communications industry.

Similar lists are in preparation by various other committees of the Board of War Communications covering the telegraph and cable, aviation communications, and state and municipal emergency fields. They will be transmitted to the Board of War Communications upon completion.

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FCC, WPB, TACKLE PROBLEM OF PROVIDING STATION TUBES

Solution of the problem of an impending shortage of radio tubes used by broadcasting stations is being sought by the Federal Communications Commission in conjunction with the War Production Board.

"Small tubes used in the home receivers present no problem at present", William J. Wheatley writes. "Earlier proposals that radio stations pool their spare tubes has not proved popular with the industry."

It was pointed out that a station with a spare tube might surrender it to a neighbor station whose equipment failed and then perhaps a few hours later be forced off the air because of tube failure.

It was this situation, it was indicated, that prevented the industry from entering whole-heartedly into the agreement. Furthermore, the Government realizes the importance of keeping stations on the air as the only means of immediate mass communication.

Unless something is settled on to provide for manufacture of new tubes, it was indicated that it will not be very long before some stations will cease broadcasting. In normal times, to prevent even a moment's stoppage in broadcasting, FCC rules have required

10/13/42

stations to keep on hand at all times a certain number of spares, but since the emergency defense period and the war these rules have been relaxed.

The massive tubes, costing hundreds of dollars, used in the broadcast stations are precision equipment and much of the work on them is by hand. However, the manufacturers who formerly produced these tubes have converted their plants to war work, producing substantially the same kind of equipment for the armed forces.

While the question of material allocation is involved, it was said that the prime consideration is the plant facilities, and one solution suggested is that some plants not engaged in war work and are equipped with machines which can produce parts of the new tubes might manufacture them.

The materials needed could be solved to some extent, it was asserted, by having stations turn in their old tubes when getting new ones.

Because of the urgency, the agencies studying the matter are expected to reach an early decision, to the end that no stations might be forced off the air.

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CANADIAN MINISTER QUIPS ABOUT NBC SWING

In a speech by Hon. Leighton McCarthy, Canadian Minister to the United States before the Institute of Inter-American Affairs, sponsored by Columbia University and the NBC Inter-American University of the Air in New York, he said:

"I admit that it is often hard for others to distinguish a Canadian - unless he speaks French - from an American. Our physical environment and social customs are, on the whole, similar. We read American newspapers and American magazines. We play American games, and we won't drink anything that hasn't ice in it. American singers, actors, and lecturers are continually amongst us, while Hollywood has, of course, enveloped us. Then there is the radio, which knows no international boundary.

"The Canadian listener is, I suspect, often found searching for swing music from the NBC Studios in New York when he should be listening to an educational broadcast from the Government Broadcasting Corporation in Ottawa."

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COURT THROWS OUT PETRILLO CASE; A.F.L. ATTACKS ARNOLD

There was a sweeping defeat for the Government, represented by Thurman Arnold in person, and the broadcasters when Federal Judge John P. Barnes refused the Government's petition for an injunction to restrain James C. Petrillo from enforcing an order prohibiting members of his musicians union from making records for public purposes. In doing so, Judge Barnes cut Arnold's argument short and didn't even wait to hear the Petrillo side of the case by Joseph A. Padway, General Counsel of the American Federation of Labor.

To add further to Mr. Arnold's troubles, and almost at the same time of the Chicago court reversal, the American Federation of Labor in convention at Toronto, appealed to President Roosevelt, Attorney General Biddle and to Congress to investigate Arnold. Nevertheless, the Assistant Attorney General said that he would appeal the Chicago decision and was prepared to go all the way to the Supreme Court.

Naturally, the action of Judge Barnes at Chicago was a cause of great jubilation on the part of Mr. Petrillo, who lost no time in issuing the following statement:

"This case demonstrates that abuse of a high labor official who is merely protecting his members cannot triumph over law and justice.

"The National Association of Broadcasters spent thousands of dollars to malign me, but I stood on the ground that what I was doing was right and I did not reply in kind.

"The combination of press, juke box owners, broadcasters and makers of records to inflame the public against me was the strongest combination ever used to arouse the public against a union official.

"The next move is up to the companies. The ban still stands."

Judge Barnes, in reaching his finding, had previously said:

"I have read the papers in this case over the week end. Mr. Arnold's argument has been interesting, instructive and at times persuasive. I think there is a labor dispute involved here.

"There are certain demands from the public for music and the musicians work for hire. Then there are their masters, those for whom musicians work - manufacturers of records, transcriptions and such.

"There is a controversy as to whether the union should be permitted to furnish all music. The musicians insist they furnish all of it. Their masters say this must not be. They insist upon using amateurs and part-time use of records and transcriptions.

"For this reason the court grants the motion of the defendants for dismissal of the petition."

Judge Barnes cited the Hutcheson case - in which the Supreme Court ruled that the anti-trust law did not apply to labor unions under certain conditions - and said:

"I can't see any way around the Hutcheson case."

Mr. Arnold, in argument, had painted a dark picture of what the music ban means and can mean. It would destroy small businesses and radio stations, he said, conceivably prevent home-owners from playing phonographic music and compel them to hire live musicians. It can force radio networks to deny their facilities to little stations dependent upon transcriptions.

The Chicago decision was also a slap in the face at James L. Fly, Chairman of the Federal Communications Commission, and Elmer Davis, of the Office of War Information, who had gone all out for the broadcasters.

The demand by the American Federation of Labor at Toronto that Mr. Arnold be investigated was precipitated by the brief he compiled in the Chicago A. F. or M. suit in which there appears this statement:

"In summary, we submit that the phrase 'terms or conditions of employment' assumes that there is a master who directs the work and a servant who obeys those directions. The function of the master is to determine what work he wants done, what machines he will use, what goods or services he will furnish, and the customers to whom he will sell those goods and services. In so far as the servant demands the power to determine any of these questions, he is no longer a servant. He has become the master. He is an entrepreneur in business. A union cannot, under the pretext of improving terms or conditions of employment, use organized coercion to destroy the right of the employer to conduct his business in an efficient way and to use his best judgment as to the goods he will sell, the customers to whom he will sell them, and his relationship with other independent organizations . . ."

Other charges were made against the Assistant Attorney General with the conclusion:

"It is all too apparent that the gyrations of Mr. Thurman Arnold constitute one of the most unique and most disquieting phenomena in the history of the American Government."

Appointment of a committee to present a full outline of the accusations against Mr. Arnold to President Roosevelt was authorized by the convention.

In New York City, Attorney General Biddle was quoted by the Associated Press as saying:

"I don't see why they want to investigate Mr. Arnold, who is simply doing his duty. However, I'd be glad to hold an investigation - it would show what an efficient public official Mr. Arnold is. He hits them on both sides of the table."

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COMMENTATOR SEEN AS KEY TO NEBRASKA SENATORIAL RACE

Gould Lincoln, of the Washington Star, one of the best political writers in the country, believes Foster May, Station WOW's 37 year old commentator may jeopardize the re-election of the veteran Senator Norris of Nebraska. Mr. Lincoln writes from Omaha:

"To the surprise of every one, Mr. May won the Democratic senatorial nomination in a field including several widely known Democrats - one of them Representative Coffee. Early in the primary campaign few people took Mr. May seriously. Some dubbed him 'the little man with a big voice'.

"Mr. May hasn't been on the air for nothing. He can give as well as take. So he countered, 'I didn't have very much to do with the size of my body nor of the strength of my voice, but that voice, you may be sure, will always be raised in defense of the underprivileged, in the protection of true democracy, and it will always be raised against those forces which would destroy our democratic institutions or our form of Government.'

"Mr. May is still the unknown quantity - so far as actual political voting strength is concerned - in a three-cornered senatorial race in which the veteran Senator Norris is running as an Independent, and Kenneth S. Wherry, former Republican State Chairman, the GOP candidate.

"There has been a feeling in Washington and some other quarters that Mr. May, on the entrance of Senator Norris into the senatorial contest at the eleventh hour as an independent candidate, with the tacit and probably later vocal blessing of the Roosevelt administration, would fold up. He says emphatically that he is not going to quit and voices his confidence that he can win.

"Despite the State pride in Senator Norris, who has been in Congress for 40 years, and his large personal following, the 81-year-old Senator is declared by neutral observers to be in greater jeopardy in this election than he has been for years. In the first place, the State went Republican in 1940 by 75,000 for Wendell Willkie, elected a Republican Governor, a Republican Senator and threw out five of the House delegation.

"There is the same measure of discontent with Washington in Nebraska at this time as in other Midwestern States.

"With Foster May running as a Democrat, the Republicans figure that their opposition will be divided largely between Senator Norris and Mr. May and that their candidate should squeeze through to victory. Indeed, they are saying now they are glad that Senator Norris entered the race - for they were beginning to be worried by the strength of the radio man.

"The campaign is just beginning to warm up. Senator Norris, kept in Washington by his duties in the Senate, has not planned to return to the State, but will make some radio addresses. His friends are working hard for him. He is strong with the labor vote, but it must be remembered that Nebraska is overwhelmingly a farm vote State.

"With thousands of men away in the military service, the woman vote is expected to cut more of a figure in the coming election than ever. The women, it is said, fall for the 'voice on the radio' like nobody's business. Mr. May's name is a household word. He has talked to the people of Nebraska during the noon hour for 10 years.

"Mr. May is a native of Missouri, coming to Nebraska with his father, a Congregational minister. Before he entered the radio business as a commentator, he had studied law, worked as a salesman for a biscuit company, and been a reporter on the Denver Post, Omaha Bee, St. Louis Times and Minneapolis Star.

"It was in 1933 that he started out with his radio program which he has carried all over the State. He gave up a \$12,000 job to make the senatorial race. Four years ago he sought the Democratic nomination for the House in his district and was defeated by Representative McLaughlin by only 3,000 votes.

"He makes two radio speeches a week in the present campaign, and is traveling more and more about the State. Whatever the outcome of the race, he will have made himself felt on election day."

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HOUSE PASSES TERRITORIES CENSORSHIP BILL

The House last week passed a bill to amend the War Powers Act by extending the authority to censor communications to include those between the continental United States and any territory or possession.

"This bill is a bill requested by the Government and is based on the fact, so those in executive responsibility state to the Committee on the Judiciary, that they have a great deal of difficulty in those situations where communications are had to and from places like Puerto Rico, Alaska, and the Hawaiian Islands", Representative Sumner of Texas said. "This legislation is desired for the purpose of enabling them better to safeguard the communications that come from those territories."

"Have there been some violations that would prompt this?" Representative Martin of Massachusetts asked.

"Yes", Mr. Sumner replied. "I understand they have had very considerable difficulty in that situation."

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DEMOCRATS POINT TO COMMUNICATIONS LEGISLATION

In a pre-election statement, "We Have Kept the Faith", a resume of legislation which has been enacted by Congress not dealing with war, Senator Alben W. Barkley, of Kentucky, Democratic leader, included these paragraphs on communications:

Communications Act of 1934: Created the Federal Communications Commission, and provided regulatory steps over wire and radio operation, and of interstate and foreign communication.

Telephone Inquiry Act of 1935: Provided for more effective rate regulations as result of inquiry.

Communications Act of 1937: Promoted the safety of life at sea through the use of wire and radio communications.

Communications: (1) Air; (2) rail; (3) auto; (4) wire; (5) ship inspection: In the interests of public safety and regulation of interstate commerce the Federal Government provides inspection and supervision of the major means of communication (Interstate Commerce Commission, Federal Trade Commission, Federal Communications Commission, Federal Power Commission, Bureau of Marine Inspection and Navigation, Department of Commerce).

Senator Barkley said that he is in process of preparing a resume of Congressional legislation dealing with the war which will be published a little later.

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COMMITTEE TO FURTHER GOVERNMENT PUBLICITY CUT

Appointment of a five-man Inter-Agency Publications Committee to recommend by November 1 further discontinuances and curtailments in Government publications was announced yesterday (Monday) by Elmer Davis, Director of the Office of War Information.

It was set up under OWI Regulation Number Three, issued September 25, which eliminated 239 Federal publications and curtailed 284.

Named to the Committee were: John R. Fleming, Chief of the Bureau of Publications and Graphics, OWI, who will act as Chairman; Charles Schwarz, Director of Information, Treasury Department; Morse Salisbury, Director of Information, Department of Agriculture; James W. Bryan, Chairman of Publications Committee, Department of Commerce; Stephen Fitzgerald, Director of Information, War Production Board.

As yet, however, Mr. Davis has made no attempt to cut down personnel.

"There are just as many publicity agents as before; the only difference is that they do less work. Apparently Mr. Davis has the authority to curtail production but not the producers", Frank R. Kent well-known syndicate writer, commented.

"That will never be done until the order comes from the top - to wit, from the President. Until and unless he grasps the fact that the swollen size of his governmental organization prevents it from working and takes the step to reduce, no one else can do much about it, and no one else really will try."

"There are too many people employed now by the Government to operate effectively. The number of civilians on the Federal payroll August make a grand total of 2,500,000. It just does not make sense."

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ACTIONS BY FCC

Applications Granted: KRLD, KRLD Radio Corp., Dallas, Tex., granted license to cover construction permit which authorized changes in directional antenna system; also authority to determine operating power by direct measurement of antenna power; WAGA, Liberty Broadcasting Corp., Atlanta, Ga., granted license to cover construction permit for change in frequency to 590 kc., increase in power to 5 KW, installation of new transmitter and directional antenna for night use, and move transmitter; also authority to determine operating power by direct measurement of antenna power; WDAB, Charleston Broadcasting Co., Portable-Mobile, area of Charleston, W. Va., modification of construction permit for new relay station, for extension of commencement and completion dates to 10/19/42 and 4/19/43 respectively; The Associated Broadcasters, Inc., Portable-Mobile, area of San Francisco, Cal., license for new special relay broadcast station using already licensed equipment (of Station KBSF); frequencies 1622, 2058, 2150, 2790 kc., 50 watts, to be operated as a special relay broadcast station with applicant's international broadcast station KWID.

Also, WINS, Hearst Radio, Inc., New York City, modification of construction permit for extension of completion date to Nov. 3, 1944; also construction permit to increase power from 1 to 5 KW, change hours of operation to unlimited time and install a new transmitter and directional antenna for day and night use and move transmitter; and granted construction permit to increase power to 10 KW, change hours of operation to unlimited time and install a new transmitter and directional antenna for day and night use, and move transmitter; request the use of directional antenna authorized; the station has agreed to surrender its 50 KW transmitter to the Government for urgent war needs; WKZO, WKZO, Inc., Kalamazoo, Mich., license to cover construction permit for increase in power to 5 KW, changes in directional antenna for night use and authority to determine operating power by direct measurement of antenna power.

Also, American Telephone and Telegraph Co. (Long Line Dept.), Dixon, Calif., granted special temporary authority to communicate with the Telephone Administration of the U.S.S.R. at Khabarovsk, U.S.S.R., for the purpose of conducting radiotelephone tests, for a period of three months.

10/13/42

Also, KXO, Valradio, Inc., ElCentro, Calif., granted motion for continuance of hearing set for Oct. 1, 1942, on application for modification of license to change frequency from 1490 kc. to 1230 kc. and continued said hearing until Nov. 2, 1942; WSAI, The Crosley Corp., Cincinnati, Ohio, license to cover construction permit as modified, for installation of directional antenna for night use, increase in power, and move of transmitter; granted authority to determine operating power by direct measurement of antenna power; granted license to cover construction permit as modified for 100 watt synchronous amplifier for daytime use; granted authority to determine operating power by direct measurement of antenna power; KWKW, Southern California Broadcasting Co., Pasadena, Calif., granted license to cover construction permit as modified, for new broadcast station; granted authority to determine operating power by direct measurement of antenna power; W6XDU, Don Lee Broadcasting System, Portable Mobile, area of Los Angeles, Calif., granted modification of construction permit which authorized the addition of aural equipment using special emission, for extension of completion date to December 1, 1942.

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TRADE NOTES

The Supreme Court on Monday refused to reconsider its April 27 decision holding that the use by Government agents of a mechanical device for overhearing telephone conversations was legal.

The Blue Network announced it received 1,034 replies to a commentator's suggestion that the listening public express its view as to whether secrecy surrounding the trip had endangered free press and radio. Of the replies, it was stated, 970 approved secrecy and 60 did not.

Electric and Musical Industries, Ltd. (England) - Year to Sept. 30: Preliminary statement shows profit after taxation; contingencies arising out of the war and other charges, £153,560, compared with £126,581 in previous fiscal year.

A rise of 5½ cents an hour was authorized by the Board of Economic Stabilization for 12,000 employees of the RCA Manufacturing Company of Camden, N. J. It will take effect immediately.

Charles M. Bracelen, 64, Vice President and General Counsel of the American Telephone & Telegraph Co., died last week at his home in New York. Mr. Bracelen, who had headed the company's Legal Department for 16 years, was born in Humboldt, Nebr., and was graduated from the University of Nebraska in 1902.

