FCC RULINGS AND DEFINITIONS FOR FM STATIONS

Special Authorization to Expedite Beginning of Operation

For experimental high frequency (FM) broadcast stations to expedite construction of broadcast facilities, the Federal Communications Commission now offers further aid to FM broadcasters in their transition period by permitting:

A person holding a construction permit for the establishment of a new FM broadcast station may be permitted to operate an existing FM broadcast station equipment delivering a less effective signal than that required to render service adequate for the area under the rules applicable to such station, provided, the applicant demonstrates an effort to comply with the terms of his construction permit. Such showing may be made only where the applicant has acknowledged in writing under oath the intention to cease operation of the station.

Characteristics of Trade Area Requirements for Applicants

For the purpose of providing more effective use of the limited number of channels available for high frequency broadcast service, the Commission amended the Rules and Regulations Governing High Frequency Broadcast Stations to include a new section. This new section stipulates the requirements as to the areas of service that must be served by the 25 channels that are available for FM broadcast stations. These requirements are divided into three groups, as previously: the base trade area, the limited trade area, and the direct trade area. The base trade area is defined as the area within which direct services are provided. The limited trade area is defined as the area within which services are provided to an extent such that the number of potential FM broadcast stations can be limited. The direct trade area is defined as the area within which the signals are transmitted.

The trade area is divided into three groups, as previously: the base trade area, the limited trade area, and the direct trade area. The base trade area is defined as the area within which direct services are provided. The limited trade area is defined as the area within which services are provided to an extent such that the number of potential FM broadcast stations can be limited. The direct trade area is defined as the area within which the signals are transmitted.

Requirements for Contour Maps in Establishing Service Areas

The Commission has amended the Federal Communications Commission's regulations to require that contingency plans be filed with the Federal Communications Commission in order to establish service areas.

1. For the purpose of defining the trade area, the carrier frequency is divided into three groups, as previously: the base trade area, the limited trade area, and the direct trade area. The base trade area is defined as the area within which direct services are provided. The limited trade area is defined as the area within which services are provided to an extent such that the number of potential FM broadcast stations can be limited. The direct trade area is defined as the area within which the signals are transmitted.

2. For the purpose of defining the trade area, the carrier frequency is divided into three groups, as previously: the base trade area, the limited trade area, and the direct trade area. The base trade area is defined as the area within which direct services are provided. The limited trade area is defined as the area within which services are provided to an extent such that the number of potential FM broadcast stations can be limited. The direct trade area is defined as the area within which the signals are transmitted.

Locating FM Antennas on Standards

The purpose of the following section is to provide guidance for the establishment of FM broadcast stations with those standards that are currently in effect.
COEFFICIENT CRYSTALS WHICH HAVE BEEN ACCEPTED BY THE COMMISSION

Premier Crystal Labs, Inc.—53-82
Park Row, New York City.
RCA Mfg., Co.—Camden, N. J.
Precision Pico-Service—Baton Rouge, La.
Scientific Research Laboratories—Yatesville, Md.
Commercial Radio Equipment Co.—21 East Seventy-fourth Street
Kansas City, Mo.
Hilter Crystal Co.—Merriam, Kansas.
Pizzo Electriic Laboratories—New Dorp, N.Y.

Collins Radio Co.—Cedar Rapids, Iowa.
Type No. 1085—6.1×6.1 model automatic frequency
control unit; Type No. 1085—B—8.14×8.14 model automatic
frequency control unit; Type No. 1085—C—10.8×10.8 model automatic
frequency control unit; Type No. 1085—D—16×16 model automatic
frequency control unit; Type No. 1085—E—25.4×25.4 model automatic
frequency control unit.

AMERICAN PICKUP SUPPLY CO.—Kansas
City, Missouri.
Type No. 1087—6×7.5 Automatic frequency
control unit.

BASS ELECTRIC CO.—Erie, Pennsylvania.
Type No. 1088—25×25 Automatic tuning control.

COLLINS RADIO CO.—Cedar Rapids, Iowa.
Type No. 706—8.14×8.14 Automatic tuning control.

BROOKLYN ELECTRIC CO.—New York City.
Type No. 1089—25×25 Automatic tuning control.

CULLIGAN RADIO CO.—Chicago, Illinois.
Type No. 710—8.14×8.14 Automatic tuning control.

DOOLITTLE RADIO CO.—Chicago, Illinois.
Type No. 711—8.14×8.14 Automatic tuning control.

SPENCER RADIO CO.—Chicago, Illinois.
Type No. 712—8.14×8.14 Automatic tuning control.

GENERAL CORPORATION—Chicago, Illinois.
Type No. 713—8.14×8.14 Automatic tuning control.

GARRISON ELECTRIC CO.—Chesapeake, Virginia.
Type No. 714—8.14×8.14 Automatic tuning control.

CENTURY RADIO CO.—Cambridge, Massachusetts.
Type No. 715—8.14×8.14 Automatic tuning control.

REPUBLIC MANUFACTURING CO.—Canby, Oregon.
Type No. 716—8.14×8.14 Automatic tuning control.

Definition of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class 1 stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

1. Class of stations—Broadcast stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

2. Definition of classes—The four principal classes of broadcast stations are defined as follows:

Class I: A dominant station operating in a clear channel and designating primary and secondary service areas on an extended area and at relatively long distances. Class I stations are subdivided into two classes:

Class 1-A: A Class I station which, under the terms of the communications act, is allowed to carry on a directional service to a limited service area.

Class 1-B: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

3. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

4. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

5. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

6. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

7. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

8. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

9. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.

10. Class of stations—Class I stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

Classification of Station Classes and Use of the Several Classes of Channels (As Set Forth Under the NARBA)

Class I: A Class I station which is allowed to carry on a directional service to a limited service area.

Class II: A Class II station which is allowed to carry on a directional service to a limited service area.

Class III: A Class III station which is allowed to carry on a directional service to a limited service area.

Class IV: A Class IV station which is allowed to carry on a directional service to a limited service area.
III. Change or Modification of Transmission Standards

The Commission will consider question whether proposed or modification of transmission standards adopted for television would be in the public interest, in the interest of the public agencies, or in the interest of any individual or group of persons, and whether the proposed change or modification, setting forth the following:

(a) The exact character of change or modification proposed;
(b) The effect of the proposed change or modification upon other operations of the Commission or other agencies;
(c) The effect of the proposed change or modification upon the service or capacity of the System to which it is proposed to be applied, or of any other System, or of any other station or channel, or of any other part of the service or capacity of the System, or of any other System, or of any other station or channel, or of any other part of the service or capacity of the System, whether or not of any other System.

The effect of the proposed change or modification, in the proposed standards and in the existing standards, and the effect of the proposed change or modification on the service or capacity of the System to which it is proposed to be applied, or of any other System, or of any other station or channel, or of any other part of the service or capacity of the System, or of any other System, or of any other station or channel, or of any other part of the service or capacity of the System, whether or not of any other System.

Should a change or modification be adopted, the proposed change or modification shall be published by the Commission, effective the day of publication in the Federal Register, and any interested person may file a protest in accordance with the procedures prescribed by the Commission, effective the day of publication in the Federal Register.

The adoption of the change or modification shall be effective 30 days from the date of publication in the Federal Register.
FCC Regulations Governing Standard Broadcast Services
Part 3 Rules and Regulations, Effective June 25, 1940, as Revised to Jan. 1, 1942

Page 370 • 1942 Yearbook Number

BROADCASTING • Broadcast Advertising

SUBPART A—RULES GOVERNING STANDARD BROADCAST STATIONS

Definitions

3. Standard broadcast station. The term "standard broadcast station" applies to any station which is authorized to operate at a frequency of radio-frequency emission, is primarily intended to be received by the general public and operated on a channel in the band 550-1500 kilocycles, inclusive.

4. Standard broadcast band. The term "standard broadcast band" means the band of frequencies extending from 550-1600 kilocycles, inclusive, both 550 kilocycles and 1600 kilocycles being the carrier frequencies of broadcast channels.

5. Standard broadcast channel. The term "standard broadcast channel" means the band of frequencies occupied by the carrier and side bands with a carrier frequency designated by their assigned carrier frequencies. Carrier frequencies assigned to standard broadcast stations shall begin at 550 kilocycles and be in successive steps of 5 kilocycles.

6. Dominant station. The term "dominant station" means a class I station, as hereinafter defined, operating on a clear channel.

7. Daytime. The term "daytime" means that period of time between local sunup and local sundown.

8. Nighttime. The term "nighttime" means that period of time between local sunset and 12 midnight local standard time.

9. Standard service area. The term "standard service area" means the area in which the ground wave of a broadcast station is subject to objectionable interference or objectionable fading.