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

INDEX TO ISSUE OF OCTOBER 16, 1942

U. S. Aids In Latin-American War Communications Expansion.....	1
Atlass And Kauffman Chosen By Army For War Course.....	3
Zenith Shows Increased Quarterly Profit.....	4
Lively Press Comments Follow Petrillo Victory.....	5
Neville Miller Ouster Beaten By 14 To 6.....	7
New FCC Assistant General Counsel Named.....	7
New Foreign Language Censorship Section Begins Work.....	8
Arnold Appeals To Supreme Court To Halt Petrillo.....	9
Senator Norris Asks Probe Of Broadcast Ban.....	9
Westinghouse And RCA War Workers Win Awards.....	10
Sees No Reason For Pride In F.D.R. Suppression.....	10
Trade Notes.....	11

No. 1472 *et*

U.S. AIDS IN LATIN-AMERICAN WAR COMMUNICATIONS EXPANSION

The United States has sent thousands of its best specialists and technicians to Latin-America to develop and augment radio, telephone and telegraph systems that will aid industrial and military expansion, James L. Fly, Chairman of the Federal Communications Commission said in addressing the Institute of Inter-American Affairs, sponsored jointly by Columbia University and the National Broadcasting Company in New York City. Previous speakers had been Dr. James Rowland Angell, President Emeritus of Yale University, representing NBC, and Dr. Nicholas Murray Butler, President of Columbia University.

"The development of this inter-American culture depends to a great extent upon the maintenance of free and efficient lines of communications - lines that link a newspaper editor in Buenos Aires with his reporter in Chicago, a trader in Seattle with a merchant in Valparaiso, a physician in Lima with his colleague in Baltimore, a virtuoso in Mexico City with his audience in New York", Chairman Fly declared. "As such lines grow in type, in number and in efficiency, so does the opportunity for the cross-fertilization of our culture. Over these lines from hour to hour our commercial relations are being promoted. Over the same lines news and pictures are being diffused throughout our hemisphere. Electric impulses on the wires and the cables and in the air provide unending streams of intelligence. Our governments and our companies have cooperated in providing this material and in arranging its prompt transmission at reasonable cost.

"Radio has a vast and ever increasing part to play in this scheme of things. Through the medium of broadcasting we exchange ideas and join in discussions, we dance to one another's music, we have one another's drama and literature for our own. International short wave broadcasting has become an important medium for promoting familiarity between the peoples of this hemisphere. In Axis countries, a severe penalty is imposed on those found listening to the short wave broadcasts of neighboring countries. But here in the Americas, all nations encourage their citizens to listen to the voices of their neighbors, confident that free men can appraise the wheat and the chaff and that the dictators will be unable to alienate citizens of democracies from governments that they themselves control. We stand firm in our confidence that democratic government depends ultimately on a truly informed citizenry.

"Our broadcasting industries have recently taken advantage of the ability to relay program material from one continent to the other by short wave radio. At the point of a reception these programs have been placed on the domestic broadcast station networks - thus reaching the listeners through their local stations. The short wave relay supplemented by broadcasting by regular domestic stations

is much more effective than the effort to reach listeners directly by short wave. We shall hope in the near future to hear these programs moving in all directions.

"In particular I hope soon to see more extensive facilities available for the transmission of programs to this country from the other countries of this hemisphere. Broadcasts from South America have given us a glimpse of the rich store of Latin American arts, music and literature, which have acquainted some of us for the first time with the history of the struggles of the Latin American people to achieve freedom. I hope too that standard broadcast stations in the United States will give increased attention to the wealth of program material which is available in our hemisphere. The premier on Saturday afternoon of the NBC 'New World Music' series brilliantly presented a program of music indigenous to our hemisphere - a part of the culture of the Americas that flourished before the coming of Columbus and the European migrations.

"Successful television is today a fact. Its horizon is vast. From the rapid strides that are being made in wartime research, we know that televised programs will be transmitted by radio relay for local broadcast at distant points. By moving into frequencies that have heretofore seemed the extreme of the ultra-highs, we shall transmit these programs effectively over great distances. Some day, sitting in our own homes, we shall be able to see our neighbors at a distance and to see their activities and the interesting things that surround them. We shall then more fully tap one another's rich cultural resources. It is the inexorable fact that, in an era of electronics, we shall be neighbors.

"To a great extent we have already realized that our destinies are inseparable. Thirteen American countries are now joined together as fighting allies. And others are rendering valuable assistance. Our cooperation is close and we rely heavily upon one another. Vital bases have been constructed throughout the hemisphere. We are exchanging both civilian supplies and military equipment in increasing quantities. The countries of Latin America are contributing critical resources such as oil, rubber, tin and nitrates. Their ingenuity and enterprise are constantly making available new sources of strategic materials. Their men and ships strike out in the dangerous seas. Lines of communications are necessary to coordinate such far-flung activities. They must guide ships - they must make it possible for producers of raw materials in one country to be currently informed of the schedules of manufacturers in another, for makers of different parts and materials to synchronize their efforts with those of assembly plants, and for military and naval establishments to 'get the message through'. Indeed, communications are the nerves of the great war effort that is absorbing the energies of many of us in this hemisphere.

"It is vital that these strategic American lines of communications be protected and developed to full efficiency. Italian, German and Japanese interests must not acquire a death grip on them. The Axis nations typically use control of communications facilities to sabotage production, to foment disunity among peoples, and to

maintain espionage organizations. American nations stand ready to assist one another in freeing their communications systems of enemy influences* * *

"It is further essential that in each country there be an adequate supply of technically trained manpower necessary to the operation of its communications system. The schools of the United States have helped to train and develop talented young men and women from Central and South America in the principles of radio engineering, telephony and telegraphy. * * *

"For the isolation of the Americas ended not in 1917, not in 1941, but in 1492. Four hundred and fifty years ago today the great navigator and geographer, Columbus ended the territorial isolation of our hemisphere. Since that time a thousand other men of science and engineering have effectively eliminated the possibility of any such insularity. Not the least of these were the pioneers in the arts of radio, telephone and telegraph. Today we move into the era of electronics. Oceans cannot isolate us from those whom we can see and hear in our own homes whose words are printed in our newspapers the same day they are uttered. There can be no separate peace or private joy or selfish security for any of us. We shall win and live together in a free world, in which the common people of all countries will respect, understand and work with one another. Or we shall lose and perish together in a world of slavery. Whatever happens will happen to all of us, and the world will be one world."

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ATLASS AND KAUFFMAN CHOSEN BY ARMY FOR WAR COURSE

Included in the eighty-three business and professional leaders whose work is closely associated with the war effort and who have accepted an invitation to attend a four-week orientation course in Army organization and procedures at the Command and General Staff School, Fort Leavenworth, Kansas, beginning October 26, are H. Leslie Atlass, Vice-President of the Columbia Broadcasting System in Chicago, and Samuel H. Kauffman, Business Manager, The Evening Star, Washington, D. C., owners of Station WMAL.

The course is designed to provide information that will enable this selected group of civilians to understand more fully the conditions under which the Army operates. Included will be a general picture of the military forces of the United States; their organization, administration and operations; the duties and responsibilities of the several divisions of the War Department; the duties and responsibilities of governmental agencies connected with the war effort; the duties and functions of the field agencies of the War Department, and some general principles of tactics, strategy, supply and administration.

Civilians who have accepted the invitation will report to the Command and General Staff School on October 24, when they will

be assigned to quarters provided by the Army. They will eat at the Fort Leavenworth Officers' Club Messes and will have available recreational facilities of the Officers' Club.

The course which they will take consists of 146 hours of instructional time, divided into six parts - general, special, supply, transportation, personnel and tactical principles.

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ZENITH SHOWS INCREASED QUARTERLY PROFIT

The Zenith Radio Corporation reports an estimated consolidated operating profit for the first quarter ended July 31 of its current fiscal year, amounting to \$683,664 after depreciation, Excise Taxes and liberal reserves, but before provision for Federal Income and Excess Profits Taxes.

"Based upon latest information Federal Income and Excess Profits Taxes on this profit is estimated at \$375,900. In the absence of definite information as to the procedure to be followed with reference to price renegotiation on war contracts, the management is unable to determine the effect, if any, such renegotiation will have on the foregoing figures", Commander E. F. McDonald, Jr., President of the company said.

"The company's manufacturing facilities have been devoted entirely to the war effort since discontinuance of production for civilian use last April. During the period covered by this report, a substantial part of our effort was devoted to tooling for government production during subsequent months. Production has been increasing steadily and is expected to reach a figure during November which should be maintained as a minimum until the end of 1943, in order to complete present contracts.

"The company's facilities are devoted exclusively to the production of electronic equipment. Our engineering facilities and our employees are, therefore, continuing in radio and electronics - the field in which they have had long experience. There has been no diversification into fields with which we are not familiar.

"Valuable contributions to the war effort have been made by both our engineering and production departments which will be of lasting benefit during our continued progress in the future."

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Using an electronic instrument which can distinguish between 2,000,000 shades of color, the Materials Laboratory of the Army Air Forces in Dayton is studying the possibility of obtaining standardization of camouflage colors through the use of color curves produced by the device, instead of using colored chips or samples. The latter fade under different temperatures and handling conditions and cannot be relied upon to give the same shade of colors at all times. The instrument being used is a photoelectric spectrophotometer, produced by General Electric engineers.

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LIVELY PRESS COMMENTS FOLLOW PETRILLO VICTORY

The sweeping refusal by Judge Barnes in Chicago to grant the Government's request for a preliminary injunction against James C. Petrillo caused another uproar among the editorial writers.

The opinion was ventured by the Washington Star that there is small likelihood that the alleged offense by Mr. Petrillo will ever be tried under the anti-trust laws unless the high court should alter its interpretation of the intent of Congress, or unless Congress should enact legislation to deal specifically with such questions.

An editorial in the New York Times, captioned "Mr. Petrillo as a Test Case", read:

"The activities of James C. Petrillo recently received the endorsement of the American Federation of Musicians, the union that he heads. The delegates to the American Federation of Labor convention have now given him unanimous support. This clarifies the issue. Mr. Petrillo is not a racketeer, not a lone outcast, not a freak; he has merely carried to unusual lengths policies which his fellow union leaders feel to be perfectly legitimate.

"The service that Mr. Petrillo has performed is to show the country to what results these 'legitimate' policies finally lead. Mr. Petrillo can force practically every musician to become a member of his union, not by such crude instruments as the blackjack, but by making it in various ways difficult, if not impossible, for the musician to get a job unless he does become a member. Then Mr. Petrillo can deprive the most talented members of his union of the fruits of their talent, by preventing them from making records or electrical transcriptions, in the vain hope of forcing the employment of the much more numerous and less talented members. He can put any number of radio stations out of business. He can prevent the American public from hearing the music that it wants to hear. And he can do all this in accordance with the law as it stands at present and is interpreted by the courts. Federal Judge John P. Barnes' curt dismissal of the Department of Justice's request to restrain Mr. Petrillo once more makes this clear.

"The defense of all this offered by Mr. Petrillo, by the A. F. of L. delegates, and by a number of well-intentioned outsiders is that a large number of musicians are unemployed. But Mr. Petrillo's methods have not employed and will not employ them. The small radio stations and restaurants simply cannot afford his 'live' music. To the extent, moreover, that the public is forced to spend money to make such arbitrarily created jobs for musicians it has just that much less to spend in ways that create other kinds of jobs.

"The Department of Justice is correct in declaring that Mr. Petrillo's policy in times of unemployment attempts to force employers and the consuming public to pay for a private system of unemployment relief, while in times of rising employment it tries to relieve members of the union from the competitive necessity of learning how

to do a different kind of job. Hundreds of thousands of workers in other lines are now being forced to change the nature of their work. Why should musicians alone be exempt? At a time when people are being forced to give up civilian services that they really want, why should they be forced to employ civilian services that they do not want?

"Once the country has clarified its mind on this subject, it should not be difficult to change the state of law that makes Mr. Petrillo's private dictatorship possible."

Variety, the magazine of the entertainment world, has this to say:

"James C. Petrillo's victory before the Chicago Federal Court had a stunning effect on broadcasting and recording circles in New York. While these groups had been dubious all along of getting an injunction, they had not expected the court to issue such a sweeping disposition. Instead they had counted on getting some sort of partial relief.

"Recording company executives stated that the situation was now as ever out of their hands, since the American Federation of Musicians had no issue with them and that it would be impossible for them to resume the use of musicians until the broadcasters and the jukebox people had worked out something with Petrillo. The one hope remaining in these quarters was that the proposed Senate investigation of Petrillo might lead to relief legislation and even this was regarded as a most slender thread since the American Federation of Labor at its current Toronto convention had not only come out in support of Petrillo but attacked Thurman Arnold's anti-trust efforts against organized labor.

"They, the recorders, further recalled that they had often pointed out to Petrillo they would be unable to police the use of their discs and they had no suggestions as to how they could regulate jukebox distribution or radio broadcasting as far as their wares were concerned. Petrillo has repeatedly admitted that he himself did not know how to exercise such control and that he was anxious to have the manufacturers and commercial users come to him with suggestions or ideas.

"It is felt in these quarters that the time isn't far off when delegations of broadcasters and jukebox men will enter into negotiations with Petrillo. Meanwhile all recording by the major companies remains at a standstill.

"Two organizations that have remained clear of the controversy are the Music Publishers' Protective Association and the Blue Network. The publishers avoided furnishing Arnold with an affidavit showing how the ban on recording would affect their business using the argument that theirs was one business that has been able to survive drastic technological changes, while the Blue's management had always felt that the National Association of Broadcasters ought to have found out from Petrillo just what he wanted instead of going in for an all-out attack which smacked more of smear tactics than the usual employer-employee crossfire.

"Among the less bellicose element in the broadcasting industry it is hoped that the outcome of the fight will not be a deep suspicion and resentment on the part of organized labor toward radio. The N.A.B., these broadcasters, figure, had merely made the mistake of using the same tactics that had served it so well in the controversy with ASCAP. Only, in this case, it had run against some tough guys who aren't accustomed to wilting under press, pictorial, pamphlet ("C" Is For Caesar) or anti-trust attacks."

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NEVILLE MILLER OUSTER BEATEN BY 14 TO 6

The attempt to oust Neville Miller, President of the National Association of Broadcasters, by a dissatisfied faction of that organization, failed by a vote of 14 to 6 taken at a specially called meeting of the Directors in Chicago. One of the Directors, Frank M. Russell, Vice President of the National Broadcasting Company, did not participate, saying that he had been instructed not to vote. Mr. Miller's salary is \$40,000 per annum and his contract still has several years to run.

Prior to the motion being made, the effect of which would have relieved Mr. Miller of his duties, the Directors discussed the possibility of his being made Chairman of a committee having to do with the music situation, but Mr. Miller is reported to have declined to consider this, stating that the Directors should either reject or retain him.

The endorsement of Mr. Miller by the NAB Directors was a further challenge to the newly organized American Broadcasters' Association which John Shepard, 3rd, of Boston, and Walter J. Damm, of Milwaukee, temporarily head. It was understood that the ABA will now make a quick investigation of whether broadcasters would be interested in a new independent organization not affiliated with the networks and if an appreciable number responded an active drive would immediately be started to complete the new organization.

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NEW FCC ASSISTANT GENERAL COUNSEL NAMED

Rosel H. Hyde, a member of the legal staff of the Federal Communications Commission since its establishment in 1934, has been named Assistant General Counsel in charge of the legal field of the broadcast business.

Mr. Hyde, a native of Idaho, was graduated in law at George Washington University. Before organization of the FCC, Mr. Hyde was a member of the legal staff of the Federal Radio Commission, predecessor of the FCC.

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NEW FOREIGN LANGUAGE CENSORSHIP SECTION BEGINS WORK

Losing no time, Robert K. Richards, recently appointed by J. Harold Ryan, Assistant Director of Censorship, to head the new special Foreign Language Section, will confer with the Foreign Language Broadcasters Wartime Control group in New York City, Thursday, October 27. Mr. Richards, accompanied by his assistant, Edward H. Bronson, is going to New York at the invitation of the broadcasters.

Mr. Richards has been assistant to Mr. Ryan since the Office of Censorship began operation in January, 1942. He came from WSPD, Toledo, where he was Production Manager and assistant to Mr. Ryan as Vice-President and General Manager of the Fort Industry Co.

Discussing the new Section in his Division, Mr. Ryan said:

"Voluntary censorship, of the sort we are practicing in this country, places responsibility for keeping information of value from the enemy squarely upon broadcast management. This responsibility is problem enough for the ordinary broadcaster whose programs are transmitted in English; for the manager of the station which airs programs in as many as a dozen languages, the problem is greatly magnified.