10. Auxiliary transmitter. The term "auxiliary transmitter" means a transmitter maintained only for transmitting the regular programs of a station in case of failure of the main transmitter.

11. Combined audio harmonics. The term "combined audio harmonics" means the mathematical sum of the amplitudes of all the separate harmonic components of the audio signal, the sum square harmonic readings may be accepted under conditions prescribed by the Commission.

12. Effective field. The term "effective field" or "effective field intensity" is the root-mean-square value of the reverse distance field at a distance of 1 mile from the antenna in all directions in the horizontal plane.

ALLOCATION OF FACILITIES

3.3 Three classes of standard broadcast channels.

(a) Clear channel. A "clear channel" is one on which the dominant station or stations render service over wide areas and which are cleared of objectionable interference within their standard service areas and over all or a substantial portion of their secondary service areas.

(b) Regional channel. A "regional channel" is one on which several stations may operate with powers not in excess of 5 kilowatts. The primary service area of a station operating on any such channel may be limited, as a consequence of interference, to a given field intensity contour.

2.2 Classes and power of standard broadcast stations.

(a) Class I station. A "class I station" is a dominant station operating on a clear channel and designed to render primary and secondary service over an extended area and at relatively long distances. Its primary service area is free from objectionable interference from other stations on the same or adjacent channels, and to reliable reception from stations on the adjacent channel, and from stations on the same channel in accordance with the channel designations in section 3.35 or in accordance with the provisions of section 3.35 when a station on the adjacent channel or an antenna of any other station or antenna means to avoid interference with, class I stations and with other class I stations, in accordance with the Engineering Standards of Allocation.

1 The term "metropolitan district" as used in this paragraph is not limited in accordance with the definition given by the Bureau of Census but includes any principal central city and the adjacent areas free of primary service stations.

2 Formal application required for change in time of operation of existing broadcast stations. See Standards of Good Engineering Practice for form number.

3 See Money Required to Construct and Complete Electrical Tasts of Stations of Different Classes and Powers.
FREQUENCY ALLOCATIONS BY CLASSES OF STATIONS

3.25 Clear channels: Class I and II stations.—The frequencies in the following tabulation are designated as clear channels and assigned for use by the following classes of stations:

(c) To each of the channels below there will be assigned one Class I station
(1) where there may be assigned one or more Class II stations, operating limited time.
(2) To each of the channels below where there may be assigned one or more Class II stations, operating limited time.
(3) To each of the channels below there will be assigned one Class I station
(4) To each of the channels below there will be assigned one Class I station
(5) To each of the channels below there will be assigned one Class I station
(6) To each of the channels below there will be assigned one Class I station
(7) To each of the channels below there will be assigned one Class I station
(8) To each of the channels below there will be assigned one Class I station
(9) To each of the channels below there will be assigned one Class I station
(10) To each of the channels below there will be assigned one Class I station
(11) To each of the channels below there will be assigned one Class I station
(12) To each of the channels below there will be assigned one Class I station
(13) To each of the channels below there will be assigned one Class I station
(14) To each of the channels below there will be assigned one Class I station
(15) To each of the channels below there will be assigned one Class I station

(d) For Class II stations which operate daily with power not in excess of 1 kilowatt and which will not deliver over 5.000 watts per meter ground wave within 60 miles of the nearest Canadian Border, and which will not deliver over 25 kilowatts per meter ground wave within 120 miles of the nearest Canadian Border.

(e) For Class II stations which operate daily with power not in excess of 1 kilowatt and which will not deliver over 5.000 watts per meter ground wave within 60 miles of the nearest Canadian Border, and which will not deliver over 25 kilowatts per meter ground wave within 120 miles of the nearest Canadian Border.

(f) For Class II stations which operate daily with power not in excess of 1 kilowatt and which will not deliver over 5.000 watts per meter ground wave within 60 miles of the nearest Canadian Border, and which will not deliver over 25 kilowatts per meter ground wave within 120 miles of the nearest Canadian Border.

3.26 Regional channels: Classes III-A and III-B stations.—The following frequencies are assigned as regional channels and are assigned for use by classes of stations:

(a) The individual assignments of these frequencies to channels which may cause interference to other United States stations only shall be made in accordance with the standards of the Federal Communications Commission for the respective classes of stations involved.

(b) In cases where individual assignments may cause interference to other United States stations or to another North American country, the classifications, allocations, requirements, and other engineering standards set forth in the North American Regional Broadcasting Agreement shall be met.

3.27 Local channels: Class IV stations.—The following frequencies are assigned as local channels and are assigned for use by Class IV stations:

(a) Standard broadcast station shall not move its main studio outside the border of the city or county in which the station was first licensed without a written application filed with the Commission for authority to do so.

(b) The station shall not change its main studio location without first making written application to the Commission for authority to do so.

3.31 Authority to move main studio.—The license of a standard broadcast station shall not move its main studio outside the borders of the city or county in which the station was first licensed without a written application filed with the Commission for authority to do so.

3.32 Special experimental authorizations.—(a) Special experimental authorization may be issued to the licensee of a standard broadcast station in which the Commission finds that it is in the public interest to grant an experimental license.

(b) The public interest, convenience, and necessity will be served by granting the authorization requested.

(c) A special experimental authorization will be extended after the station has been on the air for a period of not less than 30 days.

(d) The program of research and experimentation as outlined in the application for a special experimental authorization shall be adhered to in the minimum permitted by the Commission.

(e) The Commission may require from time to time a broadcast station holding such experimental authorization to conduct experiments that are deemed necessary.

(f) A supplemental report shall be filed with and made a part of each application for an extension of a special experimental authorization and shall include statements of the following:

(i) A description of all research and experimentation conducted.

(ii) Conclusions and outline of proposed program for further research and development.

(iii) Comprehensive summary and conclusions as to the social and economic effects of its use.

3.33 Assignment of main studio: changing ownership.—(a) No application for authority to move main studio of a standard broadcast station shall be accepted unless the Commission has been notified in writing of the change in the name of the owner of the station.

(b) The assignment of main studio of a standard broadcast station shall be effective only upon the date specified in the application and shall not be effective at any time without authority of the Commission.

3.42 Maximum rated carrier power: how determined.—(b) The maximum rated carrier power of a standard broadcast transmitter shall be determined as the sum of the applied power to the main oscillator and the power output of the power amplifiers in each frequency band. The vacuum tubes employed in the last radio stage.

3.43 Maximum rated carrier power: how obtained.—(a) The maximum rated carrier power of a standard broadcast transmitter shall be determined as the sum of the applied power to the main oscillator and the power output of the power amplifiers in each frequency band. The vacuum tubes employed in the last radio stage.

3.10 Equipment in use: equipment; authority for. No licensee shall change the equipment in use unless the Commission shall have authorized such change.

3.44 Other changes in equipment. Other changes except as provided for in these rules or Standards of Good Engineering Practice, prescribed by the Commission, shall not be made unless the Commission shall have authorized the change.

BROADCASTING • Broadcast Advertising
1942 Yearbook Number • Page 371
Operating power = \( P_o = P_f + P_i + F \)

A. Factor to be used for stations employing plate modulation in the last radio stage

<table>
<thead>
<tr>
<th>Class of power amplifier in the last radio stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class B</td>
</tr>
<tr>
<td>Class C</td>
</tr>
</tbody>
</table>

B. Factor to be used for stations using low-level modulation

<table>
<thead>
<tr>
<th>Class of power amplifier in the last radio stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class B</td>
</tr>
</tbody>
</table>

C. Type of tube in the last radio stage

<table>
<thead>
<tr>
<th>Type of tube in the last radio stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type C</td>
</tr>
</tbody>
</table>

D. Type of tube in the last radio stage

<table>
<thead>
<tr>
<th>Type of tube in the last radio stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type D</td>
</tr>
</tbody>
</table>

See Table G, page 371, for further details.

3.54 Operating power: direct measurement. The antenna input power determined by direct measurement equals the square of the 20-meter antenna current divided by 300,000 and is recorded to the nearest 0.01 decibel. The antenna current is measured with a current meter having a sensitivity of 0.001 ampere per division.

3.55 Modulation. A broadcast station shall be considered as having reached its maximum permissible level of modulation when the amplitude of the signal is equal to that of the noise bandwidth of the receiver. The modulation index of any broadcast station shall be maintained within the maximum authorized power by the operation of the transmitter.

3.56 Modulation: data required. A broadcast station shall maintain the operating power of the station within the prescribed limits of the licensed power at all times except that in an emergency when due to circumstances beyond the control of the licensee, it becomes impossible to operate within the full licensed power, the station may be operated at reduced power for a period of not to exceed 24 days, provided that the Commission and the station have been furnished with a written statement of the reasons for such operation and the maximum authorized power.