"The purpose of this new section is to assist foreign language station managers in exercising their responsibility, not to relieve them of it.

"To this end, we will be working closely with the management of such broadcasting stations, checking scripts and broadcasts in the languages involved. Actual monitoring operations are being initiated, and we will retain a small staff of linguists who will make regular reports to us on the material being transmitter."

The Broadcasting Division will report findings directly to station managers, who will take such measures as are deemed necessary to prevent dissemination of information inimical to the war effort. In this respect, the Office of Censorship invites the cooperation of the Foreign Language Broadcasters Wartime Control and all other voluntary industry groups designed to assist foreign language broadcasters in their wartime job, Mr. Ryan said.

Mr. Richards, a native of Urbana, O., is a graduate of Ohio State, 1934, and was editor of The Lantern, campus daily newspaper. Upon graduation, he joined the Detroit office of Campbell-Ewald as copywriter. In 1935, Mr. Richards entered radio, joining WAIU, Columbus, as a continuity writer. The following year he joined the news staff of the Cincinnati Post and in 1938 was employed by Mr. Ryan as Production Manager of WSPD.

Mr. Bronson, who assists Mr. Richards in the foreign language station work, came to the censorship office a month ago from WCOL, Columbus, where he was Assistant Manager.

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ARNOLD APPEALS TO SUPREME COURT TO HALT PETRILLO

Thurman Arnold, Assistant Attorney General in charge of anti-trust investigations, said in Chicago that he was not yet through with his fight to break the ban on recorded music set by James C. Petrillo and the American Federation of Musicians. The Government lost a major round Monday when Judge John P. Barnes of the Federal District Court dismissed its petition for an injunction on the ground the case involved a labor dispute, not a monopoly.

Mr. Arnold said he would ask Solicitor General Charles Fahy to file an appeal with the United States Supreme Court.

Sources close to the anti-trust office in Chicago said the ruling against the Government probably would hasten a final determination of the case.

Mr. Petrillo also in Chicago said that he had heard nothing of an appeal from Senator Burton K. Wheeler to lift the ban on recordings.

Senator Wheeler, Chairman of the Interstate Commerce Committee which has been conducting an investigation of Petrillo's ban, said in Washington:

"I have decided to ask Petrillo and his lawyer to come down here with a view of asking him to rescind this order for at least the duration of the war."

"Wheeler called me last week in Toronto, asking me to come down to talk to him, but he didn't say anything about an appeal", Petrillo said. "I told him that I couldn't come down this week, but my lawyer, Joseph Padway, would see him on Monday."

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SENATOR NORRIS ASKS PROBE OF BROADCAST BAN

Senator Norris (Independent) of Nebraska, asked the Senate this week to authorize an investigation of charges by the Cooperative League of the United States that major broadcasting companies had discriminated against it by denying it the opportunity to purchase radio time.

The League is a national organization of cooperatives and at a recent convention adopted resolutions charging that the National Broadcasting Company and the Columbia Broadcasting System had denied it opportunity to purchase radio time.

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WESTINGHOUSE AND RCA WAR WORKERS WIN AWARDS

Among the twenty-two more workers in war plants that have been awarded Certificates of Individual Production Merit by the War Production Board for suggestions that have increased the quantity or quality of war production, were two from the Westinghouse Company at Cleveland, and one from the RCA Manufacturing Company at Indianapolis.

The citations of these workers read as follows: Vincent L. Greth and John Lobance (Ohio) - Mr. Greth, 36, and Mr. Lobance, 29, employees of the Westinghouse Electric and Manufacturing Company works at Cleveland, O., made successive improvements to a mechanical press which increased output 70 percent from 585 to 1,000 pieces per hour. The operation concerns stamping aluminum plate on a mechanical press for precipitron air cleaner parts. Mr. Greth installed an air line at the top of the die bed, which releases the plate quickly from the die bed. When aluminum became scarce and it was necessary to substitute steel plate, Mr. Lobance inserted small rubber cushions which permit the air to break the seal when the motion of stamping is completed. This makes steel plate react in the same manner as aluminum. Mr. Greth completed a tool maker's apprentice course.

Jason Harris (Indiana) - Mr. Harris, 32-year-old Assistant Foreman of RCA Manufacturing Company's plant at Indianapolis, Ind., suggested an acid bath for reclaiming worn-out files. This increases the life of a file from 200 to 300 percent. It also makes available for other uses good files which are becoming increasingly difficult to obtain.

The Philco Chicago Branch was awarded the Army-Navy "E" for excellent production of war materials.

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SEES NO REASON FOR PRIDE IN F.D.R. SUPPRESSION

In "Shop Talk at Thirty", the Editor & Publisher says:

"It is hard to understand why newspapers and radio stations are proud of not having published the news of the President's trip; in other words, to have failed, for whatever reason, to have performed the function for which they exist. There is no glory in bowing to the necessities of a war censorship; in most cases such obedience comes in line of duty and a newspaper which helped our enemies by a violation of the censorship code should be punished severely.

"In the present instance, we are clear in our own mind that the enemy could not have been helped by the news that Mr. Roosevelt had visited certain war factories, and that the scope of the censorship is much too broad when it beclouds the President's movements within our own country."

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 : : : : TRADE NOTES : : : :
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Arrangements have been made by the Navy for handling fixed-text personal cable or radio messages to and from naval personnel stationed at twenty-three shore establishments outside the continental United States.

Known as "expeditionary force messages", the communication may consist of not more than three numbered texts selected from a list of 136. Costing in most cases 60 cents exclusive of Federal tax, the messages may be sent from any commercial telegraph, cable or radio office.

John K. Churchill has been appointed Director of Research of the Columbia Broadcasting System. With CBS since 1932, Mr. Churchill was Chief Statistician until his appointment as Director.

Chicago Technical College, 2000 South Michigan Blvd., Chicago, has been ordered by the Federal Trade Commission to cease and desist from certain misrepresentations in connection with the sale of correspondence courses of instruction in drafting, building, and air-conditioning and refrigeration.

Advertisements placed in newspapers, magazines and other periodicals and broadcast over the radio, the Commission found, misrepresented the courses sold by the respondent company, while other misrepresentations were made in advertising material sent to prospective students and by salesmen who contacted them.

Instructions which will guide Price Adjustment Boards in determining the circumstances under which advertising expenses may be figured as allowable costs in war contracts were made public recently by Chairman Nelson of the WPB.

On cost-plus-fixed-fee contracts, the costs of advertising placed for the sole purpose of selling goods for inadmissible, industrial or institutional advertising, however, which properly can be classed as an operating expense incurred for reasons of policy, may under certain circumstances be admitted, and a contractor who is in doubt as to the admissibility of such expense should take the question up with the contracting agency with which he is dealing.

With the announcement that Philco Radio Corporation's "Our Secret Weapon" and Lady Esther's "Screen Guild Players" have scheduled the full CBS network, a revised survey, according to that Company, shows that 86 stations have benefitted by the CBS 15% discount plan which has added 383 hours and 25 minutes weekly to the network's commercial schedules.

This brings the number of individual commercial programs to use the full CBS network to 26 - representing a total of 34 individual program periods weekly and 17 separate sponsors. In addition, the survey shows that 40.2% of all programs heard over the Columbia network between 7:00 and 11:00 P.M. are full-network programs.

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

NATIONAL BROADCASTING COMPANY, INC.
GENERAL LIBRARY
30 ROCKEFELLER PLAZA, NEW YORK, N. Y.

INDEX TO ISSUE OF OCTOBER 20, 1942

U. S. Would Use \$64,000,000 Radio Time Annually.....	1
Calls It Radio War Up To Now.....	2
Non-Jamming And Other Radio Patents Granted.....	3
OWI Regional Consultants Begin Work.....	4
FCC Head Says Phone Calls Won't Be Censored.....	4
FCC Believed Without Power In Co-Op Claim.....	5
Action Soon On Radio Industry Operation Basis Plan.....	7
Senate Dormant As Rosenbaum Hits NAB On Petrillo.....	8
Three New Mutual Network Directors Elected.....	10
FCC Action.....	10
Sylvania Radio Division Named Direct Mail Leader.....	11
R. C. A. Communications' Manila Staff Reported "Safe".....	11

No. 1473 *JK*

October 20, 1942

U.S. WOULD USE \$64,000,000 RADIO TIME ANNUALLY

Representative Clifton A. Woodrum, of Virginia, in asking for \$26,000,000 for the balance of the fiscal year for the Office of War Information, told the House it has been estimated that if paid for at commercial rates the radio time planned for official Government use over a period of a year would cost \$64,000,000.

For its overseas operation, which includes the short-wave radio, OWI asked on an annual basis for about \$29,000,000. Representative Woodrum said this compares with hundreds of millions spent for the same purpose by Germany and continued:

"Everyone knows how successfully our enemies have used propaganda as an instrument of conquest. At the beginning of the war Germany had 68 short-wave radio stations. Today they have in addition all of the short-wave stations seized in the occupied countries and, in addition, they are completing 20 new short-wave transmitters. Together with the short-wave stations of Japan and Italy, the Axis now has more than 100 short-wave transmitters circling the globe and spreading messages of falsehood and hatred. Nobody knows how much the enemy spends on propaganda, but the best estimates are that the Nazis alone have been spending from \$220,000,000 to \$500,000,000 a year.

"Against that tremendous force for evil, this country today has only 14 short-wave transmitters and is building toward a maximum of 36. You may be sure that they are operating 24 hours a day, spreading news, and truth, and hope. Today, in all quarters of the globe, the voice of America is the voice of hope. * * *

"This country's short-wave programs to Europe, Asia, and Africa are based on the highest war strategy and foreign policies and are planned in cooperation with our military strategists and the State Department.

"The voice of our country - spread by the Office of War Information - has so far achieved a measure of success. We know that we are being listened to even at the risk of death. The enemy has paid our Allies and ourselves the supreme tribute: persons caught listening to any of our broadcasts are subject to the death penalty. Nevertheless, we know that our broadcasts are listened to secretly, for they are the only truth left in many parts of the world.

"We have had definite word, for example, from Berlin, Hamburg, Frankfurt am Main, and Nuremberg that our programs are eagerly listened to. A letter from Berlin has reported that -

'The transmissions from New York are good. I am always pleased to hear America, as one hears the whole truth.'

"Today the Office of War Information is broadcasting to as much as the world as it can reach with present facilities in some 30 or 40 languages and dialects. Most of what is said is in the form of news, but it is equally important that we tell the world what our victory will mean contrasted with the brutal tyrannies of Hitler's new order, or the Japanese so-called coprosperity sphere.

"It is important that our messages reach people by medium and long-wave broadcasts; that is, on regular wave lengths. In this way we can talk from stations much closer to our audience and reach a far greater number of people. Radio alone will not do the job. Leaflets must be dropped from planes. Pamphlets and pictures, telling of America, her great war effort, and the things for which she fights, must reach the occupied people. The message of America must reach the newspapers and magazines of neutral countries."

Addressing the National Editorial Association in Chicago, Elmer Davis, its Director, said in addition to news the OWI seeks to furnish information that will enable the people to understand the news.

"We sometimes hear complaints that the people are being confused by too much news", he added. "I am not much impressed by these laments, for I know of no statute compelling any citizen to read all the newspapers or listen to all the radio programs."

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CALLS IT RADIO WAR UP TO NOW

Speaking before the Newspaper Advertising Executives Association in Chicago, Dr. Miller McClintock, its Director, said the success achieved by newspapers of America in staging the scrap drive "has materially elevated the press" in the minds of official Washington. Dr. McClintock stated that heretofore "this has been a radio war as far as Washington has been concerned".

Dr. McClintock told of the Government's growing appreciation for the need of more and more advertising, under coordinated direction of the Advertising Council and Office of War Information. There are 52 projects listed as needing advertising support, he said, all financed by private industry or offered to newspapers and radio stations for local sponsorship.

J. H. Sawyer, Jr., of the Chicago Newspaper Representatives' Association, told the convention that among 29 national advertising accounts in the Chicago area spending \$57,000,000 in 1941, only 14%, or approximately \$8,000,000, went into newspapers.

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NON-JAMMING AND OTHER RADIO PATENTS GRANTED

Francis C. P. Henroteau of Ottawa has been granted a patent (No. 2,298,562) on a method of sending secret radio messages that cannot be jammed by the enemy.

Mr. Henroteau's method of avoiding jam and still maintaining secrecy is to distort the sending wave by means of what he calls a key plate, which varies the frequency of the wave in an irregular way, according to a pattern on the plate. A similar key plate at the receiving end removes the distortion. If an enemy should happen to find out the pattern being used, the key plates can be changed.

The sending wave cannot be jammed in this system because the enemy would have to vary the frequency of his wave in precisely the same way.

A patent was granted to Robert Shaw, of Verona, N. J., (No. 2,298,974) for sealing the lead-in wires of an electron tube vacuum light. He has assigned the rights to the Radio Corporation of America.

The new method permits use of a metal having a very different heat expansion from that of the glass. All previous methods have sought to find a metal having the same expansion, platinum, nickel-steel, or to develop a glass that would have the same expansion as the metal.

The inventor impregnates or coats the metal with a gas producing substance. When heated in the sealing process, the gas is generated and fills the glass near the surface with bubbles. This forms a sort of cushion between the metal and the more solid glass beyond.

A radio receiver that does not re-emit radio waves that are often picked up by other receivers as squeals and howls, has been developed for use on ships at sea. Because the wave broadcast by a bad squawker can be used by enemy craft to locate the ship from which it came, it has been necessary to forbid the use of radio receivers aboard ship. Seamen who do not appreciate the danger are tempted to smuggle radios in. The new receiver, the manufacturer claims, has cut re-radiation to such a low level that it cannot be detected at a distance of more than 25 feet.

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The nation's teachers through the National Education Association have inaugurated action to implement the suggestion of President Roosevelt in his recent radio address that High School students be mobilized for service to war industries and for assistance to farmers in raising and harvesting their crops.

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OWI REGIONAL CONSULTANTS BEGIN WORK

The seventeen regional consultants - leading radio station men of the country appointed last week by the Office of War Information - are already beginning to function as Field Advisors and without compensation.

They will work closely with OWI's present Station Advisory Board, the members of which are:

Neville Miller, President, National Association of Broadcasters; John Shepard, Yankee Network; James D. Shouse, Station WLW, Cincinnati; George B. Storer, Fort Industries Co.; O. L. Taylor, Station KGNC; Eugene Pulliam, Station WIRE, Indianapolis, and John Fetzer, Station WKZO, Kalamazoo.

Carl N. Haverlin, recently appointed Headquarters Consultant on Industry Relations to OWI, has assisted in the new station plan. Two highlights of the plan are proposal for the consolidation of all spot announcements going out from Government and a new scheduling plan for all Government transcriptions.

The plan will be explained in detail to the industry by Mr. Haverlin at all forthcoming NAB district meetings, which opened in Philadelphia, October 18. At these meetings Mr. Haverlin met with the Radio Bureau Consultants, OWI Field Representatives, and War Program Managers from stations throughout the country, outlining the plan and how it effects coordination of the war effort in individual stations.

After the seventeen Consultants have discussed the plan with Mr. Haverlin, they will be asked personally to present the plan to every station operator in their regions. The Consultants will, at that time, compile information necessary to the operation of the plan, noting suggestions or objections and securing final ratification of the plan from all stations.

Late in December, the Regional Consultants will attend a three-day meeting in Washington with the Radio Bureau and OWI Regional radio men for a discussion of the complete OWI operation. It is intended at that time to announce final details of the plan and its initiation the first of the year.

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FCC HEAD SAYS PHONE CALLS WON'T BE CENSORED

James L. Fly, Chairman of the War Communications Board, has advised Speaker Rayburn that there will be no censorship of long distance telephone calls under the priority system to be put into effect November 1.

"It would be appreciated if this information is brought to the attention of the Members of the House of Representatives", Mr. Fly wrote. "I should like to also add that there will be no censorship of telephone calls. A telephone operator will put through calls without questioning the right of the user to use the system. She may, however, request the name and address or position of the person placing the call, but will be for record purposes only."

FCC BELIEVED WITHOUT POWER IN CO-OP CLAIM

With regard to complaints received from Senator Lodge of Massachusetts, Senator Norris of Nebraska and others in connection with the refusal of the National Broadcasting Company and Columbia Broadcasting System to sell time to the Cooperative League of the U. S. A., Chairman James L. Fly of the Federal Communications Commission said that though he hadn't made a critical study of the complaints, it was his judgment at this juncture that the FCC did not have the authority to do anything about it. Mr. Fly said that the Commission did make an inquiry and called for statement of facts and as far as the Commission is concerned that is about where the matter stands now.

Regardless of what the FCC may do, Senator Norris said that he anticipated no delay in the Senate Interstate Commerce Committee, of which Senator Wheeler of Montana is Chairman, taking action on the Norris resolution to investigate the matter. Senator Norris said a fundamental amendment to the Radio Act might be necessary.

"I have reached the conclusion that possibly if complaint were made to the Federal Communications Commission the result might be that the complaintants would lose, on the theory that an amendment to the law is necessary", Senator Norris continued. "Personally I do not believe that to be true, but I wished to obtain the judgment of the committee, which 7 years ago reported the bill which later became the present Act. Under all the circumstances, I believe that the best course to pursue is to submit a resolution to authorize the Committee on Interstate Commerce to investigate all the facts."

"I was indeed surprised that the National Broadcasting Co. and the Columbia Broadcasting System took the position they did", Senator Wheeler said. "As I understand, they first took the position that they would not permit the cooperatives to broadcast because, as they said, the matter was controversial. Later they took the position that other advertisers using their facilities might object.

"I can see no reason in the world why the broadcasting systems should not permit the cooperatives to broadcast if they pay for the service. I can see no reason why the broadcasting systems should not permit cooperatives, if they are operating in the national interest, to be given the same opportunity to be heard over the radio as farm organizations and other groups which are trying to promote identically the same thing among the farmers. There are those who are opposed to the cooperatives, as the Senator no doubt knows, because they think the cooperatives may interfere with their profits, or their dividends, and that their operation may tend to bring down the cost of living to the average man. Certainly there can be no excuse whatever for the National Broadcasting Co., the Columbia Broadcasting System, the Mutual Broadcasting System, or any other broadcasting system denying cooperative organizations, some of them the largest in the country, some of them outstanding in the work they have done, the right to buy time, simply on the ground that the subjects they may discuss are controversial.

"Probably everything said over the radio on the subject of politics is controversial. If the broadcasting systems are to take the position that they will not permit anything to be said over the air or any time to be sold on any subject which is in the slightest degree controversial, then, of course, they are going to be able to pick and choose exactly what they will permit to go on the air. The broadcasting systems permit radio commentators, who are paid by some of the large interests in the country, to go on the air and discuss matters which are highly controversial. They are permitted not only to give the news but to edit the news, and to make comments, which are, to say the least, of a highly controversial nature. I think the action by the broadcasting systems is taken purely on the basis of their own selfish interests, and not on the basis of the best interests of the country as a whole."

"The Cooperative League, United States of America is the educational arm of the consumer cooperative movement, John Carson, representative of the Cooperative League, wrote in a letter to Senator Norris. "The League is made up of 21 great regional or wholesale organizations which are owned by several thousands of local or retail cooperative organizations, and which in turn are owned by some 1,500,000 to 2,500,000 families. Because families may be owners in one or more local cooperative organizations, it is difficult to determine precisely the number of families, but I think it is fair to say that from 6,000,000 to 8,000,000 of our citizens are now associated in these cooperative organizations."

Mr. Carson further wrote:

"You may recall that I had much to do with that investigation (the Senate Committee on Interstate Commerce's inquiry which led up to the writing and adoption of the Communications Act of 1934) as I was then secretary to Senator James Couzens and clerk of the Committee. During the inquiry we discussed at great length the problem presented by the control of radio facilities by broadcasting companies. In fairness to the radio companies, I think it was agreed that they should have and must have certain authority to determine what persons or groups of persons should be permitted to use the facilities. For example, we agreed the radio companies should have authority to prevent use of radio for purposes of slandering citizens or groups of citizens.

"But it was then recognized that the grant of authority, implied or otherwise, to the radio companies demanded also the fixing of some definite responsibility. It seemed inevitable then that this difficulty would arise, and it has arisen on many occasions. The broadcasting companies should be most concerned over it, and I think the men with vision in that industry will be and will welcome a constructive inquiry. For in this situation presented by the Cooperative League is what we believe to be the exercise of harsh and arbitrary action, a condition which may become explosive unless correctives are applied now."

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ACTION SOON ON RADIO INDUSTRY OPERATION BASIS PLAN

Questioned with regard to the plan for a wartime basis of operation for the broadcasting industry, which the Federal Communications Commission and the Board of War Communications have had under consideration for the past six or eight weeks, Chairman James L. Fly said:

"The Board has completed its action on that for the time being, and it will be in the hands of the Commission with the recommendations from here on."

"Are those recommendations going to be made in the near future?" Mr. Fly was asked.

"They have been made", he replied.

"Will there be any announcement of the policy?"

"Yes, they will be fully announced", Chairman Fly replied, "but I assume not until the Commission has acted on them."

"Do you know how soon that will come out?" was the question.

"I would guess it will be a matter of days", Mr. Fly answered. "I hardly think it will come within the next day or so - may be a week - I don't know. The matter has had very thorough-going consideration by most of the parties concerned. As you know, the Domestic Broadcast Committee and our Coordinating Committee have spent a considerable length of time on it, and the WPB staff has spent considerable time on it. I think we have got it in pretty good shape."

"That is governing conservation of materials?"

"Yes, it has to do with the several conservation problems", the FCC head concluded.

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William S. Paley, President of the Columbia Broadcasting System and 1942 Chairman of the annual United Hospital Fund in New York City, said the member hospitals had supplied New Yorkers last year with \$44,884,466.94 in medical, surgical and institutional service, including \$11,230,060 in free service to those unable to pay. The hospitals of New York, he added, are pledged to care for the afflicted of the community without regard to race, color, creed or the ability to pay.

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SENATE DORMANT AS ROSENBAUM HITS NAB ON PETRILLO

With the Senate still making no further move towards the Petrillo investigation, there was every indication that nothing of importance would be done until after election, if then. It is believed the summary action of the Chicago Federal judge in throwing out the Government's plea for a preliminary injunction against Mr. Petrillo, threw considerable cold water on the case as far as some of the Senators were concerned. Especially just before election.

The broadcasters encountered another obstacle when at a meeting of the Third District broadcasters in Philadelphia, Samuel R. Rosenbaum, President of Station WFIL of the Blue Network, assailed the tactics of the National Association of Broadcasters as "pulling hot chestnuts out of the fire for record manufacturers". The broadcasters finally unanimously approved a resolution to back up the NAB but not before Mr. Rosenbaum had his say.

Mr. Rosenbaum said that the Association "should never have taken the leadership in a fight against musicians".

"Their fight is not against us, primarily, but principally against the juke box barons and the record manufacturers", he declared. "Yet we have engaged counsel to master-mind the campaign and we have hired a high-pressure publicity firm which is inspiring the national flood of news stories, editorials and cartoons against Petrillo.

"We are paying bills for services which should be borne by the manufacturers, and we will incur the odium of a method of warfare contrary to all modern ideas of dealing with labor."

Mr. Rosenbaum declared that the court action against Mr. Petrillo, a petition for an injunction against the ban which was denied by a Federal District Court in Chicago, had been started with insufficient forethought and inadequate preparation, making it a cynical proceeding.

"Let us stop trying to scare people by making false faces. Labor don't scare. Petrillo won't scare", he said.

Sidney Kay, chief counsel for NAB said that the Association now was prepared to take its legal fight against the Petrillo ban into the State courts, adding:

"In New York, State laws are mighty different from the Federal laws, and we might at least get an injunction against Petrillo."

"Stand together, use common sense", Mr. Kay urged. "Petrillo can't win here, but that doesn't mean that he can't hurt us."

An editorial in the Washington Post Monday captioned "Jungle Law for Labor", read:

"The Supreme Court has placed an unreasonable burden upon Congress, but the outcome of the Petrillo case last week leaves no doubt that Congress will have to accept that burden and go to work on amendment of the antitrust laws. For action by Congress seems to be the only means of breaking the tight monopoly which James Caesar Petrillo has established in the field of music. Until Congress acts the misinterpretation of its will by the Supreme Court in the Hutcheson case will stand. And that opinion will force all other Federal courts to uphold Mr. Petrillo's vicious monopoly, as Judge Barnes did in Chicago last week.

"Judge Barnes clearly defined the nature of this controversy. The broadcasters and manufacturers of records, he said, contend that the public demand for music should be satisfied by means of records, electrical transcriptions and amateur students as well as by the hiring of union musicians. Mr. Petrillo insists that members of his American Federation of Musicians furnish all the music, in spite of what the public wants. If the broadcasters and the public cannot afford to hire unionized performers, they can go without music. Few more outrageous monopolies have ever been established in the United States. Yet Judge Barnes was impelled to dismiss the case under the reasoning of the Supreme Court. 'I Can't see any way', he said, 'around the Hutcheson case and the Carrozzo case . . .'

"We do not think that Assistant Attorney General Arnold will make any real headway by carrying this latest case to the Supreme Court. Even if the court were to rule against the Petrillo monopoly, the result would be to raise greater confusion as to the rights of unions to set up little dictatorships through restraint of interstate commerce. It is to Congress that the appeal should be carried. For the law, as it is now interpreted, gives the tyrants of the labor movement a free hand not only to set up their monopolies, but also to destroy collective bargaining and to smash legitimate business. In a number of decisions the court has written its theory of laissez-faire as to organized labor into Congressional acts. Only Congress can straighten out the resulting confusion and penalize monopolistic restraints of trade wherever they may arise.

"It is particularly unfortunate that this issue has been forced upon Congress at a time when it is overworked with wartime legislation. In the circumstances, however, the need for revision of the antitrust laws in fairness to employers and unions alike is unmistakably clear."

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More than 300 old radios and chasses, with a metal content of approximately 8,000 pounds, 15 per cent of it aluminum and 10 percent copper, are being donated to the scrap metal drive by the Star Radio Co., Washington, D. C.

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THREE NEW MUTUAL NETWORK DIRECTORS ELECTED

All officers of the Mutual Broadcasting System were re-elected, three additional members of the Board of Directors were appointed, and J. E. Campeau, General Manager of CKLW, Windsor, Detroit, was elected to a network vice-presidency, it was announced by W. E. Macfarlane, President of Mutual, following a one-day Board of Directors meeting and a two-day Executive Committee meeting held October 14-16.

The three new Directors will represent three radio stations which became shareholders and member stations of Mutual on October 1, 1942. They are Hope H. Barroll, Jr., Executive Vice President of WFBR, Baltimore; I. R. Lounsberry, Executive Vice-President of WGR, Buffalo, and Leonard Kepner, President and General Manager of WCAE, Pittsburgh.

The re-elected officers are: Alfred J. McCosker of WOR, Chairman of the Board; W. E. Macfarlane of WGN, President; Lewis Allen Weiss, of Don Lee, Executive Vice-President; Theodore C. Streibert of WOR, Executive Vice-President; E. M. Antrim of WGN, Executive Secretary-Treasurer; Willet Brown of Don Lee, Director; H. K. Carpenter of WHK-WCIE, Director; John Shepard III, of Yankee Network, Director.

The Mutual Broadcasting System Board of Directors now totals 11 members, including the three new appointments.

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FCC ACTION

Application Granted: K51L, St. Louis University, St. Louis, Mo., granted motion for a continuance of the hearing on application for modification of construction permit for high frequency broadcast station K51L to extend completion date from Aug. 4, 1942, to Feb. 4, 1943; hearing continued to October 29, 1942.

WLW, The Crosley Corp., Cincinnati, Ohio, on the Commission's own motion, continued until November 26, 1942, the hearing on the application of WLW for modification of license to operate with 500 KW until local sunset, 50 KW at night, using the transmitter of experimental station W8XO.

Applications Received: Voice of Christian Youth, Detroit, Mich., (resubmitted) authority to transmit programs from Wesley Methodist Church, Detroit, Mich., to Canadian Station CKLW, Windsor, Canada; WEW, The St. Louis University, St. Louis, Mo., special service authorization to operate unlimited time on 770 kc. using power of 1 KW (770 kc.); WNYE, Board of Education, City of New York, Brooklyn, New York, modification of construction permit which authorized changes in equipment, frequency, power, and emission, for extension of completion date to 12/1/42.

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SYLVANIA RADIO DIVISION NAMED DIRECT MAIL LEADER

The Radio Division of Sylvania Electric Products, Inc., was given the Direct Mail Advertising Association annual citation as one of the Fifty Direct Mail Leaders of the country for the past year. The award was based on the successful use of wartime themes in direct mail and sales promotion items.

During the past year, Sylvania has made available useful wartime items for distribution by its dealers to civilian volunteer defense workers. Among them were such promotions as Blackout Buttons and a First Aid Index.

To help the dealer take part in helping Uncle Sam sell War Bonds and Stamps, Sylvania issued posters and direct mail cards for dealers and servicemen to use in their community featuring the sale of War Bonds and Stamps.

The award was received by Henry C. L. Johnson, Advertising Manager.

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R.C.A. COMMUNICATIONS' MANILA STAFF REPORTED "SAFE"

A letter from the State Department to R.C.A. Communications, Inc., stated:

"The Department is pleased to inform you that a message from H. W. Evory, which arrived from the Far East on the exchange vessel "Gripsholm", reports that Waples, Evory, and Sager are safe and well at Santo Tomas Internment Camp, Manila, as of June, 1942. (Mr. Waples had just gone to the Philippines to relieve Mr. Evory who was RCAC Assistant Superintendent. Frederick J. Sager was the RCA Manila office cashier.)

(Superintendent Earl G. Baumgardner and Commercial Representative Edward C. Bayer, both of whom went on active duty as lieutenants in the Naval Reserve after war was declared, were out of Manila by the time it fell. Since then, Lieut. Baumgardner has been reported missing by the Navy.)

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War Production Board - Blanket ratings for maintenance, repair and operating supplies and for operating construction of telegraph and cable companies are established under Order P-132.

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HEINL RADIO BUSINESS LETTER

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OCT 27 1942
FRANK E. MULLER

INDEX TO ISSUE OF OCTOBER 23, 1942

Radio Industry War Work Zooms To 20 Million Monthly.....	1
Senator Clark All Set To Introduce Petrillo Bill.....	2
Co-Ops "Caught In The Networks", Senate Hears.....	3
Senator Minton Reported Declining ABA Presidency.....	4
Ninety-Two Communications Occupations Deferred.....	4
Elmer Davis Offered As U.S. Commentator Next Month.....	5
FCC Order Refuses Night Time To WNYC.....	6
Sees Presidential Rebuke Intimidating Commendators.....	6
Would Give Medal To Composer Of "Praise The Lord".....	7
Mystery In Slaying Of Mrs. Galvin, Wife Of RMA Head.....	8
New Altimeter Would Curb Mountain Crashes.....	9
Rating Increases Claimed In CBS Full-Network Plan.....	9
Trade Notes.....	10

No. 1474 *PK*

RADIO INDUSTRY WAR WORK ZOOMS TO 20 MILLION MONTHLY

The War Production Board has just revealed that the radio industry which last year was doing a business of about \$20,000,000 a month, is now well over \$100,000,000 a month. Unfilled war orders are in excess of 4 billion, and the bulk is for radio equipment. It was said that in a broad sense, conversion has not been necessary in the radio industry since military demands are extremely heavy for many kinds of radio communication equipment and other applications of radio technique.

"This is not to say that all of the 52 firms in the radio industry are presently prosperous or participating in war production to the extent enjoyed by the industry as a whole", the WPB states in referring to the great jump in business from 20 to 100 million. "The production of home and auto radio sets was cut down to approximately 60 percent of the 1941 rate of production during the three months preceding April 22, and stopped completely on that date. An important segment of peacetime radio production supplied wooden cabinets for radio sets and, obviously, the manufacture of these has ceased. Plants which made the cabinets - many of these were subsidiary or independent plants supplying radio manufacturers - had to turn to other work, and many of them have so far been unable to fit themselves into the war production picture. Other manufacturers who were largely assemblers of component parts have found it rather difficult to employ their limited fabricating facilities in war production. In the plants of some of the larger manufacturers, certain types of tools, particularly punch and forming presses, have been rendered idle because many of the parts formerly made on these machines are not used in military radio. Another section of the industry, the manufacturer of loud-speakers, has been seriously hit and these firms have had to turn to other work. Military radio uses few loud-speakers.

"In these sections of the industry which have found no place in war production, employment has diminished considerably, but the over-all picture shows an increase of about 20 percent. At present there is an acute shortage of technical staff and, generally, a surplus of workers for assembly operations. That part of the industry whose products, such as cabinets and loud-speakers, are unsuitable for military radio is producing parts for aircraft engines, guns and small arms, and small-caliber ammunition.

"Although the radio industry is almost completely devoted to war production, there is a surprising amount of essential civilian work. This is necessary to supply the police services, the FBI, the Forest Service, civil aviation, ships, ship-to-shore communications, trans-oceanic telephone and the Federal Communications Commission. The requirements of these services are extensive and call

for a considerable volume of new equipment. However, all of this, important as it is, represents less than 1 percent of the present output of the industry."