3.38 Indicating Instruments. Each broadcast station shall be equipped with suitable indicating instruments of such a nature as to measure the antenna current, direct plate circuit voltage, and the direct plate circuit current of the last radio stage. These indicating instruments shall not be changed or replaced, without the prior approval of the Commission, except for the purpose of increasing the maximum scale reading, and accuracy. (See Indicating Instruments Pursuant to §3.38.)
3.90 Frequency monitor. The license of each standard broadcast station shall have in operation at the transmitter a frequency monitor independent of the frequency control of the transmitter. The frequency monitor shall be approved by the Commission. It shall have a stability and accuracy of at least parts per million. (See Approved Frequency Monitors and also Requirements for Approved Frequency Monitor in the Commission's Rules.)

3.92 New Equipment: restrictions. The Commission will authorize the installation of new transmitting equipment in a broadcast station or changes in the frequency control of an existing transmitter only if such equipment meets the requirements for approval set forth in §3.80 of this Part, or if the license specifies a proportionate time division, the agreement shall specifically so provide, and the licensee shall file evidence of its intentions with the Commission in accordance with §3.80 of this Part, or if the Commission determines that such equipment is necessary for the maintenance of an assigned frequency within the limits specified in section 3.50.

3.93 Automatic frequency control equipment: authorization required. New equipment which automatically maintains the operating frequency of a broadcast station shall be considered equipment which automatically maintains the assigned frequency within the limits specified in section 3.50.

3.94 Auxiliary transmitter: broadcast operations. In addition to the regular transmitter of a broadcast station, a license therefor may be issued provided that:

(a) An auxiliary transmitter may be installed either at the same location as the regular transmitter or at a separate location. An auxiliary transmitter may also be installed in any other location for an additional fee, provided that the number of auxiliary transmitters is specified in the license therefor.

(b) A licensed operator shall be in control whenever an auxiliary transmitter is in operation.

(c) The auxiliary transmitter shall be maintained so that it may be put into immediate operation at any time for the following purposes:

(1) To replace the regular transmitter when the regular transmitter is not available for operation.

(2) To maintain the quality of broadcast service during periods when the regular transmitter is not operating.

3.95 Upon request by a duly authorized representative of the Commission.

3.96 The auxiliary transmitter shall be tested at least once each week to determine that it is in proper operating condition and that it is adjusted and maintained in accordance with paragraphs (c) and (d) of this section. The test shall be conducted only between midnight and 9 a.m. local standard time.

3.97 The auxiliary transmitter shall be equipped with satisfactory control equipment which will enable the maintenance of the frequency transmitted by the auxiliary transmitter within the limits prescribed for broadcast operation.

3.98 An auxiliary transmitter which is licensed at a geographical location different from that of the main transmitter shall be equipped with a frequency monitor, even if such equipment is not otherwise required by these regulations without any manual adjustment during operation or when in storage.

3.99 The operating power of an auxiliary transmitter may be less than full power.

3.100 Duplicate main transmitters. The license of a standard broadcast station may be licensed for duplicate main transmitters provided that a technical need for such duplicate transmitters is shown and that the following conditions are met.

(a) Both transmitters are located at the same place.

(b) Both transmitters have the same power rating.

(c) The external effects from both transmitters shall have stability, reliability of operation, audio, radio frequency and other characteristics identical to the main transmitter.

OPERATION

3.71 Minimum operating schedule. Except Sundays, the licenses of each standard broadcast station shall maintain a minimum operating schedule of at least two-thirds of the total hours that it is authorized to operate. The regular transmitter shall be maintained in operating condition at all times during the day and night provided that the following conditions are met.

(a) Both transmitters are located at the same place.

(b) The transmitters have the same power rating.

(c) The external effects from both transmitters are substantially the same.

3.72 Operation during experimental period. The licensees of each standard broadcast station shall operate or refrain from operating its station during the experimental period as directed by the Commission in order to facilitate frequency monitoring programs. In the event that the frequency control of the station may cause deviation from the assigned frequency during the experimental period, the frequency control of the station shall be operated in accordance with instructions issued by the Commission and the frequency control equipment of the station shall not be used for any other purpose.

3.73 Specified hours. If the license of a station specifies the hours of operation, such specification shall be adhered to except as provided in sections 3.71 and 3.72.

3.74 Sharing time. If the license of stations authorized to share time do not specify hours of operation, the licensees shall endeavor to reach agreement on the operating schedule. If no agreement is reached within 30 days, the Commission shall be notified and, if the Commission does not rule within 30 days, the licensees shall be considered to be in agreement. If the license specifies a proportionate time division, the agreement shall specifically so provide, and the licensees shall file evidence of their intentions with the Commission in accordance with §3.80 of this Part. Such division of time shall not include simultaneous operation of the stations authorized to share time.

3.75 Sharing time: equivalence of day and night hours. For the purpose of determining the proportionate division of time of the broadcast day for sharing time stations, 24 hour shall be considered the equivalent of 24 hour.

3.76 Sharing time: experimental period. If the license of a station authorized to share time does not specify the hours of operation, the station may be used for any purpose during the experimental period provided an agreement therefor is reached with the other stations with which the broadcast day is shared and further provided such operation is not in an area where there is no request for operation during the experimental period need not be submitted to the Commission.

3.77 Sharing time: departure from regular schedule. A departure from the regular operating schedule of any station shall be accomplished by agreement. The agreement will be in writing and each licensee shall file the same in triplicate original with each application to the Commission for renewal of license. If the agreement is not in writing, the file mark of the Commission will be affixed thereon, one copy will be retained by the Commission, one copy forwarded to the Inspector in Charge, and one copy will be retained by the licensee. If the license specifies a proportionate time division, the agreement shall specifically so provide, and the licensees shall file evidence of their intentions with the Commission in accordance with §3.80 of this Part. Such division of time shall not include simultaneous operation of the stations authorized to share time.

3.78 Sharing time: notification to Commission. If the licenses of stations authorized to share time are unable to agree on a division of time, the request shall be made in writing and filed with the Commission. The request shall be accompanied by the application for renewal of the licenses. The Commission will designate the applications for a hearing and, pending such hearing, the operating schedule previously adhered to shall remain in full force and effect.

3.79 License to specify sunrise and sunset hours. If the license of a broadcast station specifies the hours of operation, the license will specify the hours of operation of the broadcast day during each month of the license period when operation of such station will commence or cease at sunrise or sunset. Such a license will be required only in cases where an agreement to this effect is reduced to writing, is signed by the licensees of the stations affected thereby and filed in triplicate with each license by the Commission prior to the time of the proposed change.

3.80 Secondary station: filing of operating schedule. The license of a secondary station authorized to operate limited time and which may resume operation of the primary station shall, with each application for renewal of license, file in triplicate a_copy of its regular operating schedule, bearing a signed notation by the licensee that such a schedule has been prepared by the licensee. Upon approval of such operating schedule, the Commission will affix its file mark and return one copy to the licensee authorized to operate limited time and one copy to the licensee authorized to operate the primary station. The remaining copy will be retained by the Commission. Depature from said operating schedule will be permitted only in accordance with the procedure set forth in section 3.77.

3.81 Secondary station: agreement to reach agreement. If the license of a secondary station authorized to operate limited time and a dominant station on a channel are unable to agree upon a definite time for resumption of operation of such a station, the licensees of each of such stations shall file a statement notifying the licensees of the station authorized limited time. After receipt of such statement the Commission will designate for hearing the applications of the licensees of the station authorized limited time which are not in accordance with the proposal of the licensee authorized to operate limited time. The application filed by the licensee authorized to operate limited time shall be heard and the station authorized limited time shall be granted use of the time to which it is entitled by the order of the Commission.

3.82 Departure from schedule: material violation. In all cases where a station departs from the schedule so as to materially violate any regulation or condition of its license or any condition of its operating schedule, such a station shall be notified in writing by the Commission.

3.83 Local standard time. All references herein to standard time or local standard time shall be to standard time as determined and fixed by the Interstate Commerce Commission.

3.84 Daylight saving time. If local time is changed from standard time to daylight saving time at the location of all stations sharing time on the same channel, the hours of operation of all such stations on that channel shall be understood to refer to daylight saving time, and not standard time, for the determination of the time at which such stations are to go off the air. Such time shall be determined by the local time at which the time is changed by provisions of law or general observance of daylight saving time by the various communities, and when the time of operation of such stations is specified in the license, or is mutually agreed upon by the licensees. Provided, however, That when the license specifies average time of sunrise and sunset, local standard time shall be observed. In no event shall permission be granted for determining the time at which such stations may cease to operate or cease to broadcast on the air, unless such time be determined in accordance with the provisions of this section.

3.85 Changes in time: agreement between licensees. When the local time in a community is changed from standard time to daylight saving time, the stations sharing time on the same channel, the hours of operation of such stations shall be understood to have reference to standard time, and not daylight saving time, for the time at which such stations may cease to operate. Such permission being effective only while daylight saving time is observed at the location of some of these stations.

3.86 Program transmissions prior to local sunrise.—(a) The provisions of sections 3.5, 3.9, 3.10, 3.28, 3.79 and 3.84 shall not prevent the transmission of program transmissions prior to local sunrise. In no event shall permission be granted for determining the time at which such stations may cease to operate or cease to broadcast on the air, unless such time be determined in accordance with the provisions of this section.

3.87 Program transmissions prior to local sunrise.—(Continued on page 371)
RULES APPLICABLE TO STATIONS ENGAGED IN CHAIN BROADCASTING

LICENSING REQUIREMENTS
(Suspended Pending Court Action on NBC-CBS Appeals)

831.101 Exclusive affiliation of stations.—No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization under which the station is prevented or hindered from or penalized for, broadcasting the programs of any other network organization.

831.102 Territorial exclusivity.—No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which prevents or hinders another station serving substantially the same area from broadcasting the network's programs which are not taken by the former station, or which prevents or hinders another station serving a substantially different area from broadcasting any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary service area upon the programs of the network organization.

831.103 Term of affiliation.—No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding with a network organization which provides, by original terms, provisions for renewal, or otherwise for the affiliation of the station with the network organization for a period longer than two years; Provided. That a contract, arrangement, or understanding for a period up to two years, may be entered into within 30 days prior to the commencement of such period.

831.104 Option time.—No license shall be granted to a standard broadcast station which options for network programs any time subject to call on less than 50 days' notice, or more time than a total of three hours within each of four segments of the broadcast day, as herein described. The broadcast day is divided into four segments, as follows: 8:00 a.m. to 1:00 p.m.; 1:00 p.m. to 6:00 p.m.; 6:00 p.m. to 11:00 p.m.; 11:00 p.m. to 8:00 a.m. These options may not be exclusive inasmuch as other network organizations and may not prevent the station from obtaining or selling any or all of the time offered for the option, or other time, to other network organizations.

831.105 Right to reject programs.—No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which has, as a condition, a contract, offer, or arrangement, or any condition, to prevent the station from rejecting or refusing network programs which the station reasonably believes to be unsatisfactory or unsuitable; or which (d), with respect to network programs so offered or otherwise contracted for, prevents the station from rejecting or refusing any program which, in its opinion, is contrary to the public interest, or from substituting a program of local origin, of local national importance.

831.106 Network ownership of stations.—No license shall be granted to a network organization, or to any person directly or indirectly controlled by or under common control with a network organization, or for more than one standard broadcast station where one of the stations covers substantially the area of the other station, or for any standard broadcast station in any locality where the existing standard broadcast stations are few or of such unique desirability (in terms of coverage, power, frequency, or other related matters) that competition would be substantially restrained by such licensing.

831.107 Dual network stations.—No license shall be issued to a standard broadcast station affiliated with a network organization which maintains more than one network: Provided. That this regulation shall not be applicable if such networks are not operated simultaneously, or if there is no substantial overlap in the territory served by the group of stations comprising each such network.

831.108 Control by networks of station rates.—No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding express or implied, with a network organization under which the station is prevented or hindered from, or penalized for, fixing or altering its rate for the sale of broadcast time for other than the network's programs.

The term "network organization" as used herein includes national and regional network organizations. See Chapter VII, 1, of Report on Chain Broadcasting.

As used in this section, an option is any contract, arrangement, or understanding express or implied, between a station and a network organization which prevents a station from rejecting or refusing network programs before the network agrees to utilize the time during which such programs are scheduled, or which requires the station to clear time already scheduled when the network organization seeks to utilize the time.

All time options permitted under this section must be for specified clock hours expressed in terms of the broadcast day. All contracts must be agreed upon by the station and network organization. Shifts from standard to daylight saving time or vice versa may or may not be shifted the same time.

The word "control" as used herein, is not limited to full control but includes such a measure of control as would substantially affect the availability of the station to other networks.

The effective date of this section may be extended from time to time with respect to any station in order to permit the orderly disposition of properties.

Effective date of this section shall be suspended indefinitely and any further order of the Commission vacating sections thereof shall not be included in determining compliance with section 371 of these rules.

Suspended pending court action.

FCC STANDARD BROADCAST RULES
(Continued from page 373)

PENalties applicable to stations engaged in chain broadcasting

sion of programs between four o'clock a. m., local standard time, and local sunrise, of standard broadcast stations with their authorized daytime facilities, Provided. That the provisions of this rule shall not extend to

(1) Stations operating on sharing time during daylight hours either under license, or otherwise sharing time between stations, or that their time-sharing agreements have been entered into or approved by the Commission, or that their time-sharing agreements have been authorized by the Commission.

(2) Any class II station causing interference by use of its daytime facilities within the 95 per cent. of Terrestrial Broadcasting Agreement.

(3) Operation by use of its daytime facilities of any Class II station on any class I-A channel not assigned to the United States, to another country, to the North American Regional Broadcasting Agreement.

(4) Any station operating during such hours receiving notice from the Commission that undue interference is caused shall refrain from such operation during such hours pending further notice from the Commission.

(5) Nothing contained in this or any other section of this Act shall prohibit such operation for such stations; or shall prohibit such operation except as herein provided.

(6) The period by 4:00 a. m. to 6:00 a. m., local standard time, shall be included in determining compliance with section 371 of these rules.

As determined by the Standards of Good Engineering Practice, Governing Standard Broadcast Stations and the North American Regional Broadcasting Agreement.

Paul F. Godley
Consulting Radio Engineer

Montclair (N.J.) 2-7859
FM Regulations Governing Broadcast Services

3.401 Station license; posting of. The station license and any other statement of authorization included in the station identification announcement of the broadcast station or any other relevant statement regarding the operation of the station shall be posted in a conspicuous place in the room in which the transmitter is located in such manner and form as shall be prescribed by the Commission. All such statements and the operation of the station shall be posted in the same manner. (See secs. 2.51 and 2.52.)

3.402 Licensed operator required. The licensee of each station shall have available on the premises, and shall maintain at the station, a licensed operator of the grade specified in the license, issued by the Commission, during all periods of operation of the station. An unlicensed operator of the station at the place where the transmitting equipment is located. (See sec. 2.53.)

3.403 Licensed operators; other duties. The licensed operator of duty in charging the operation of any frequency broadcast station may, at the discretion of the licensee, be employed for other duties or for the operation of another broadcasting station. (See sec. 2.54.) An unlicensed operator of the station at the place where the transmitting equipment is located. By the rules and regulations governing such other provision, however, that such duties shall not interfere with the proper, on-time, and efficient operation of the radio station.

3.404 Logs. The licensee of each broadcast station shall maintain program operating logs and shall require entries to be made as follows:

(a) In the program log:
   (1) An entry for each time the station identification announcement (call letters and location) is made.
   (2) An entry of the time the program begins and ends.
   (3) A record of the program subject matter or nature of the material broadcast.
   (4) An entry of the time each program begins and ends.
   (5) An entry of each interruption to the carrier wave, its cause, and duration.
   (6) An entry of the time the station begins to supply power to the antenna, and the time the same is terminated.

(b) In the operating log:
   (1) An entry of the time the station begins to supply power to the antenna, and the time the same is terminated.
   (2) An entry of the time the program begins and ends.
   (3) An entry of each interruption to the carrier wave, its cause, and duration.
   (4) An entry of the following each 30 minutes:
      (a) Transmission levels in watts
      (b) Operation constants of last radio stage (total plate current and plate voltage)
      (c) Antenna current
      (d) ANTENNA CURRENT READING
      (e) Temperature of crystal control if thermistor is used.

(4) Log of experimental operation during experimental period. (If regular operation is maintained during this period, the above logs shall be kept.)

3.405 logs—retention of. Logs of standard or high frequency broadcast stations shall be retained by the licensee for a period of 2 years, except when required to be retained for a longer period in accordance with the provisions of sec. 3.408.

3.406 Station identification—(a) A licensee of a standard or high-frequency broadcast station shall make station identification announcement (call letters and location) of the station, at the beginning of the program, at the end of the program, and every 30 minutes during the program, either on the hour or at five minutes past the hour. Provided, That this requirement shall not apply to radio stations in foreign countries, the broadcasting of which is authorized by the Federal Communications Commission and operated in accordance therewith.