In 1941 the radio industry manufactured 11,000,000 home radios and 2,600,000 automobile radios, having a factory sales value close to \$235 million. The 52 firms in the industry employed about 35,000 wage earners - 23,000 in the seven larger concerns.

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SENATOR CLARK ALL SET TO INTRODUCE PETRILLO BILL

Senator Clark, of Idaho, champion on the Hill of the fight the radio people are making against the ban of James C. Petrillo, President of the American Federation of Musicians on the use of records in broadcasting, said that he would introduce legislation maybe today (Friday) to curb the powers of the music head.

Senator Clark said he had drafted a bill on the basis of evidence uncovered in an investigation conducted by a special committee. In effect, he explained, his proposals would exempt radio stations from the provisions of the Clayton anti-trust act so far as the transmission of recorded music was concerned. Nothing in the proposed legislation would prevent the A. F. M. from seeking to improve the wages, health standards, working conditions or hours of its members.

Numerous small radio stations which rely largely on recorded music have complained to the Senate Committee that they will be forced into bankruptcy if the Petrillo edict is allowed to stand.

In the meantime there were reports of various compromises being effected with Mr. Petrillo. One was the request of Senator Wheeler that the whole thing be put off until after the war. Another was that Mr. Petrillo would allow the stations to use records up to six o'clock if they would agree to use live musicians during the evening hours. Another was that a group of broadcasters were not in a mood to wait for the Senate proceedings to germinate or court action to grind through but were in favor of negotiating directly with the Union leader.

When the matter of negotiating was mentioned to one individual high in the broadcasting industry, he replied:

"What is there to compromise? Mr. Petrillo only wants one thing. That is for the stations to hire more musicians and this on account of the depletion of man power and for other reasons they are not able to do. Broadcasters with the added duties of wartime broadcasts are not in a temper to agree to this."

"How about the reported compromise that if stations will hire live talent at night the musicians will let them use records up to 6 P.M.?"

"Say, is Petrillo the licensee of these stations?" was the retort. "The kind of music is to be used is a matter of programming. Is Petrillo going to tell us how to do that too?"

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CO-OPS "CAUGHT IN THE NETWORKS", SENATE HEARS

Championing the cause of the cooperatives, Senator Robert M. LaFollette, Jr., of Wisconsin, had inserted in the Congressional Record an editorial from the Nation entitled "Caught in the Networks", which read:

"Plans for a national radio series under the sponsorship of the Cooperative League have been disrupted by the refusal of the National Broadcasting Co. and the Columbia Broadcasting System to sell time for this purpose. The series was to take the form of 13 dramatizations of cooperative history followed by an appeal to listeners to write for a booklet explaining how to join an existing cooperative society or form a new one.

"While agreeing that these programs were unacceptable, the two networks failed to agree on reasons. National Broadcasting Co.'s explanation was that the Cooperative League's advertising campaign was designed to promote new memberships and thus contravened the company's 'very long-established regulation' barring the sale of time to anyone for this purpose. Columbia based its refusal on the code of the National Association of Broadcasters, which prohibits the sale of time for programs devoted to 'public controversial issues'. In its view the programs offered by the league were barred by this clause since they 'were designed to promote a fundamental change in the present system of marketing and distribution of goods and services, whereby cooperative associations would largely supplant retail stores and other common distribution establishments'.

"Perhaps the broadcasting companies are not aware that the economic basis of consumers' cooperation is so simple and so unassailable. Perhaps they do not know the extent of the movement or the fact that it has many friends and no public enemies. Columbia might have learned this from its experience in giving free time to the cooperative movement. In accordance with its policy it would have had to allot equal time to any responsible person or group that wished to state an opposing view, but, it admits, no unfavorable reactions or complaints have ever been evoked by broadcasts on consumer cooperation. A strange kind of controversy.

"This is not the same thing as saying that consumers' cooperation has no enemies at all. It has plenty - many of them clients of the radio networks - who will be delighted at any interference with its plans for expansion. These enemies, however, have never challenged the movement openly, nor could they do so without attacking their own cherished faith in private enterprise. So they have always resorted to undercover methods - attempts to divert supplies from

cooperative organizations, whispering campaigns, and so on. But the mere fact that there must be two parties to an assault and battery does not make that crime a public controversial issue unless the assailant is prepared to come out and defend his action as in the public interest."

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SENATOR MINTON REPORTED DECLINING ABA PRESIDENCY

Former United States Senator Sherman Minton was reported to have turned down the offer to head the American Broadcasters' Association, the projected rival of the National Association of Broadcasters. The presidency of the ABA was offered to Judge Minton at his home at New Albany, Indiana, about a month ago.

Mr. Minton, a Democrat, served in the Senate from 1934-41 and later for a short time as Administrative Assistant to the President. On May 29 President Roosevelt appointed Mr. Minton judge of the U. S. Circuit Court of Appeals for the 7th Circuit. Judge Minton was recently mentioned as a successor to Mr. Justice Byrnes of the U. S. Supreme Court.

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NINETY-TWO COMMUNICATIONS OCCUPATIONS DEFERRED

Selective Service headquarters has issued a list of 92 essential occupations in the communications services - including newspaper, radio, telephone and telegraph - to guide local Draft Boards in considering request for occupational deferments.

Draft Director Gen. Lewis B. Hershey said that in classifying registrants employed in the activities, consideration should be given to:

1. Training, qualifications or skill required for proper discharge of duties involved.
2. Training, qualification or skill of the registrant to engage in his occupation.
3. Availability of persons with his qualifications or skill who can be trained to his qualifications to replace the registrant, and the time in which such replacement can be made.

The list, which also includes some workers in newsreel and television services, follows:

Managing editors, war correspondents, cost accountant, cable tester, newsreel cameramen, maintenance carpenter, central office installer, combination man (telephone and telegraph), composer operator, compositor, control room man, junior control supervisor, senior control supervisor, newsreel cutter, cylinder-press man, director of international broadcasting, electrician (all around), electroplater, electrotyper, professional and technical engineer, lithographic engraver, newsreel film editor.

Foreign language announcer-translator, foreign language news or script writer, composing room foreman, electrical work foreman, pressroom foreman, welder foreman, imposer, instrument maker, jackboard operator, telephone and telegraph lineman, linotype operator, local test desk man, machinists (all-round), printing make-up man.

Employment and personnel manager, production manager, electric maintenance mechanic, maintenance mechanic, mechanical tabulating equipment mechanic, radio communication office mechanic, monotype keyboard operator, offset pressman, overlay cutter, photo composing machine operator, photo-engraver.

Photo-lithographer, photo-radio operator, platen press operator, powerhouse engineer, cylinder press operator, press plate maker printer (all round), private branch exchange installer, private branch exchange repair man, bi-lingual production man, program transmission supervisor, radio operator, broadcasting radio repairman, recording engineer, radio rigger, newsreel sound engineer, station installer, station repairman, photo-graphic stencil operator, stereo-typer (all round), telegraph operator.

Telegraph repeater installer, telephone inspector, telephone plant power man, telephone station installation, telephone switchboard repairman, teletype installer, teletype repair man, transmitter tester, testing and regulating man, toll line repairman, toll office repairman, tool maker, radio communications traffic chief, hand transferer, transformer repairman, translator, transmission engineer, web press man, welder (all round), wire chief.

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ELMER DAVIS OFFERED AS U.S. COMMENTATOR NEXT MONTH

Following suggestions of members of Congress and others that he resume the talks for Uncle Sam which had previously made him so famous, the National Broadcasting Company, the Blue, the Columbia Broadcasting System and the Mutual Broadcasting System have been notified by the Office of War Information that the contemplated Saturday night series by its Director, Elmer Davis, would be made available to them beginning in November. While no specific starting date was mentioned, the time designated was 7-7:30 P.M., EWT.

It was said that more details about Mr. Davis' new series would be made known at an early date.

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FCC ORDER REFUSES NIGHT TIME TO WNYC

The Federal Communications Commission voted finally to reject the request of Station WNYC of the New York Municipal Broadcasting System for longer operating hours. The decision was on a vote of 5 to 2, with Commissioners George H. Payne and Paul Walker opposed.

Mayor F. H. LaGuardia personally led the fight to get the Commission to establish 6 A.M. to 11 P.M., EST, as the regular operating hours for the station. The present hours, which continue as a result of FCC's action, are daytime until sunset at Minneapolis.

The contest over the WNYC request revolved about the fact that it operates on 830 kc., the same clear-channel frequency assigned to Station WCCO, a Columbia Broadcasting System outlet in Minneapolis. WNYC uses one kilowatt of power, while WCCO uses 50 kilowatts.

In arguing before the Federal Communications Commission, Mayor LaGuardia declared that there were "too many CBS stations in the Minnesota area to be wholesome" and that WNYC should not have "to get the consent" of CBS for the privilege of longer hours.

Earl Gammons, then the Manager of WCCO, now acting Vice-President of CBS in Washington, which shares the 830-kilocycles wave length with WNYC, replied that Columbia had only one other station in Minnesota, KDAL, Duluth, which has limited coverage. He also reminded Mr. LaGuardia that WNYC had once had a full-time frequency which it turned over to WMCA, New York.

The original application was made more than two years ago, and a hearing was held in the Spring of 1940. The Commission announced its proposal to deny the application last February and an additional hearing was held April 29, at which Mayor LaGuardia appeared in behalf of the application.

The Columbia Broadcasting System and the State of Minnesota opposed the WNYC request.

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SEES PRESIDENTIAL REBUKE INTIMIDATING COMMENTATORS

Frank R. Kent of the Baltimore Sun, whose column is reprinted by the Washington Star and other newspapers, writes:

"The current White House technique is to refer to any one who suggests that everything is not going well, as 'impeding the war effort'.

"That is the President's own phrase - but it is being echoed all down the administration line. If, by this method, they can shut up everybody except the White House choir of press agents, a long-sought goal will have been achieved. But the results will not be happy for the country.

"Recently his resentment has been couched in such form as to threaten individual denunciation of his critics. Already this has turned some formerly outspoken radio commentators into fulsome eulogists and in having an effect on the more timid of the newspaper writers, who realize the great handicap they would be under in any personal argument with a President, particularly a President in wartime.

"Here is a situation which would appear to offer Mr. Willkie a very fine opening for service to the country. Concededly there are many things here which ought to be constructively criticized, yet, faced with personal presidential resentment, criticism is drying up. Men are becoming mealy mouthed in speaking and writing about the maladministration of the war production machine.

"There is, for example, a disposition to ignore the extraordinary ineptitude with which the vital problem of manpower is being approached and the terrible menace of inflation guarded against - and other things.

"It is a clear understatement to say that in its handling of these things the administration is feeble. It has shown neither a clear sense of direction nor a determination to grapple with realities. But, whenever a radio commentator, or a newspaper columnist has ventured to point out the obvious facts, the White House reaction has been not to change to more realistic activity. Rather, it has been to personally reflect on the individuals who had the temerity to indict war-management looseness and intimate that the trouble was at the top - where it is."

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WOULD GIVE MEDAL TO COMPOSER OF "PRAISE THE LORD"

There would be immediate recognition for Kay Kyser, radio orchestra leader, the composer of the patriotic song hit "Praise the Lord and Pass the Ammunition", if Representative Patrick, of Alabama, has his way. Addressing the House of Representatives last Saturday, Mr. Patrick said;

"Yesterday I introduced a resolution to authorize the President to present a gold medal of award to Kay Kyser for service he has rendered to his Nation in writing the song, 'Praise the Lord and Pass the Ammunition'.

"We have been having a hard time getting an inspiring song in this war. More than one had been given to the Nation in World War No. 1 by this time. The man who inspires the men who march together in cadence, in thought, and inspired song with a feeling of patriotism and zeal does one of the greatest possible services to mankind whenever mankind is fighting his battles. For this reason I have introduced the resolution. I hope it passes.

10/23/42

Mr. Canfield interjected, "I feel that the Record should also show that the chaplain who inspired that song at Pearl Harbor himself seized a gun and shot down a Jap plane."

"#Yes; it is an inspiring thing all the way through", Mr. Patrick replied.

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MYSTERY IN SLAYING OF MRS. GALVIN, WIFE OF RMA HEAD

The tragic news that Mrs. Galvin, wife of Paul V. Galvin, President of the Radio Manufacturers' Association, and her personal maid had been slain in Chicago reached Mr. Galvin in Washington. An account of the tragedy carried by the International News Service follows:

"The battered bodies of Mrs. Paul V. Galvin, wife of the President of the Galvin Manufacturing Co., and her personal maid were found last night (Thursday) in the Galvin home in Evanston.

"Robert Galvin, 20, found the body of his 45-year-old mother and the maid in the living room when he returned home early in the evening. Blood was spattered on the living room window and blinds.

"Dr. Thomas A. Carter, coroner's physician, said the 30-year-old maid, Miss Edna Sidilski, was shot through the chest. She was found on the living room floor only a few feet from the body of Mrs. Galvin, who had been shot through the back.

"Investigators offered their theory that the murder occurred late Thursday morning. A valuable bracelet of Mrs. Galvin was reported missing. Police investigating the crimes immediately sought to establish a motive of robbery, recalling that Galvin and his wife were robbed of \$16,000 in gems by two masked bandits on July 27, 1940. The holdup occurred as the Galvins were followed from Arlington Park race track to the home of a friend. In the face of guns, Mrs. Galvin was forced to give up a \$10,000 diamond ring, a \$3,000 bracelet and a sapphire bracelet valued at \$3,000. Mr. Galvin was robbed of \$200 in cash."

Mr. Galvin is the President of the Galvin Manufacturing Corporation of Chicago, which made Motorolas before converting to war work. He succeeded James S. Knowlson, as President of the RMA. Mr. Knowlson is now assistant to Donald M. Nelson of the War Production Board.

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NEW ALTIMETER WOULD CURB MOUNTAIN CRASHES

Dr. Lee DeForest said in an interview with the New York Times in Chicago this week that he was nearing the final phase in the development of a terrain altimeter, which determines the distance above ground rather than sea level, to which aneroid altimeters, now in use, are limited.

He said that the chief values of a terrain altimeter were in preventing crashes on mountainsides and in the detection of other aircraft in the near vicinity. Other possible uses would be the determination of the location of cities, valuable in bombings and detection of surface craft at sea.

The new development is light in weight and takes little space in planes, the present project weighing about fifty pounds and having a detection range of five miles.

In describing the development he said that impulses could be sent out continuously through antennae, both forward and downward. Thus an object within a five-mile horizontal radius and within five miles below would intercept the radio beam and would "bounce" it back to the sending point, where it would be registered by a needle on the dashboard.

For instance, a mountain peak in the path of the plane could be detected, he said, in time for the pilot to swerve to avoid it.

He added that present aneroid altimeters were not reliable enough, were too cumbersome and were affected by weather conditions.

The new altimeter would be especially valuable for war use, he said, in flying over strange or uncharted terrain and could be used to good advantage in bombing attacks at night or in foggy weather. He explained that camouflage could hold no secrets with the beam detecting a rise in the terrain, such as a war plant.

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RATING INCREASES CLAIMED IN CBS FULL-NETWORK PLAN

A booklet issued by the Columbia Broadcasting System states:

"Hooper measured the audiences for nine shows in ten cities added by the CBS Full-Network Discount Plan. He computed program ratings (by the telephone coincidental technique) - a week before and a week after the full-network plan went into effect.

"Hooper found . . . that in these cities CBS full-network programs increased their ratings 215% to 875% - with a median increase of 435%.

"Hooper also found . . . that ratings in the cities added were higher than the national Hooper ratings for the same programs - 51% to 131% higher."

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: : : TRADE NOTES : : :
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Many radio patents held by the enemy have been seized by this Government, Leo T. Crowley, Alien Property Custodian, has announced. Seized patents were principally German-owned. Taken over by the Custodian were many patents covering telephone, telegraph, radio submarine cables and other communications devices and systems.

Favorable reports are being received from Niles Trammell, President of the National Broadcasting Company, who has been back in the hospital for a minor operation. It was said to be more or less of a recuperative rest period following his serious illness. Assurances were given that Mr. Trammell would be back at his desk within the next week or two.

August reports by 3,021 manufacturing plants in 74 metals-working industries including radio show that production of durable goods for civilian use had ceased almost completely at the end of the Summer. Of unfilled orders held by these plants, amounting to over 26 billion dollars, 91.2 percent was for war goods. The surviving trickle of non-military production was chiefly of repair and replacement parts needed to keep essential civilian services in operation.

Stewart-Warner Corporation and subsidiaries reported consolidated net profit of \$373,943 or 30 cents a capital share in the three months ended September 30, against consolidated net income of \$599,839 or 47 cents a capital share in the comparative period.

Educators have taken the lead in the list of public service queries received by NBC's Information Department. In September, according to a compilation just completed, requests for information about educational programs and allied program aids, submitted by individuals in this field, jumped 400% over June.