(b) Such identification announcement shall not be made on the hour when a newscast or other program of similar character is being given. Provided, That the identification announcement shall not be made during the first 5 minutes of the program, but shall be made at the beginning of the program, at the first interruption of the entertainment continuity and at the conclusion of the program.

(c) Such identification announcement need not be made on the half hour or on quarter hours when the time between such announcement is less than 15 minutes. Provided, That the identification announcement shall be made at the beginning of the program, at the first interruption of the entertainment continuity and at the conclusion of the program.

(d) In the case of variety, sports, baseball game broadcasts, or similar programs, the identification announcement shall be made within 5 minutes of the hour and of the times specified in paragraph (a) of this section.

(e) In the case of variety, sports, baseball game broadcasts, or similar programs, the identification announcement shall be made within 2 minutes of the hour and of the times specified in paragraphs (a) and (c) of this section.

(f) In the case of variety, sports, baseball game broadcasts, or similar programs, the identification announcement shall be made on the half hour or on quarter hours when the time between such announcement is less than 15 minutes. Provided, That the identification announcement shall be made at the beginning of the program, at the first interruption of the entertainment continuity and at the conclusion of the program.

3.407 Logs—retention of. Each broadcast program consisting of a mechanical record or a series thereof, of longer duration than 3 minutes, the identification announcement shall be recorded in the manner and on the extent set out below:

(a) A mechanical record or a series thereof, of longer duration than 3 minutes, the identification announcement of each mechanical record or series thereof shall be recorded in the manner and on the extent set out below:

(b) A mechanical record, or a series thereof, of a longer duration than 5 minutes, and not in excess of 30 minutes, shall be identified by an appropriate mechanical record or series thereof, the identification announcement of each mechanical record or series thereof shall be recorded in the manner and on the extent set out below:

(c) A single mechanical record or a series thereof, not in excess of 30 minutes, shall be identified by an appropriate mechanical record or series thereof, the identification announcement of each mechanical record or series thereof shall be recorded in the manner and on the extent set out below:

(d) In case a mechanical record is used for background music, sound effects, station identification program, identification (name and call letters) of the station, or for any other proper, non-repetitive, non-commercial announcement of the mechanical record is required.

(e) A mechanical record shall accurately describe the type of mechanical record, without an electrical transcription in use shall be announced as a "transcription," or "as transcription," or "as transcription of," and where a phonograph record is used it shall be announced as a "record.

3.408 Rebroadcast—(a) The word "rebroadcast" means reception by radio of the program of a radio station, and the simultaneous or subsequent transmission of such program by a broadcast station.

(b) The license of a standard or high-frequency broadcast station may, without further authority of the Commission, rebroadcast the program of a United States standard or high-frequency broadcast station without written authorization of the licensee of the standard or high-frequency station originating the program. Provided, That the license of the standard or high-frequency broadcast station shall be notified of the call letters of each station rebroadcast and the license certificate that express authority has been received from the licensee of the station originating the program.

(c) The license of a standard or high-frequency broadcast station located within a state or the District of Columbia may, without further authority of the Commission, rebroadcast any program of a United States international broadcast station.

(d) The license of a standard or high-frequency broadcast station located in a state or the District of Columbia may, without further authority of the Commission, rebroadcast any program of a United States international broadcast station.

(e) In the case of a program rebroadcast by several standard broadcast stations, such as a chain rebroadcast, the person legally responsible for the programming and operation of the chain shall be responsible therefor, and the license holder of each station rebroadcast shall be responsible for its programming and operation as if it were the originating station.

3.409 Determination of facilities required. The person legally responsible for the programming and operation of a station shall be responsible therefor, and the license holder of each station rebroadcast shall be responsible for its programming and operation as if it were the originating station.

3.409 Determination of facilities required. The person legally responsible for the programming and operation of a station shall be responsible therefor, and the license holder of each station rebroadcast shall be responsible for its programming and operation as if it were the originating station.

3.425 Rates and practices. The rates, if any, charged shall be uniform and not be related to any rates, if any, charged by other stations, or to the number of stations rebroadcasting the same program.

3.422 Definitions.—(a) According to law, or any other party as may be required by the Commission, the person legally responsible for the programming and operation of the chain shall be responsible therefor, and the license holder of each station rebroadcast shall be responsible for its programming and operation as if it were the originating station.

3.422 Definitions.—(a) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(b) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(c) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(d) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(e) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(f) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(g) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(h) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(i) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(j) A "legally qualified candidate" means any person who has been determined to be a candidate for public office by the Federal Communications Commission, or by any other political body, as defined in the Federal Election Campaign Act of 1971, as amended.

(Continued on page 373.)
## Official Kilocycle-Meter Conversion Table

<table>
<thead>
<tr>
<th>Kilocycles (kc)</th>
<th>Meters (m)</th>
<th>Kilocycles (kc)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Columns are Interchangeable)</td>
<td>(Columns are Interchangeable)</td>
<td>(Columns are Interchangeable)</td>
</tr>
</tbody>
</table>

This table gives approximate values in meters corresponding to any number of kilocycles and vice versa. The table is based on the factor 300,000. To obtain kilocycles divide 300,000 by the number of meters, to obtain meters divide 300,000 by the number of kilocycles. This table gives values for every 10 kilocycles. A similar table is given for 10,000 cycles per second. The range of the table is easily extended by shifting the decimal point; the shift is in opposite directions for each pair of values. For example, one can not find 567 in the first column, but its equivalent is obtained by finding later in the table that 5.670 kilocycles or meters equals 52.91 meters of kilocycles, from which 567 kilocycles or meters equals 3.570 meters or kilocycles. A similar method may be employed for determining higher and lower frequencies above 10 kilocycles and below 10,000 kilocycles.
The Communications Act of 1934
(Provisions Relating to Broadcasting and Allied Services, With Sections Dealing Exclusively With Public Utility Common Carriers Omitted)
Passed by 73rd Congress; Approved June 18, 1934; With Amendments

TITLE I—GENERAL PROVISIONS
PURPOSES OF ACT; CREATION OF FEDERAL COMMUNICATIONS COMMISSION
Section 1. For the purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all people of the United States a rapid, efficient, Nation-wide, and world-wide wire and radio communication facilities at reasonable rates of charges, for the purpose of the national defense, for the protection of life and property through the use of wire and radio communication, and for the purpose of securing a more effective execution of this policy by centralizing in a single authority hereafter provided, wire and radio communication, there is hereby created a commission to be known as the "Federal Communications Commission," which shall be constituted as hereinafter provided, and which shall execute and enforce the provisions of this Act.1

APPLICATION OF ACT
Sec. 2. (a) The provisions of this Act shall apply to all interstate and foreign communication by wire or radio and all interstate and foreign transmission of energy by radio, which originate and/or is received within the United States, and to all persons engaged therein, the United States or such communication or such transmission of energy by radio, and to the licensing and regulating of all radio stations as hereinafter provided; but it shall not apply to persons engaged in wire or radio communication or transmission in the District of Columbia, or of the Canal Zone, or of any territory, possession, or insular possession of the United States; or of any common carrier by a State commission.

(b) Subject to the provisions of section 301, nothing in this Act shall be construed to apply or to give the Commission jurisdiction with respect to (1) charges, classifications, practices, facilities, or regulations for or in connection with intrastate communication service of any carrier, or (2) any carrier engaged in interstate or foreign communication solely through the use of wire and radio communication facilities owned or leased by or under direct or indirect control of the Public Utility Commission of any State or Territory.

DEFINITIONS
Sec. 3. For the purposes of this Act, unless the context otherwise requires—

(a) "Wire communication" or "communication by wire" means the transmission of writing, signals, pictures, and sounds of all kinds by aid of wire, cable, or other like connection between the points of origin and destination of such transmission, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.

(b) "Radio transmission" or "communication by radio" means the transmission by radio of writing, signals, pictures, and sounds of all kinds, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.

(c) "License" means the holder of a radio station license granted or continued in force under authority of this Act.

(d) "Radio station" or "station" means a radio transmitting or receiving apparatus or facility or system of apparatus or facilities used or intended to be used for the transmission of radio signals.

(e) "Inland communication" or "interstate transmission" means communication or transmission (1) from any State, Territory, or possession of the United States (other than the Philippine Islands and the Canal Zone), or the District of Columbia, to any other State, Territory, or possession of the United States (other than the Philippine Islands and the Canal Zone), or the District of Columbia, (2) from or to the United States or from or to the Philippine Islands or the Canal Zone, whatever be the nature of such communication or transmission taken as a whole, or (3) between points within the United States or between a point within the United States and a point outside thereof, if such communication is regulated by a State commission.

(f) "Foreign communication" or "foreign transmission" means communication or transmission from or to any place in the United States to or from any foreign country, or between a point in the United States and a point outside thereof, whether within or without the United States.

(g) "United States" means the several States and Territories, the District of Columbia, and the possessions of the United States, but does not include the Canal Zone.

(h) "Common carrier" or "carrier" means any person engaged as a common carrier for hire, in interstate or foreign communication by wire or radio or in interstate or foreign transmission of energy, except where reference is made to common carriers not subject to this Act; but a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier.

(i) "Person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(j) "Company" includes any corporation, joint-stock company, or association.

(k) "Radio station" or "station" means a station equipped to engage in radio communication or radio transmission of energy.

(l) "Mobile station" means a radio-communication station capable of being moved and which is so moved.

(m) "Land station" means a station, other than a mobile station, used for radio communication with mobile stations.

(n) "Mobile service" means the radio-communication service carried on between mobile stations and land stations, and by mobile stations communicating among themselves.

(o) "Broadcasting" means the dissemination of radio communications in tended to be received by the public, directly or by the intermediary of relay stations.

(p) "Chain broadcasting" means simultaneous broadcasting of an identical program by two or more connected stations.

(q) "Amateur station" means a radio station operated by a duly authorized person, primarily for his experimental or amusement purposes.

(r) "Telephone exchange service" means service within a telephone exchange, or within a connected system of telephone exchanges within the same area operated to furnish to subscribers intercommunication service of the kind furnished by a single exchange, and which is operated by the exchange service charge.

(s) "Telephone toll service" means telephone service between stations in different exchanges, or between stations in the same exchange furnished by a single exchange, and which is operated by the toll service charge.

(t) "State commission" means the commission, board, or official (by whatever name designated) of any State acting in the capacity of the State, or in the case of the District of Columbia, and the Territories and possessions.

PROVISIONS RELATING TO THE COMMISSION
Sec. 4. (a) The Federal Communications Commission (in this Act referred to as the "Commission") shall be composed of seven members, appointed by the President, by and with the advice and consent of the Senate, one of whom the President shall designate as chairman.

(b) Each member of the Commission shall be a citizen of the United States.

(c) No member of the Commission shall hold office for more than two consecutive terms. A member may be reappointed for another term, but shall not hold office for more than four consecutive terms.

(d) Each Commissioner shall receive an annual salary of $10,000, payable in monthly installments.

(e) The principal office of the Commission shall be in the District of Columbia, where its general sessions shall be held; but whenever the convenience of the public so requires, the commission may hold any session, and any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whose place he fills.

(f) No vacancy in the Commission shall impair the right of the remaining commissioners to exercise all the powers of the Commission.

(g) Each commissioner shall receive an annual salary of $10,000, payable in monthly installments.

(h) Each commissioner shall receive an annual salary of $10,000, payable in monthly installments.

(i) Without regard to the civil-service laws or the Classification Act of 1923 or any other law, the President may, by and with the advice and consent of the Senate, fix the salaries of a secretary, a director for each division, a chief engineer, and not more than three assistants, a chief accountant and not more than three assistants, a solicitor and such temporary counsel designated by the Commission for the performance of special services, and (2) each commissioner may appoint and prescribe the duties of a salary of not to exceed $7,500; the chief engineer and the chief accountant shall each receive an annual salary of not to exceed $7,500; and no assistant shall receive an annual salary of not to exceed $7,500. The Commission shall have authority, subject to the

1 The provisions relating to safety of life and property were added by "An Act to amend the Communications Act of 1934, approved June 18, 1934, for the purpose of providing for the enforcement of the provisions of this Act relating to the safety of life and property, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes." Public No. 57-71st Congress, 1st Session, approved May 20, 1937.
The Communications Act of 1934

(Passage by 73rd Congress; Approved June 19, 1934; With Amendments)

in the civil-service laws and the Classification Act of 1923, as amended, hearing, for the purpose of observing the public interest, convenience, and necessity, and for the establishment of such regulations and procedures as will enable the Commission to perform its duties in a manner that will best promote the public interest, convenience, and necessity; and be

is for a reasonable rate of extra compensation for time services of inspectors in charge and for inspectors of the Field Divi-

sion, so long as the compensation so received by such employees is not in excess of the sums paid for similar services for longer periods of time. 

The Commission shall fix a reasonable rate of extra compensation for time services of inspectors in charge and for inspectors of the Field Division, so long as the compensation so received by such employees is not in excess of the sums paid for similar services for longer periods of time. 

is to be paid for any such hours or fraction thereof as may be approved by the Commission. 

The purpose of part II of title III of this Act, on the basis of one-half day's additional pay for each two hours or fraction thereof that may be paid by the master, owner, or agent of such vessel to the United States collector of customs or his representative, shall be paid by the master, owner, or agent of such vessel to the United States collector of customs or his representative, shall be paid by the master, owner, or agent of such vessel to the United States collector of customs or his representative, shall be paid by the master, owner, or agent of such vessel to the United States collector of customs or his representative, shall be paid by the master, owner, or agent of such vessel to the United States collector of customs or his representative.
right, beyond the terms, conditions, and periods of the license. No person shall use or operate any apparatus for the transmission of energy or communications or signals by radio (a) from one place in any Territory or possession of the United States to any other place in the same Territory, possession, or District; or (b) from any State, Territory, or possession of the United States, or from the District of Columbia to any other place in any Territory, possession, or District of the United States, or from any place in any State, Territory, or possession of the United States, or in the District of Columbia, to any place in any foreign country or to any vessel; or (d) within any State when the extent of such use extends beyond the borders of said State, or when interference is caused by such use or operation with the transmission of such energy, communications, or signals from within said State to any place beyond its borders, or from any place beyond its borders to any place within its borders, or with the transmission or reception of such energy, communications, or signals from and/or to places beyond the jurisdiction of said State; or (e) upon any vessel or aircraft of the United States; or (f) upon any other mobile station within the jurisdiction of the United States except under and in accordance with this Act and with a license in that behalf granted under the provisions of this Act.

ZONES. GENERAL POWERS OF COMMISSION

Sec. 303. Except as otherwise provided in this Act, the Commission from time to time, as public convenience, interest, or necessity requires, shall—
(a) Classify radio stations;
(b) Prescribe the nature of the service to be rendered by each class of licenseed stations, the extent of each service, and the place or places where the same may be rendered;
(c) Assign bands of frequencies to the various classes of stations, and assign frequencies for each individual station and determine the power which each station is authorized to use, or the manner in which it may operate;
(d) Determine the location of classes of stations or individual stations;
(e) Make such regulations not inconsistent with law as may deem necessary to prevent interference between stations and to carry out the provisions of this Act; Provided, however, That changes in the frequencies, authorized power, or in the time of operation of any station, shall not be made without the consent of the station licensee unless, after a public hearing, the Commission shall determine that such changes will promote public convenience or interest, or otherwise be in the public necessity, or the provisions of this Act will be more fully complied with;
(f) Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest;
(g) Have authority to establish areas or zones to be served by any station;
(h) Have authority to make special regulations applicable to radio stations engaged in chain broadcasting;
(i) Have authority to make general rules and regulations requiring stations to keep such records of programs, transmissions of energy, communications, or signals as may be deemed desirable;
(j) Have authority to exclude from the requirements of any regulations in whole or in part any radio station upon railroad rolling stock, or to modify such regulations as to any such station;
(k) Have authority to prescribe the qualifications of station operators, to classify them according to the duties to be performed, to fix the forms of such licenses, and to issue them to such citizens of the United States as the Commission may designate;
(l) Have authority to suspend the license of any operator upon proof sufficient to satisfy the Commission that the licensee—
(A) Has violated any provision of any Act, treaty, or convention binding on the United States, which the Commission is authorized to administer, or any regulation made by the Commission under any such Act, treaty, or convention;
(B) Has failed to carry out a lawful order of the master or person lawfully in charge of the ship or aircraft upon which he is employed;
(C) Has willfully damaged or permitted radio apparatus or installations to be damaged;
(D) Has transmitted superfluous radio communications or signals or communications containing profane or obscene words, language, or meaning, or has knowingly transmitted—
(1) False or deceptive signals or communications, or
(2) A call signal or letter which has not been assigned by proper authority to the station he is operating;
(E) Has willfully or maliciously interfered with any other radio communications or signals; or
(F) Has obtained or attempted to obtain, or has assisted another to obtain or attempt to obtain, an operating license by any fraudulent means;
(2) No order of suspension of any operator’s license shall take effect until fifteen days’ notice in writing thereof, stating the cause for the proposed suspension, has been given to the operator licensee who may make written application to the Commission within fifteen days after the receipt of such notice. The notice to the operator licensee shall not be effective until actually received by him, and from that time he shall have fifteen days in which to mail the said application. In the event that physical conditions pre-

WAIVER BY LICENSOR

Sec. 304. No radio license shall be granted by the Commission until the applicant therefor shall have signed a waiver of any claim to the use of any particular frequency or frequencies of the radio spectrum as the exclusive property of the United States because of the previous use of the same, whether by license or otherwise.