The point-to-point radiotelegraph circuits in the Agriculture Service operated by the Federal-State Market News Service have been exempted from the closure provision of Order No. 11.

Chelf Chemical Co., Richmond, Va., engaged in the manufacture and distribution of a medicinal preparation designated variously as "C.C. Compound", "C.C.C.C.", and "4 C's", is charged in a complaint issued by the Federal Trade Commission with false advertising and misrepresentation in newspapers and periodicals, by radio continuities, and other advertising media.

A protest has been made by clergymen over the announcement that beginning next month Jack Benny in a commercial program would replace a Sunday evening church service broadcast.

10/23/42

John H. Ray has been elected Vice President and General Counsel of the American Telephone and Telegraph Company. He has been counsel since 1936. In nearly twenty years of service with the Bell System he has served also as Vice President and General Counsel of the Western Electric Company and, before that, as General Solicitor of A. T. & T.

The first of the large downtown radio stores in Washington to close on account of the war was the branch of the Star Radio Co. in the National Press Building at 14th and F Sts., N.W. On the door was a sign which read:

"Because of the inability to obtain radios for the duration of the war, the Star Radio Company of this location finds it necessary to consolidate with the main store at 409 - 11th St., N.W.

WJR, The Goodwill Station - Nine months to Sept. 30: Net income \$262,101, after \$486,758 provision for Federal income and excess-profits taxes, equal to \$2.02 each on 129,500 shares, against \$332,408, or \$2.57 a share, last year, after \$324,660 provision for taxes.

The official Navy film, "The Battle of Midway", is to be televised by NBC's television station WNBT, Monday, October 26, at 9:00 P.M. (EWT).

Herrick Johnson was nominated from Federal Communications Commission for the September \$100 war bond which was awarded by the Washington Post for the most constructive suggestion for the improvement of the Federal service.

Capudine Chemical Co., Raleigh, N.C., engaged in the manufacture and sale of a medicinal preparation designated "Hick's Liquid Capudine", is charged in a complaint issued by the Federal Trade Commission with false advertising and misrepresentation in newspapers and periodicals, by radio continuities, etc.

William Burke Miller, NBC Eastern Program Manager, will assume the additional duties of War Program Manager. At the same time, Bertha Brainard was appointed as an assistant to Mr. Miller in the Program Department. Miss Brainard will continue to handle Package Program Sales.

The story of television by television was a feature presentation recently over General Electric's station WRGB. This show, lasting 20 minutes, was a talking movie which gave the complete backstage picture of how a television program is presented.

Perhaps the most interested spectator of the show was Robert S. Peare, Manager of Broadcasting for General Electric. He was ill at his home and until he gave his approval of the movie it could not be generally released. The company prepared the movie for presentation at schools, service clubs and other audiences which might be interested in this newest of the radio arts.

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HEINL RADIO BUSINESS LETTER

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NATIONAL BROADCASTING COMPANY, INC
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INDEX TO ISSUE OF OCTOBER 27, 1942

Proposes Willkie As Movie-Radio Draft Judge.....	1
Wheeler Urges Conferences Of Petrillo And Radio Men.....	2
War Topics Feature FCC Press Conference.....	3
CBS Explains Co-op Time Ban To FCC.....	5
Supreme Court Keeps Hands Off WFAA Labor Case.....	7
FCC Names New Assistant General Counsel And Others.....	7
Flamm Produces Patriotic "Sign Off" For Freedom House.....	8
RCA Lab Seen As Monument To New Age In Science.....	9
War Advice From John Royal.....	10
Realignment Of Executives In CBS O & O Stations.....	11
Former Ambassador Gerard Turns Commentator.....	11

No. 1475

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October 27, 1942

PROPOSES WILLKIE AS MOVIE-RADIO DRAFT JUDGE

Eddie Cantor recently said that President Roosevelt was the only man who could properly say what radio and movie stars were essential in the war. In the Senate last Friday, Senator Nye (R.), criticizing Wendell L. Willkie's worldwide activities, nominated Mr. Willkie for the position. Senator Nye at the same time stirred up quite a rumpus about the draft-deferred status of Kay Kyser, radio and movie jazz band leader, whose efforts in behalf of the Office of War Information have been widely publicized.

"There are plenty of problems right here at home for Mr. Willkie", Senator Nye declared. "Let him, for example, as an executive of a great moving-picture production firm, give a little of his energy to determining just how the movie and radio stars are being treated under the draft.

"Maybe this is not the place to speak of it, but it should be noted that great effort is being extended to win a deferred status for certain stars. Here is Kay Kyser, for example, a great leader of a great band, explaining that his Government needs him more in his task of entertaining, and selling bonds, than in the military ranks. All of which may be quite true, but it does not seem to be the Government that initiated keeping Kyser at home. A theatrical booking agency office in Hollywood on August 31 received from Mr. C. J. LaRoche, its New York agent, a long teletype message telling of how it had already handled a list of stars, including Kay Kyser. In addition to smugly claiming responsibility for the classification of Kyser and others as being more essential at home, that agency recited others of their clients for whom a like classification was being sought.

"I have no war with Mr. Kyser. He may have and probably does have, every cause on his side. But I do object to the obviously organized effort by pressure groups to bring preferred status to artists."

La Roche replied:

"If the information Senator Nye has were correct, he would have every right to be indignant. But I should like to say he is absolutely misinformed. The interest in Kay Kyser came from the Army itself, not from any commercial source.

"I was asked in common with several others by a ranking general of the United States Army concerned with 'morale' and a Government radio executive for an opinion on the value of certain radio stars to the total war effort. I was glad to say in my opinion that the outstanding job Kay Kyser was performing for this country in

camps and on the radio made him one of the most valuable contributors to the so-called psychological war effort as it is being so skillfully developed under Elmer Davis and the Office of War Information.

"It was my feeling then and it is now that the ability of Kay Kyser, who is not and never has been a client of mine, to command audiences of millions, his keen grasp of what we are fighting for and his ability to arouse masses of people to an understanding of their responsibilities makes him a most useful man to aid the Army and the Government in organizing the home front for total war."

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WHEELER URGES CONFERENCES OF PETRILLO AND RADIO MEN

Chairman Burton K. Wheeler of the Senate Interstate Commerce Committee disapproved of ^{an} "anti-strike" a bill to lift the ban against recorded music, but warned that unless the dispute was settled soon the American Federation of Musicians would be subjected to an investigation.

Senator Wheeler's remarks climaxed a controversy between him and another committee member, Senator Clark (D.), of Idaho, who Friday introduced a measure designed to force President James C. Petrillo of the AFM to lift the prohibition against recording music for radio stations and "juke boxes".

The Montanan also disclosed his own "behind-the-scene" efforts "to see if the union and the broadcasters could get together", after Senator Clark announced he offered his bill because no action had been taken under his Senate-approved resolution calling for a "thorough and complete" investigation of Mr. Petrillo and his union. He declared Senator Wheeler had not yet appointed a subcommittee to conduct hearings.

"I felt more could be accomplished through conferences between the labor group and the broadcasters", Senator Wheeler said, "than could be accomplished through Senate hearings emphasizing the controversy".

Of Senator Clark's measure, he said, "If the bill could be applied in this case, it could be applied in war industries. It's an anti-strike bill."

He declared, however, he would appoint a subcommittee to consider the measure, and that another subcommittee to make an investigation under the earlier resolution would be named soon "if the disputing parties don't get together."

By Senator Clark's proposal, the AFM would be brought under anti-trust laws for the duration of the war. Agreements or orders which curtailed the supply of recorded music would be termed conspiracies.

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WAR TOPICS FEATURE FCC PRESS CONFERENCE

Keeping the broadcast stations going, leasing of communications in submarine cables, the Army taking over broadcasting in Puerto Rico, and the leasing of short-wave facilities, highlighted the press conference of Chairman Fly yesterday (Monday).

"Do you expect action shortly on the wartime operation of broadcast stations?" Mr. Fly was asked.

"I would guess so", he replied. "I think I ought to stress again that whatever is done there will not result in any lessening of the coverage of radio stations due to change in the various rules in the operation of the equipment. We will have the same effective output and same coverage we have had heretofore. You see, some of the rules which we have had regulating the equipment have necessarily been very strict, and we have got to a point now where by changing those rules and the consequent change in method of operation we can get a more effective output so I think we can increase the life of the equipment materially without effecting coverage at all."

"Regarding Order No. 22 of the Board of War Communications prohibiting the leasing of communications circuits in submarine cables without prior approval of the BWC, is anybody leasing such a thing?"

"Yes, I think a number of those have been leased - I would imagine for different interests in neighboring islands I think we will find some - Cuba, Puerto Rico", Mr. Fly replied.

"Islands from the continental United States - rather inter-island affair?" the questioner interjected.

"No, I think from this country to, say, Cuba."

"By the way - for short periods?"

"No, for long periods, by business concerns, brokers, etc."

"Is the Army contemplating taking over immediately the radio facilities in Puerto Rico?" Mr. Fly was asked.

"You will have to talk to the Army about that. We gave them full control."

"That includes broadcasting?"

"Yes. That's the same authority we gave over the Alaskan facilities to the Army."

"Does the Commission enter at all into the leasing of short-wave facilities from the networks and other owners by OWI?" the FCC head was asked.

"Of course the Commission has cooperated with OWI and CAA in regard to that whole matter of international broadcasting with

facilities available for that broadcasting, and we have been aware in general of the plans to control the facilities; also because of the problem of additional facilities, I would suppose that the contract would come before the Commission formally in view of the fact that it involves a new type of operation other than that which is covered by the existing license. In other words, it is a change in the license arrangements", the Chairman replied.

"What is the position of the Commission in the plans for the 22 new shortwave outlets for those agencies?"

"I would rather tell you how I feel about it rather than about the position of the Commission. I am sure that the Commission is sympathetic with the undertaking and for my own part I can say I am wholly sympathetic with the undertaking, and I think it ought to have a high order of priority. At the same time I don't think any of us can say whether a given number of transmitters - whether some or all of them can be placed ahead of other very essential requirements. The requirements for transmitting facilities are very heavy and I might say very serious from a military point of view. The question for those who control the disposition of whatever amount of materials we have on hand, will be wherever those materials do the most war purpose. Now I can't form that judgment from where I sit, and I don't want to be taken as saying therefore that the order for these transmitters must go ahead of the orders for the transmitters to be used directly in the military service. That is a grave problem and it has to be appraised on the whole and on the light of one predominant requirement, that of winning the war.

"The overall picture is a BWC problem, isn't it?"

"I think the BWC has the most effective means of reviewing the requirements for transmitters as a whole", Mr. Fly answered. "You see there are many buried details - lend-lease, for example, and various special requirements and involving very different locations and uses, and involving the interests of the different departments of the Government. We will have perhaps the best overall picture of the whole position, including available supplies, and the state of orders, the demands, etc., in different Government agencies."

"Have you been asked by WPB for any specific recommendations on the materials involved?"

"We haven't been approached in just that way."

"The request for the 22 shortwave outlets - additional construction - will those be licensed to private corporations and then leased to the Government, or will the licenses be held directly by the Government departments, such as the OWI?" the Chairman was asked.

"I would guess they will be by the Government, but you had better not take my word. You had better look up the recommendations on that," he concluded.

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CBS EXPLAINS CO-OP TIME BAN TO FCC

As Chairman James L. Fly again expressed doubt if the Federal Communications Commission could take any further action in the matter, Paul W. Kesten, Vice-President and General Manager of the Columbia Broadcasting System, responded at length to a request by the Commission that Columbia state the facts relevant to its refusal to carry the program, "Let's Get Together Neighbor" of the Cooperative League of the United States. Mr. Fly said the Commission has no means of requiring the broadcasters to take any program regardless of its merit.

Mr. Kesten wrote:

"The Columbia Broadcasting System has for years sold time only for the purpose of advertising the goods or services of the sponsor (except to a political party during the actual campaign for the election of candidates). We have steadfastly declined to sell time for purposes of propaganda on one side or another of any controversial issue. The programs proposed by the Cooperative League did not offer for sale to the listener either the goods or services of the advertiser, and thus lay outside the field within which we sell our facilities. Moreover, the offered programs were clearly controversial in nature, being designed to promote a fundamental change in the present system of marketing and distribution of goods and services whereby cooperative associations would largely supplant retail stores and other common distribution establishments (see our statement on this subject of October 7, 1942, which is attached).

"In August of this year, Mr. Wallace Campbell, Assistant Secretary of the Cooperative League, requested general information with respect to the mechanics of radio broadcasting and the purchasing of radio time. This information was furnished to him. Mr. Campbell did not request information with respect to the availability of any of our stations or disclose what programs he was considering.

"In the early part of September, Atherton & Currier, Inc., a New York advertising agency, requested information with respect to the availability of time for broadcasts sponsored by the Cooperative League over Stations WCCO and WJSV. As is our custom, we advised Atherton & Currier that we would want an opportunity to examine a copy of the proposed program material before accepting an order for broadcasts on behalf of the Cooperative League. On September 22, 1942, Atherton & Currier forwarded a copy of the script which they proposed to use for the first League broadcast. (A copy of Atherton & Currier's letter of September 22, 1942, was enclosed with Mr. Kesten's letter)

"After a careful consideration of such information as we could obtain with respect to the Cooperative League, and after an examination of the script, we came to the conclusion that in view of our long established policy not to sell time for programs devoted to public controversial issues, we could not accept an order for the

Cooperative League's broadcasts. We so advised Atherton & Currier on or about September 24, 1942.

"Our policy of refraining from selling time for the discussion of public controversial issues is well known by users of radio and was incorporated in the Code of the National Association of Broadcasters at its annual convention in 1939. For your information, we are enclosing an excerpt setting forth the provision of the NAB Code, together with excerpts from various prior statements on our part of that policy. This policy has, naturally, closed the door to large revenues for us. As Mr. Paley testified before the Interstate Commerce Committee of the Senate in June, 1941, we could have made tremendous sales of time to people who wanted to fight Congressional legislation such as the Public Utility Holding Company Act of 1935, and we have lost \$9,000,000 in revenue because of our standards and policies.

"So that you may have the benefit of some of the documentary evidence which led us to the conclusion that the Cooperative League is essentially an organization devoted to publicizing and promoting cooperatives as such and to advocating a change in our economic structure, we are enclosing various excerpts from the New York Times, together with excerpts from literature of the Cooperative League.

"Although as stated in our release of October 7, 1942, we felt that our long established policy, as well as the NAB Code, prohibited acceptance by us of the Cooperative League's broadcasts, we naturally would accept a program sponsored by a cooperative engaged in the sale of goods which advertised the goods offered for sale. As a matter of fact, Station WCCO has in the past, carried several commercial series sponsored by the Land of Lakes Cooperative for the advertising of its butter, cheese and poultry products.

"Although the point is a minor one, even if broadcasts sponsored by the Cooperative League were acceptable to us in view of our policies, we could not accept the programs as proposed since the entire content would have to be counted as commercial and, as you know, we have definite limitations on the amount of commercial copy which may be broadcast in connection with any sponsored program."

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Starting last week, over short wave facilities of the National Broadcasting Company, a newly created character, "Baron Eje" (eje means axis in Spanish) will do in the Spanish language, for the United Nations, what Lord Haw Haw attempted to do for the Nazis. Portrayed by Rafael Carvajal, Spanish language writer and actor, the Baron will be heard each Friday at 8:45 P.M. EWT., over NBC stations WRCA-WNBI and Westinghouse station WBOS. The programs will be presented in cooperation with the Coordinator of Inter-American Affairs.

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SUPREME COURT KEEPS HANDS OFF WFAA LABOR CASE

The Supreme Court yesterday (Monday) refused to grant a rehearing on the decision sustaining a contract agreement between the A. H. Belo Corporation, publisher of A. H. Belo Corporation, publisher of the Dallas Morning News, and owners of Station WFAA, and its employees. Under the agreement individual contracts were made with employees working irregular hours for a fixed sum weekly whether they worked more than forty hours in a week.

The Belo arrangement guaranteed to the employees \$40 a week, but the basic pay was fixed arbitrarily at 67 cents an hour for the first 44 hours with time and a half after that.

While the Wage and Hour Division has complied with the Supreme Court ruling in its specific application to the Belo Company, it has not accepted the decision as a broad principle. A week after the decision L. Metcalfe Walling, Fair Labor Standards Administrator, warned that his office took a limited view of the applicability of the opinion.

The court, Mr. Walling declared, had "passed on a particular state of facts" and a considerable amount of litigation would be needed before the whole subject could be adjusted.

Accordingly the Division holds that each case should be examined in the light of the Belo finding. An opportunity for an amplification of the decision, desired by the Division seemed about to be presented to the Supreme Court a short time ago, but did not materialize.

This was the case of the Carleton Screw Products Company of Minneapolis, which had employee contracts somewhat similar to those of the Belo Company. The Wage and Hour Division won the case in the lower court and welcomed a Supreme Court review, but the Carleton company failed to file its appeal in time. Justice Byrnes, who resigned to become Director of Economic Stabilization, wrote the Belo opinion.

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FCC NAMES NEW ASSISTANT GENERAL COUNSEL AND OTHERS

The Federal Communications Commission has appointed Nathan H. David of Boston, Assistant General Counsel in charge of the War Problems Division which he has headed since February of this year when he returned to the FCC after a sojourn with the Coordinator of Information as Radio Liaison Officer.

Mr. David was graduated from Yale University in 1934 and from Harvard Law School three years later. From 1937 to October 1939 Mr. David was associated with the Boston law firm of Burns & Brandon. He was first on the staff of the FCC as Assistant to the Chairman from October, 1939, to September, 1941.

The Commission also appointed Harry M. Plotkin as Chief of the Litigation and Administration Division and Donald M. Harris as Principal Attorney. Mr. Harris fills the vacancy created by the recent promotion of Rosel Hyde to Assistant General Counsel.

Mr. Plotkin was born in Athol, Mass., in 1913. He attended Harvard College where he received his A.B. degree in 1934, and Harvard Law School where he received his L.L.B. degree in 1937. Upon graduation he engaged in law practice in Chicago for two and one-half years. He joined the Commission's legal department in January, 1940, as a member of the Litigation and Motions Section. Prior to his appointment, Mr. Plotkin was Chief of the Litigation and Motions Section.

Donald M. Harris was graduated by Amherst in 1932 and by the Columbia University Law School in 1935. He is a Member of the New York bar and was associated with the firm of Carter, Ledyard & Millburn there from 1935 to 1941. He joined the Federal Communications Commission in September, 1941.

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FLAMM PRODUCES PATRIOTIC "SIGN OFF" FOR FREEDOM HOUSE

A stirring, new patriotic "sign-off" has been produced for radio stations by Donald Flamm for Freedom House. It received high praise from the Office of War Information. Here, briefly, are the facts concerning this transcription: Running time - 4 minutes, 35 seconds; Written by - Anthony Veiller; Music - Eva Jessye Choir, and Porgy and Bess orchestra under the direction of the renowned conductor Alexander Smallens; Narrated by - Arnold Moss, well-known stage, screen and radio actor; Directed by - Philip Barrison, top radio and motion picture director, and Conceived by - Donald Flamm. James C. Petrillo, head of the American Federation of Musicians, gave special permission to record this transcription.

The actual cost of a pressing is \$1.25. Stations are requested to send orders and checks to the Columbia Recording Corporation, 799 Seventh Avenue, New York, N. Y.

Mr. Flamm, well known to the industry as former owner of WMCA, New York, recently bought a half interest in Station WPAT, Patterson, N.J. He has installed his brothers, Milton and Sidney Flamm, as national sales manager and commercial director, respectively. He also intends opening a New York studio for the station and to operate it along the lines he followed at WMCA.

Half ownership was purchased by Mr. Flamm from Rex Shepp, General Manager of WIRE, Indianapolis, and Frank Faulkner, CBS Chief Engineer in Chicago, each of whom owned a 25% interest. Lieut. Comdr. James Cosman retains his half interest in the station and remains President of the company. Mr. Flamm is now in the publications division of the Office of War Information.

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RCA LAB SEEN AS MONUMENT TO NEW AGE IN SCIENCE

Recently completed at Princeton, N. J., in a community distinguished in American history and pioneering, the new RCA Laboratories, said to be the most modern center of radio and electronic research, are described as "a monument to a new age in science dedicated to serve the country and its fighting forces in war and to help build a stronger nation through ideas born and developed by scientific research".

This is a part of the introduction to a deluxe booklet just off the press entitled "RCA Laboratories", which describes the new institution in detail, and gives a verbatim report of the dedication ceremonies, including the addresses of the speakers on that occasion, Lieut. Gen. J. G. Harbord, Chairman of the Board of RCA; David Sarnoff, President; Otto S. Schairer, Vice President in Charge of RCA Laboratories; Maj. Gen. Dawson Olmstead, Chief Signal Officer of the Army; Commander A. M. Granum, U. S. Navy; Dr. Harold W. Dodds, President, Princeton University; Dr. Frank Aydelotte, Director of the Institute of Advanced Study, Princeton, N. J.

"In the quiet of the New Jersey terrain, this center of research has been erected in an atmosphere stimulating and conducive to scientific discovery and creative work", the booklet states. "From it will radiate scientific, industrial and social progress. When the steam shovels first scooped out the earth, it was a thrilling moment for the planners of the Laboratories. But the great climax came with the entrance of the research staff. They added the life. They brought the ideas from which would spring new creations of science. Out of electrons and electronic phenomena, they would fashion the future of radio and a world run by electronics.

"Among the men who entered the portals of the Laboratories were those who invented the Iconoscope and Kinescope, the "eyes" that made television practical; the men who built the RCA Electron Microscope, the electron multiplier tube, radio and electronic tubes for the home, for aircraft, for battle fleets and the merchant marine. These were the men who extended the services of radio far beyond the most sanguine hopes of its pioneers. Now in these Laboratories with facilities for research unsurpassed anywhere in the world, they will aim to outdo even the miracles of the past."

"Gone is the day when the research experimenter was secluded in an attic or cellar workroom or in a makeshift laboratory. Looking out across the broad green fields and 50 acres of grass around the Laboratories, he may think quietly and undisturbed. From across those fields will come many a new idea - ideas that will make RCA Laboratories historic in service to all the world. For on the wings of radio, the science of electronics is globe-girdling.

"In this scientific Utopia, scientists can become the masters of their dreams as they seem to be dreaming, gazing across the landscape or off into the emptiness of space. They are explorers and adventurers on the mysterious paths that lead into the Future.

The booklet is so well illustrated that to glance over the pictures therein is almost like strolling through the Laboratories.

WAR ADVICE FROM JOHN ROYAL

A World Wide interview with John F. Royal, Vice-President of the National Broadcasting Company, described as a sort of "radio ambassador" spending much time in foreign countries and just back from England, was carried to the extent of about two columns in last Sunday's Washington Star.

"We're playing right into Goebbels' hands, talking about each other. It's got to stop. Why, reading some of this stuff about the differences between American and British war policies, you'd think we were fighting each other, not the Axis", Mr. Royal said.

"Here's what I'm trying to get at. Somebody goes over there, talks to a couple of persons one afternoon, and comes home to circulate tales of British and American soldiers not getting on together.

"Officially and unofficially, that's a lot of junk. Armies are cooperating closely. The British are bending backward to cooperate, and the Americans are doing their part, too."

"I'll tell you a little story to illustrate what I mean", he said. "Brendan Bracken, the British Minister of Information, was on his way to his country home when he saw two American soldiers standing in front of a pub in the village.

"How do you like the English weather?" he asked them. 'Fine' they replied. It had been raining steadily for four days. Bracken took them to his home and gave them a couple of drinks. That's pretty good cooperation, isn't it? It shows how friendly the British feel toward Americans, doesn't it?

"Well, after they'd had a drink or two, Bracken repeated his question, asked the lads what they really thought of the English weather. 'We think it's lousy', the boys answered, this time truthfully, 'but we never criticize anything in England.' That's pretty good cooperation, too, I think."

Radio, Mr. Royal said, especially short-wave radio for propaganda purposes, is itself a kind of "invisible front", becoming more and more important in this war.

The British, although slow to start, are now as good as the Germans in the effective use of short-wave radio for propaganda, he added. He put the United States at a poor third, but he told of plans now under way for this Government and American radio industry to cooperate even further in short-wave propaganda broadcasts.

"But you can be sure", he asserted, "that when our short-wave reaches out across the enemy borders in full force, it won't be carrying any of this 'we are losing the war' talk. Some people may think that this type of 'fear advertising' steps up production, but what Americans don't realize is that every Allied nation is looking to us for spiritual as well as economic and social deliverance. It's not the positive effect of such talk here that's important, but its negative effect in our Allied countries, where they don't understand the purpose of such remarks."

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REALIGNMENT OF EXECUTIVES IN CBS O & O STATIONS

In a realignment of executives of the CBS owned and operated stations, William E. Forbes, Manager of WCCO, Minneapolis, is to take over new duties as an Executive Assistant to the management in New York November 9th.

A. E. Joscelyn, now Manager of WBT, Charlotte, will replace Mr. Forbes as Manager of WCCO, and A. D. Willard, Jr., now Manager of WJSV, Washington, is to take over Mr. Joscelyn's duties as Manager of WBT. These changes are effective November 2nd. A successor to Mr. Willard in Washington will be named soon.

Mr. Forbes, who has been Manager of WCCO since June 19, 1942, was formerly assistant to Donald W. Thornburgh, CBS Vice-President in Los Angeles for four years. A native of Nebraska, Mr. Forbes is a graduate of the University of California, at Los Angeles.

Mr. Joscelyn, a native of New York City, was made Manager of WBT in December, 1939, after being Eastern Manager of Radio Sales since 1937.

Mr. Willard, a native of Frederick, Maryland, began his radio career as Program Director of WCAO, Baltimore. After three years as Commercial Manager of WFBR, Baltimore, he became a partner in Willard, Barrelet & Nolley, a Baltimore advertising agency. In 1932, he became Commercial Manager of WJSV and in 1937 was made General Manager.

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FORMER AMBASSADOR GERARD TURNS COMMENTATOR

James W. Gerard, former Ambassador to Germany, is now doing a weekly radio series over WINS in New York. In a broadcast Sunday Mr. Gerard called the radio and the press the most powerful two instruments for the preservation of our liberties and our Constitution.

Declaring that "the greatest change brought about by the radio is the restoration of individual oratory", Mr. Gerard continued:

"We must be thankful that the radio in this country is still free. In Great Britain, for example, at the first appearance of the radio, the Government seized all rights and the British radio is a government-controlled monopoly.

"Radio commentators today can be true tribunes of the people, more independent than legislators, neither looking for votes nor subservient to pressure groups. We must all see to it that 'freedom of the press' is preserved but that it is interpreted to mean as well, 'freedom of the radio', constituting with the press the most powerful two instruments for the preservation of our liberties and our Constitution."

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HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

NATIONAL BROADCASTING COMPANY, INC.
GENERAL LIBRARY
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INDEX TO ISSUE OF OCTOBER 30, 1942

NBC Stands Its Ground In Refusing Co-op Program.....	1
See Politics In WMUR New Hampshire Broadcasts.....	3
Solon Names Wrong Man As "Praise The Lord" Composer.....	4
WINX Comes Back At Traffic Court Broadcasts Critic.....	5
To Spend \$1,325,000 On Radios For Merchant Ships.....	6
RCA-NBC File Answer To Option Time Suit Clause.....	7
New Radiogram And Radiophone Taxes Start Sunday.....	7
Further Electronic Equipment Control Established.....	8
Censors Fight Shy Of Willkie's Speech.....	8
Trade Notes.....	10

No. 1476

NBC STANDS ITS GROUND IN REFUSING CO-OP PROGRAM

The following is a reply by Niles Trammell to a request by the Federal Communications Commission that the National Broadcasting Company state the facts relevant to its refusal to carry the alleged controversial program "Let's Get Together, Neighbor!" of the Cooperative League of the United States of America:

"The representatives of The Cooperative League of the U.S.A. approached NBC in an endeavor to purchase time over stations WTAM, Cleveland, and KDKA, Pittsburgh, only, and not over the NBC network. NBC is the operator of WTAM, and acts as national spot sales representative for the licensee of KDKA. The programs were to be rendered by means of electrical transcriptions.

"We were advised by the League that it is 'a nonprofit, non-political membership organization established in 1916 and is chartered under the laws of the State of New York. It is the national federation of consumer cooperatives comprised of twenty regional and national associations with one and one-half million family patron members in 46 states. . . . The league is financed by dues of seven and one-half cents per year for each individual member of associated organizations. Special activities like radio are financed by additional contributions of members and member associations. Our bank is Amalgamated Bank New York. National offices are maintained in Chicago, New York and Washington. Purpose of league is to coordinate national activities and to promote additional business and membership in existing co-ops and to encourage the organization of neighbors to help themselves through cooperatives."

"When the League approached us, the program for which they proposed to buy time was obviously designed not only to sell the cooperative movement generally, but to obtain additional members for its member cooperatives. In our opinion, the script for the first broadcast violated NBC program policies in many respects and would not have been acceptable to us for broadcasting in the form in which we received it. The particular NBC program policies which seemed to us to have been violated by the script are as follows:

"Statements which tend to undermine an industry by attributing to its products generally faults and weaknesses true only of a few, and statements which are derogatory to an individual, an institution, a group or an industry must be avoided.

"Commercial programs shall not refer to any competitor, or his products, directly or indirectly.

"Statements of prices and values must be confined to specific facts. Mis-leading price claims or misleading comparisons tend to challenge the integrity of all advertising and must not be used."

"Assuming, however, that the script might have been re-written to comply with the above policies, still the primary purpose of the program, from the League's advice to us, was to acquire additional members for the consumer cooperatives which are members of the League. NBC has had a very long established policy which prohibits the acceptance on a commercial broadcast basis of any planned campaign that solicits or promotes membership drives. Under that policy we would not sell time for membership drives on behalf of any organizations. The counterpart of this policy is another NBC policy under which we do not sell time to promote the purchase of specific stocks, bonds, properties, etc.

"Furthermore, so far as the proposed program purported to further the 'cooperative movement', as opposed to other methods of distribution followed in the United States today, it was controversial in nature. NBC has long had a policy of not selling time for the broadcasting of controversial issues, except in the case of political broadcasts during campaign periods. This policy is the rule of the broadcasting industry.

"In light of these obvious violations of NBC program policies, we had no alternative but to refuse the business as applied to WTAM. Under instructions from the licensee of KDKA, which advised us that the program likewise violated similar policies of that station, we declined to sell time for the program over KDKA as well.

"At the time the program was turned down, we made clear to the League that we had no policy against selling time to them, or their members, subject to our policies, for the purpose of selling products or the services of particular cooperative stores. The fact of the matter is that we have often sold time to various cooperatives for the purpose of selling their various products.

"Furthermore, I believe it will interest you to know that in balancing our program content, we have from time to time made sustaining time available to the proponents of the various phases of the cooperative movement, during which they discussed the merits and methods of functioning of cooperatives. In fact, we have given sustaining network time to The Cooperative League of the U.S.A. itself.

"It is interesting to note that the NBC policies and those of the industry against selling time for membership campaigns and for the broadcasting of controversial subjects have stood the test of time."

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Four Rochester, N. Y. industries, Kodak, Bausch & Lomb, Consolidated Tool and Gleason Works, went on the air Navy Day night over WHAM to tell the country that they had received the Navy "E" pennants.

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SEE POLITICS IN WMUR NEW HAMPSHIRE BROADCASTS

Political discrimination was charged in the following telegram sent from Concord, New Hampshire, to each of the Commissioners of the Federal Communications Commission by United States Senator Styles Bridges, of New Hampshire:

"The Radio Voice of New Hampshire, Inc. with a principal place of business at Manchester, New Hampshire, operating radio station WMUR, whose principal stockholder and director at the time of incorporation and presumably still is Francis P. Murphy, of Nashua, N. H., a candidate for election to the United States Senate broadcasts daily in supposedly news broadcasts, political statements wholly designed to promote the candidacy of Mr. Murphy and to discredit other candidates.

"These broadcasts are not confined to an impartial broadcast of the news as announced. Furthermore people over this station in the interests of Mr. Murphy's candidacy have been guilty of making numerous slanderous statements tending to degrade other candidates for political office. Freedom of speech is being daily transgressed by these grossly false utterances obviously intended to wilfully, wantonly and maliciously misinform and misguide the citizens of New Hampshire by this false propaganda.

"I demand in the interests of common decency for the people of New Hampshire an immediate full and complete investigation of all broadcasts issuing from this radio station and that proper steps be taken at once by the Commission to stop this false and malicious propaganda and that the Commission use its power of suspension or withdrawal of license if necessary."

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BURKLAND, MINNESOTA MAN, HEADS WJSV, WASHINGTON

Carl J. Burkland has been appointed General Manager of CBS' owned and operated Station WJSV, Washington, D. C., Frank Stanton, CBS Vice President, has announced.

Mr. Burkland replaces A. D. Willard, Jr., whose appointment as General Manager of WBT, Charlotte, was announced last week in a realignment of CBS owned and operated station executives that moved A. E. Joscelyn, WBT's Manager, to WCCO, Minneapolis, and brought William E. Forbes, Manager of WCCO, to New York as an Executive Assistant to the management.

Mr. Burkland is the third WCCO man to win a place for himself in WJSV. The first was the late Henry Bellows, former CBS vice-president. Recently Earl Gammons came in to take the place of Lieut. Commander Harry C. Butcher, when the latter was called into service.