GOVERNMENT-OWNED STATIONS

Sec. 305. (a) Radio stations belonging to and operated by the United States shall not be subject to the provisions of sections 301 and 303 of this Act. All such Government stations shall use such frequencies as shall be assigned by the Commission and under such conditions of operation as the Commission may designate.
(b) Any radio station on board naval and other Government vessels while at sea or beyond the limits of the continental United States, when transmitting any radio communications or signals through foreign countries, in connection with Government business, shall conform to such rules and regulations designated to prevent interference with other radio stations and the rights of others as the Commission may prescribe.
(c) Any radio station on board vessels of the United States Shipping Board, Bureau or the United States Shipping Board Merchant Fleet Corporation, the Inland and Coastwise Waterways Service shall be subject to the provisions of this title.
(d) All stations owned and operated by the United States, except mobile stations of the Army of the United States, and all other stations on land and sea, shall have special call letters designated by the Commission.

FOREIGN SHIPS

Sec. 306. Section 301 of this Act shall not apply to any person sending radio communications or signals on a foreign ship while the same is within the territorial waters of the United States, but such communications or signals shall be transmitted only in accordance with such regulations designed to prevent interference as may be promulgated under the authority of this Act.

ALLOCATION OF FACILITIES: TERMS OF LICENSEES

Sec. 307. (a) The Commission, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this Act, shall grant to any radio station a special or temporary license for the purpose of radiating, and operating a radio station for the purposes of radiating, and operating a radio station for the purpose of securing an additional public service or the public interest, or the national defense or security of the United States.
(b) In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same the Commission shall consider the public convenience, interest, and necessity as well as the public interest and power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.
(c) The Commission shall study the proposal that Congress by statute allocate fixed percentage of the total facilities to particular types or kinds of non-profit radio programs or to persons identified with particular types or kinds of non-profit activities, and shall report to Congress, not later than 1934.

8 Subsections (m) and (n) of section 305 were amended and subsection (c) of section 303 was added by Public Law 97-57, 74th Congress, 1st Session, Approved May 25, 1957.
in February 1925, its recommendations together with the reasons for

No license granted for the operation of a broadcasting station shall be
for a longer term than three years and no license so granted for any other class
station shall be for a longer term than five years, and any license granted
may be revoked as hereafter provided. Upon the expiration of any license,
its renewal for a term of not to exceed three years in the case of broadcasting
stations and not to exceed five years in the case of other licenses, but action
may be had sooner than the expiration of such renewal, for the renewal of a license shall be limited to and governed by the same considera-
tions and practices which affect the granting of original applications.

(c) No renewal of an existing station license shall be granted more than
sixty days prior to the expiration of the original license.

APPLICATIONS FOR LICENSES; CONDITIONS IN LICENSE FOR
FOREIGN COMMUNICATION

SEC. 308. (a) The Commission may grant licenses, renewal of licenses,
and modification of licenses only upon written application therefor received
by the Commission, and decision thereon shall be made by the Commission
within a reasonable time after such application shall have been made, and in
no case shall such application be held to be pending until the Commission
has acted thereon; the hours of the day or other period of time during which it is
proposed to operate the station; the purposes for which the station is to be used;
and other information as it may deem proper. The decision of the Commission, in
any case in which an application is granted in whole or in part, shall be
affixed to the license and/or license renewal thereon.

(b) The Commission in granting any license for a station intended or used
for international or intercontinental commerce, shall grant such licenses on
the condition that said license shall not be assigned or transferred except
by the written consent of the Commission. If the station is to be used
for international or intercontinental commerce, the Commission may at
any time require such license to be surrendered to the Commission upon
request.

(c) The Commission in granting any license for a station intended or used
for transcontinental commerce, shall grant such licenses on the condition that
said license shall not be assigned or transferred except by the written consent of
the Commission. If the station is to be used for transcontinental commerce, the
Commission may at any time require such license to be surrendered to the
Commission upon request.

HORIZONS ON APPLICATIONS FOR LICENSES; FORM OF
LICENSES; CONDITIONS ATTACHED TO LICENSES

SEC. 309. (a) Upon examination of any application for a station license
for the renewal or modification of such license the Commission shall
terminate such application at the discretion of the Commission, and any such
application shall be revoked in accordance with the said decision. In the event
of any such application not to be made in such a form as it may prescribe, but
such license shall contain, in addition to provisions for the renewal or
modification of the license contained therein, or as otherwise may be deemed
necessary by the Commission, a statement of the following conditions to which
such license shall be subject:

(1) No alien or the representative of any alien;
(2) No foreign government, or the representative thereof;
(3) No corporation organized under the laws of any foreign government;
(4) No alien or corporation of which any officer or director is an alien;
(5) No corporation of which any officer or more-than-one-fourth of the
capital stock is owned of record or voted by aliens;
(6) No corporation organized by a foreign government or representative thereof,
or by a foreign government or representative thereof,
(7) No corporation directly or indirectly controlled by any other
corporation of which any officer or more-than-one-fourth of the
capital stock is owned of record or voted by aliens;
(8) No corporation of which any officer or more-than-one-fourth of the
capital stock is owned of record or voted by aliens;
(9) No corporation organized under the laws of any foreign country, if the
Commission finds that the public interest will be thereby impaired.

Nothing in this subsection shall prevent the granting of a license to a corporation
holding such license, to any person, unless the Commission shall, after securing full information, decide that such corporation
shall be granted a license, and shall give its consent in writing.

REFUSAL OF LICENSES AND PERMITS IN CERTAIN CASES

SEC. 311. The Commission is hereby directed to refuse a station license
and/or permit hereunto required for the construction of a station to
any person (or to any person directly or indirectly controlled by such person)
whose license has been revoked by a court under section 313, and is hereby
authorized to refuse such license and/or permit to any other person
(or to any person directly or indirectly controlled by such person) which has
been finally adjudged guilty by a Federal court of unlawfully monopolizing
or attempting unlawfully to monopolize, radio communication, directly or
indirectly, the control of the manufacture or sale of radio apparatus, through
monopolistic practices, or by any other means, or to have been using unfair
methods of competition. The granting of a license shall not stop
the United States or any person aggrieved from proceeding against such
person for any violation of the law against unlawful restraints and monopolies
and combinations, contracts, or agreements in restraint of trade, or from instituting proceedings
for the dissolution of such corporation.

REVOCATION OF LICENSES

SEC. 312. (a) Any station license may be revoked for false statements
whether in the application or in the statement of fact which may be required
by the Commission, or for violation of any of the restrictions and conditions
of this Act or of any regulation of the Commission authorized by this Act, or
by a court of record, or for any other reason for which such license
may be revoked from time to time which would warrant the Commission
in refusing to grant a license on an original application, or for failure to operate
such station in accordance with the conditions of such license, or for any
violations of the laws of the United States, or of the State in which the
station is located.

The decision of the Commission to revoke any license shall be final and
may be appealed to the Circuit Court of Appeals of the United States for
the circuit in which the station is located, or to the Supreme Court of the
United States, as the case may be.

(b) Any station license may be revoked for failure to operate such station in
accordance with the conditions of such license, or for any violation of the
laws of the United States, or of the State in which the station is located.

APPLICATION OF ANTITRUST LAWS

SEC. 313. All laws of the United States relating to unlawful restraints and
monopolies and to combinations, contracts, or agreements in restraint of trade
shall be applicable to the manufacture and sale of and to trade in radio apparatus
and devices entering into or affecting interstate or foreign commerce and to
interstate or foreign radio communications. Whenever in any suit, action, or proceeding, civil or criminal, brought under the provisions
of this Act or of any proceeding brought to enforce or to review findings and
orders of the Federal Trade Commission or other governmental agency
in respect of any matters as to which said Commission or other governmental agency
shall have made an investigation, it shall be unlawful for any person to violate
the provisions of such laws or any of them, the commission, in addition
to the penalties imposed by said laws, may adjudge, order, and/or decree that
the license of such licensee shall be, as of the date the decree or judgment becomes
final, taken away, cancelled, or revoked. If the license of such licensee shall
have been suspended, the suspension shall be deemed to be in effect until
such time as the court and/or Commission shall have determined that all rights under such license shall thereafter cease: Provided, however,
that such licensee shall have the same right of appeal or review as is provided
by law in respect of other decrees and judgments of said courts.