Mr. Burkland was born in Buffalo, Minnesota, and attended the University of Minnesota. His radio career began in 1929 when he joined WCCO as an announcer. After work in the station's production department and as a salesman, he was for four years Sales Manager of WCCO. He came to New York as a member of the staff of Radio Sales in October, 1941.

10/30/42

SOLON NAMES WRONG MAN AS "PRAISE THE LORD" COMPOSER

When Representative Luther Patrick (D), of Alabama, sponsored a resolution in the House to honor the man who wrote the popular patriotic song now sweeping the country, "Praise the Lord and Pass the Ammunition", he incorrectly named Kay Kyser, the radio band leader, as the composer. It should have been Frank Loesser, noted song writer on the West Coast.

Representative Patrick was straightened out in the matter by the following letter from Robert L. Murray of the American Society of Composers:

"It has come to my attention that you recently introduced a resolution to authorize the President to present a gold medal of award to Kay Kyser for the service he has rendered to the nation in writing the song, 'Praise the Lord and Pass the Ammunition'.

"Mr. Kyser is not the author of that song. The man who wrote both the words and music to 'Praise the Lord and Pass the Ammunition' is Mr. Frank Loesser of Hollywood, one of the prominent members of the American Society of Composers, Authors and Publishers. I am sure you will want to rectify this error, and I know that no one will be more embarrassed should a correction not be made than Mr. Kay Kyser who gave the now famous war song its first radio hearing, and whose recording of this number is on the best-seller list from coast to coast. For your further information, the chaplain who inspired Mr. Loesser's song is Father William Maguire, Chaplain of the United States Navy.

"Mr. Loesser is the author of many splendid popular songs, including 'Jingle, Jangle, Jingle'. His address is 1737 Whitley Avenue, Hollywood, California."

Unless vigorously pressed, there is not much chance for consideration of Representative Patrick's resolution until after election. Even then there would have to be fast work to get it through before this session of Congress ends at which time the measure would automatically die. Inasmuch as Representative Patrick was defeated in the primaries and therefore will not be a member of the next Congress, the resolution would have to be re-introduced by someone else if further considered.

If the memory of this writer is correct, it took years to get a similar resolution through Congress honoring George M. Cohan for writing "Over There", the great song of World War I.

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10/30/42

WINX COMES BACK AT TRAFFIC COURT BROADCASTS CRITIC

In answer to a letter written to the Washington Star by Samuel Soloman, a listener, protesting against the broadcasts from the District Traffic Court, Lawrence J. Heller, President of Station WINX in Washington, D. C., produced what he said was an unsolicited letter of commendation written to Mr. Heller by Howard F. Wentworth, noted traffic official of Washington, which read:

"As secretary of the Commissioners' Traffic Advisory Council and in behalf of Traffic Director William A. Van Duzer, I have been instructed to extend to you and your staff at WINX an expression of sincere appreciation for your daily broadcast from District Traffic Court.

"Your regular programs from the courtroom and rebroadcast of the proceedings at night are contributin in no small measure to the city's traffic safety promotion efforts. Station WINX is rendering a real public service which truly merits its signature of 'Washington's Own Station'.

"With best wishes for continued success in all your undertakings, I am, very truly yours, Howard F. Wentworth, Secretary, Traffic Advisory Council."

This letter, according to Mr. Heller, was post-marked October 21 - one day earlier than the letter of Mr. Saloman appeared in The Star.

"Mr. Saloman's letter to the Star follows:

"We have a constitutional provision against 'cruel and unusual punishments', even in capital offenses, yet blandly tolerate like punishments in minor traffic violations, and that before conviction.

"I refer, of course, to the questionable practice of one of our radio stations, still in vogue, of entertaining its radio clientele every morning with cases coming before our Traffic Court -- those accused of exceeding the speed limit by a fraction, jump-starting on the yellow signal, going wrong on a one-way street, double parking, even for a split minute, and the hundred and one other traffic violations some few of our auto brethren occasionally are guilty of.

"I seriously question whether this fits in with good radio practice and good taste, and whether it should be permitted to continue. I know that if I were thus publicly pilloried - I have been driving for more than a score of years and have yet to get a ticket for a traffic violation - I certainly would not like it."

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10/30/42

TO SPEND \$1,325,000 ON RADIOS FOR MERCHANT SHIPS

That over a million dollars is to be spent on radios for merchant ships was made known Thursday.

Radio programs, news broadcasts, events of world-wide interest, and news from home soon will be heard by all American merchant sailors at sea, the War Shipping Administration has announced.

It stated that an order had been placed for 2,600 of the latest specially designed type of seagoing radio receiving sets which are to be installed for the benefit of the crews of ships under the control of the War Shipping Administration and on new vessels being built by the Maritime Commission.

The standard broadcast receiver, whenever the set is in use, radiates a signal which can be picked up by enemy vessels and submarines with the aid of a loop antenna radio direction finder and can be used by them as a guide in locating the ship on which such a receiver is located. For this reason the use of all ordinary broadcast and short-wave receiving sets has been prohibited aboard merchant vessels.

Recently a receiving set has been perfected that eliminates this hazard. After exhaustive tests, conducted by the Federal Communications Commission, which proved the new sets as non-reradiating, their installation aboard merchant vessels was approved.

The new precision built sets, which are capable of bringing in both broadcast and short wave programs, are to be installed immediately on American merchant ships in port and others as soon as they return to their home ports. Loud speaker connections from the master set will be placed in the officers' and crews' mess.

With our ships sailing daily through the war zones, and with the strain and nervous tension of being at sea under present conditions, the reception of programs from home will be an important factor in keeping up the morale of the men of the merchant marine, Admiral Emory S. Land, War Shipping Administrator and Chairman of the Maritime Commission, stated in sanctioning the expenditure of \$1,325,000 for this equipment.

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Philco Corporation, Lockheed and Vega Aircraft Corporation, and R. J. Reynolds Tobacco Company have announced that they would shortwave their CBS programs to our troops overseas. This brings to seventeen the number of individual commercial CBS shows now being shortwaved to the AEF.

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RCA-NBC FILE ANSWER TO OPTION TIME SUIT CLAUSE

The answer of Radio Corporation of America and National Broadcasting Company, Inc., to the triple damage suit filed earlier this year in the Federal District Court in Chicago, by Mutual Broadcasting System, Inc., and the operators of certain stations affiliated with that network, was filed last week.

Mutual had claimed damages allegedly resulting from the affiliation contracts between NBC and the stations on its network. Mutual complained especially of the so-called option time clauses which usually provide that, upon twenty-eight days' notice, NBC may exercise the option to use a part of the time of its affiliated stations.

The answer of RCA and NBC denies that there has been any violation of the law or that the plaintiffs have been damaged in any way. It asserts that national advertisers will not use national broadcasting as an advertising medium unless a network is able to guarantee circulation in the markets contemplated by the advertiser and for such an extended period of time as the advertiser may desire to option.

The answer likewise asserts that the complaint fails to state a claim upon which any relief can be granted. It points out that Mutual itself, in its contracts with its stockholder stations and other affiliates, has recognized the necessity of exclusive option time in the conduct of network broadcasting, but has seen fit to limit the use of option time only in so far as such limitation would injure the advertising revenue of NBC, Columbia and Blue Network Company, Inc., and protect and augment the present advertising revenue of Mutual.

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NEW RADIOGRAM AND RADIOPHONE TAXES START SUNDAY

Effective Sunday, November 1st, the tax rate on telegraph, cable and radio dispatches or messages will increase from 10 to 15 percent.

The tax rate on telephone and radio telephone toll charges of 25 cents or more has risen from 5 cents for each 50 cents of the charge to a straight 20 percent rate. Local telephone service is increased from 6 percent to 10 percent.

Another change made by the 1942 Revenue Act was to increase the rate of tax on coin-operated gaming devices from \$50 to \$100 a year. The change is not effective until July 1, 1943. The manufacturers' excise taxes applicable to rubber articles, electric signs, optical equipment and commercial washing machines have been repealed as of November 1.

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FURTHER ELECTRONIC EQUIPMENT CONTROL ESTABLISHED

Further control over the production of electronic equipment is established by Limitation Order L-183-a, announced Thursday by the Director General for Operations.

Producers are ordered, after January 1, 1943, to schedule, within any single priority rating, production and deliveries of electronic, communication, detection, and signalling equipment according to numerical designations assigned by the "Precedence List" of the Joint Communications Board of the Army and Navy.

The "Precedence List" designations - which set forth the relative urgency of deliveries of certain types and quantities of electronic equipment - operate only within any one priority rating category. They do not affect the scheduling of purchase orders having different priority ratings nor purchase orders not included in the "Precedence List". Producers of electronic equipment were directed to transmit to their suppliers or fabricators of components or parts "Precedence List" designations with quantities and delivery schedules. The designations, however, do not affect raw materials.

Although the Order becomes effective January 1, 1943, producers are requested to reschedule their deliveries before that date, where feasible, and where they can be rescheduled without disrupting production efficiency. It was emphasized, however, that rescheduling resulting from the provisions of L-183-a, must not cause a delay in the delivery of purchase orders of equal or higher priority ratings not bearing "Precedence List" designations.

The "Precedence List" is restricted and is not available for publication. On it each item assigned a numerical designation, beginning with PL-A1, which is the highest order of urgency, and running through a series of letters and numerals covering more than four hundred items.

All reports to be filed in connection with communications, appeals, etc., concerning the Order L-183-a should be addressed to: War Production Board, Radio and Radiar Branch, Washington, D. C.

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CENSORS FIGHT SHY OF WILLKIE'S SPEECH

Even President Roosevelt did not know exactly what Wendell Willkie, the Hoosier Marco Polo, was going to explode over the radio last Monday night. Although it was the widest radio coverage ever afforded a private citizen in time of war, the President evidently decided to keep hands off. The result was that along with dinner guests, especially invited to the White House for that particular purpose, Mr. Roosevelt heard the speech over his radio like anybody else.

By the same token the censors accepted it as a "hot potato". It is said that neither Elmer Davis at the Office of War

10/30/42

Information nor Byron Price, Director of Censorship (though fellow Indianians and close friends of his) saw a copy of Mr. Willkie's speech before he broadcast it.

Likewise, the speech went out to the world on short-wave without being censored and Variety had this to say about that part of it:

"Wendell Willkie's frank-speaking radio address last Monday night put various branches of the U. S. Government in a peculiar position so far as short-wave airings of it were concerned. All the DX outlets - which will be privately owned and operated for only a few more weeks - naturally contacted the Office of War Information and the Coordinator of Inter-American Affairs to find what special steps were being taken to obtain world-wide airing of the speech. Inasmuch as it was treated domestically just as a presidential address is, that is, carried on virtually all stations, DXers thought foreign handling also would be similar.

"OWI and CIAA immediately got in touch with the White House and State Department for instructions. Word they got was that the Government favored world-wide broadcasting of Willkie's talk, but that OWI and CIAA should not take extraordinary steps to achieve it. Latter entails the sending of scores of cablegrams and wireless messages to stations and point-to-point relay transmitters throughout the globe, in order that they pick it up and rebroadcast it.

"It then developed that Government agencies - apparently including the White House - had not seen a copy of the speech in advance. OWI and CIAA, which wanted texts, as they get of presidential addresses, for translation into foreign languages in order to achieve simultaneous coverage, were told that 'Mr. Willkie is still working on the speech'. Reason for his reticence at giving advance copies was interpreted as being tied up with the implied sharp criticism of experts (presumably State Department, Army and Navy) for their resentment of typewriter strategists. Especially delicate were his jabs at State Department condescension.

"Despite the fact they hadn't seen the address, official sources notified the DXers that contrary to general practice, Willkie's speech would not have to be submitted to the Office of Censorship prior to being put on the short waves. Willkie was said to be 'an authority', which apparently put him above censorship.

"Excerpts of the Willkie talk were widely carried. In addition, at least one Latin American station, Radio Mundo in Buenos Aires asked for and received the talk in English direct. It was carried point-to-point through facilities of R. C. A. Communications, arranged with the cooperation of the CIAA after the station had made specific request."

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: : : TRADE NOTES : : :
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The Brazilian journalists, who were in Washington recently were far from enthusiastic about the reception of U. S. short-wave stations in South America. They said the reception of the British and Axis programs was far superior to ours.

Eugene Thomas, WOR's Sales Manager, has been named Director of the Radio Production Clinic sponsored by the Advertising Club of New York. The six-week clinic follows the regular Advertising Club lectures, and begins on February 4, with three WOR executives on the speaker list including Julius F. Seebach, WOR's vice-president in charge of programs who will discuss "Programming" at the clinic's first session.

The largest RMA membership since 1931 is enrolled in the new 1942-43 RMA trade directory. Data on the personnel, products, etc., of the present 150 members of RMA (compared with 109 members a year ago) are detailed.

The new RMA trade directory is being circulated widely in the radio and associated industries; also to government offices and officials, including WPB, OPA, Army and Navy, etc., foreign purchasing commissions, and to commercial organizations and libraries.

A First Aid Index in handy pocket size form is being issued by Sylvania for servicemen to use with local war emergency volunteer groups. It measures $6\frac{1}{2}$ x 3 inches folded, and fits into pocket, purse or auto compartment. They are available at 5¢ each, minimum quantity for imprinting by Sylvania is 100. The Sylvania First Aid Index printed in red, white and blue, is authoritative, bearing the approval of the Commander-in-Chief of the U. S. Volunteer Life Saving Corps.

The National Defense Training Center in Washington is asking for discarded radios in training technicians for the Army Signal Corps. The Training center, located at Ninth and H Streets, S.W., is now engaged in training radio men for the Signal Corps. For this job all types of radio equipment are needed.

Pages and guides of NBC's Guest Relations staff are becoming better acquainted with the Company and its operating heads through a series of weekly meetings arranged by Jerry Martin, Guest Relations Division Manager. So far, the young men have been tutored by Clay Morgan, Assistant to Niles Trammell, President and other company officials.

Radio continuities for World's Tonic, made by World's Medicine Company of Indianapolis, are charged by the Federal Trade Commission with being false and misleading. Continual administration of the tonic as recommended by the maker's advertising may cause severe gastro-intestinal irritation, according to the FTC.

Station KVO5, Bellingham, Wash., has granted a modification of construction permit for extension of completion date to April 30, 1943, of construction permit to install new equipment, directional antenna, move transmitter, increase power from 250 watts to 1 KW using directional antenna, and change frequency from 1230 kc. to 790 kc. Denied request for special service authorization to operate on the frequency 790 kilocycles.

 The Office of Strategic Services has announced that it had received 800 letters in response to the recent "Army Hour" (NBC Sundays, 3:30 P.M., EWT) plea for pictures taken abroad. (The Army, through the Office of Strategic Services, is collecting snapshots taken by American tourists abroad, since global warfare may carry U.S. troops to any corner of the earth and the most seemingly insignificant snapshot may reveal important military information.)

 The May Department Stores Co., Physicians Electric Service Corporation, and Soloman E. Mendelsohn, individually and as an officer of the corporation, all of Los Angeles, have been ordered by the Federal Trade Commission to cease and desist from misrepresentations concerning a short-wave diathermic device advertised as "Psecor Shortwavatherm".

The device is manufactured by the Physicians Electric Service Corporation and a substantial portion of its sales has been effected through the May Department Stores Co. The Commission finds that the May company and Physicians Electric Service Corporation collaborated in preparing advertisements of the device.

 The American Society of Composers, Authors and Publishers (ASCAP) has expressed its gratification to Toscanini and the National Broadcasting Company for the maestro's recognition of native composers by scheduling an all-American program, including George Gershwin's Rhapsody in Blue for the opening of the NBC Symphony season, Sunday, November 1, at 5:00 P.M., EWT.

 Station WPDQ, Jacksonville Broadcasting Corp., Jacksonville, Fla., was granted a license by the FCC to cover construction permit which authorized a new station to operate on 1270 kc., 5 KW, unlimited time, DA-night, and for approval of studio site at Gulf Life Bldg., 125 West Church St., Jacksonville; also authority to determine operating power by direct measurement of antenna power.

 A 30-second appeal to buy war bonds, which started as a "consequence" on Ralph Edwards' "Truth or Consequences" repeat program last Saturday night, ended with over \$100,000 in actual sales.

Mrs. Jeanette Brenner, mother of two sons in the service, was the unlucky participant who turned out to be a super-saleswoman. As a special reward for her one-woman bond sale drive, Mrs. Brenner was given a prepaid round trip to Camp Shelby, Miss., to visit the son stationed there. The second son is in Honolulu.

 On the Commission's own motion, it continued WLW's (The Crosley Corp. Cincinnati, Ohio) hearing until November 26, 1942 for modification of license to operate with 500 KW until local sunset, 50 KW at night, using transmitter of experimental station W8XO.

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