PREVENTION OF COMPETITION IN COMMERCE

SEC. 314. After the effective date of this Act 20 person engaged directly or
indirectly through any person directly or indirectly controlling or controlled by
such person, and having access to the radio apparatus and devices, may act
as an agent, or otherwise, in the business of transmitting and/or receiving
for hire energy, communications, or signals by radio in accordance with the terms
of the laws of this state issued under this Act, shall be punished, in addition to
the penalties imposed by said laws, by a sum not to exceed $500, for
any violation of the provisions of such laws or any of them, the court, in addition
to the penalties imposed by said laws, may adjudge, order, and/or decree that
the license of such licensee shall be, as of the date the decree or judgment becomes
final, taken away, cancelled, or revoked. If the license of such licensee shall
have been suspended, the suspension shall be deemed to be in effect until
such time as the court and/or Commission shall have determined that all rights under such license shall thereafter cease: Provided, however,
that such licensee shall have the same right of appeal or review as is provided
by law in respect of other decrees and judgments of said courts.

BROADCASTING • Broadcast Advertising

1942 Yearbook Number • Page 385
The Communications Act of 1934

(Provisions Relating to Broadcasting and Allied Services, With Sections Dealing Exclusively With Public Utility Common Carriers Omitted)

Passed by 73rd Congress; Approved June 10, 1934. With Amendments

 Territory, or possession of the United States or in the District of Columbia, and any place in any foreign country, or shall acquire, own, or control any part of the stock or other capital share or any interest in the physical properties and/or other assets of any such cable, wire, telegraph, or telephone line or system, if in either case the purpose is and/or the effect thereof may be to substantially lessen competition or to restrain commerce between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or unlawfully to create monopoly in any line of commerce; nor shall any person engaged directly, or indirectly through any persons, in the business of operating or furnishing radio communications or signals between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or shall acquire, own, control, or operate any station or the apparatus therein, or any system for transmitting and/or receiving radio communications or signals between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or in any line of commerce.

FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

SEC. 315. If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, and the Commission shall make rules and regulations to carry this provision into effect: Provided, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate.

LOTTERIES AND OTHER SIMILAR SCHEMES

SEC. 316. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person operating any such station shall knowingly permit the broadcasting of, any advertisement or information concerning any lottery, pool, or other similar scheme, offering prizes dependent in whole or in part upon luck or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon luck or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon luck or chance. Any person violating any provision of this section shall, upon conviction thereof be fined not more than $1,000 or imprisoned not more than one year, or both for each such and every day during which such offense occurs.

ANNOUNCEMENT THAT MATTER IS PAID FOR

SEC. 317. All matter broadcast by any radio station for which service, money, or any other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person.

OPERATION OF TRANSMITTING APPARATUS

SEC. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator’s license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator’s license issued to him by the Commission: Provided, However, That the Commission if it shall find that the public interest, convenience, or necessity will be served thereby may waive or modify the foregoing provision with respect to such stations and/or apparatus which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations operated by the United States Government, (4) stations operated by the United States Department of Commerce, and (5) stations operated by the armed forces of the United States, or others licensed by the Commission, in answer to the ship is distress, or others licensed by the Commission, in answer to the ship is distress, shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices for the operation of such devices.

CONSTRUCTION PERMITS

SEC. 319. (a) No license shall be issued under the authority of this Act for the operation of any radio station, or any part thereof, or the occupation of any such station, or any part thereof, unless the Act shall have been granted by the Commission upon written application therefor. The Commission may grant such permit if public convenience, interest, or necessity will be served by the construction of the station. This application shall be filed with the Commission in a manner prescribed by the Commission, and the Commission shall be the only agency of the United States Government or any state or any other entity authorized by law to construct or operate the station, and the ownership and operation of the proposed station and of the station or stations with which it is proposed to communicate, the frequency thereof, the time during which the station shall be operated, the purpose for which the station is to be used, the type of transmitting apparatus to be used, the location of the station, and other pertinent information shall be completed and in operation, and such other information as the Commissio n may require. Such application shall be signed by the applicant under oath, and filing fees may be charged as the Commission may from time to time prescribe.

(b) Such permit for construction shall show specifically the earliest and latest dates between which the actual operation of such station is expected to begin, and shall provide that said permit will be automatically forfeited if the station is not ready for operation within the time specified or within such further time as the Commission may allow, unless prevented by causes of which it is able to control the grantee. The rights under any such permit shall not be assignable or otherwise transferred to any person without the approval of the Commission, and such a transfer, if approved, shall be evidenced by a transfer of the license, if any, and shall be recorded by the Commission as a transfer of the license. Such a transfer shall be made to the Commission not less than ten days in advance of the transfer, and the Commission shall make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit.

DESIGNATION OF STATIONS LIABLE TO INTERFERE WITH DISTRESS SIGNALS

SEC. 320. The Commission is authorized to designate from time to time radio stations the communications or signals of which, in its opinion, are liable to interfere with distress signals transmitted from ships or aircraft. Such stations shall be so designated when in the opinion of the Commission the radio communications or signals of other stations so designated are likely to interfere with distress signals transmitted from ships or aircraft. Radio communications or signals of stations designated as to be liable to interfere with distress signals transmitted from ships or aircraft shall be so transmitted as not to interfere with distress signals transmitted from ships or aircraft. Designation of stations liable to interfere with distress signals transmitted from ships or aircraft shall be subject to the determination of the Secretary of the Navy or the Secretary of the Navy’s designee.

DISTRESS SIGNALS AND COMMUNICATIONS

SEC. 321. (a) The transmitting set in a radio station on shipboard may be adjusted in such a manner as to produce a maximum of radiation, irrespective of a frequency of interference which may thus be caused, when such station is not sending radio communications or signals of distress and radio communications relating thereto.

(b) All radio stations, including Government stations and stations of educational institutions, shall give absolute priority to radio communications or signals relating to ships in distress: shall cease all sending on frequencies which will interfere with broadcasting or telephone stations, or ship radio stations, or radio stations used by the armed forces of the United States, or other stations used by the armed forces of the United States, or other stations used by the armed forces of the United States, or by the armed forces of any other country, or radio stations used by the armed forces of any other country; shall, if engaged in answering a distress signal, refrain from sending any radio communications or signals until there is assurance that no interference will be caused with the radio communications or signals relating thereto, and shall not transmit the vessel in distress, so far as possible, by complying with its instructions.

INTERCOMMUNICATION IN MOBILE SERVICE

SEC. 322. Every land station open to general public service between the coast and vessels or aircraft at sea shall, within the scope of its normal operations, be bound to exchange radio communications or signals with any ship or aircraft station at sea; and each station on shipboard or aircraft at sea shall, within the scope of its normal operations, be bound to exchange radio communications or signals with any other station on shipboard or aircraft at sea or with any land station open to general public service between the coastal vessels or aircraft at sea; Provided, That the exchange of radio communications shall be without distinction as to radio systems or instruments adopted by each station.

INTERFERENCE BETWEEN GOVERNMENT AND COMMERCIAL STATIONS

SEC. 323. (a) At all places where Government and private or commercial radio stations are operating, there shall be established, to the extent of the work of Government stations cannot be avoided when they are operating simultaneously, such private or commercial stations as do interfere with the transmission or reception of radio communications or signals by the Government stations mentioned, by means of transmitters, that the Government stations may continue to operate during the first fifteen minutes of each hour, local standard time.

(b) The Government stations for which the above-mentioned division of time is established shall transmit radio communications or signals only during the first fifteen minutes of each hour, local standard time, except in case

*The provisions in section 216 were added by "An Act to amend section 216 of the Communications Act of 1934." Publ.-No. 54-14th Congress, 1st Session, approved March 13, 1934.

**Sections 304, 306 and 209 were amended by Public-No. 78-76th Congress, 1st Session, approved May 30, 1937.

Page 386 • 1942 Yearbook Number

BROADCASTING • Broadcast Advertising
The Communications Act of 1934

(Provisions Relating to Broadcasting and Allied Services, With Sections Dealing Exclusively With Public Utility Common Carriers Omitted)

Passed by 73rd Congress; Approved June 19, 1934; With Amendments

Title IV—Procedural and Administrative Provisions

Jurisdiction to Enforce Act and Orders of Commission

Section 401. (a) The district courts of the United States shall have jurisdiction, upon application of the Attorney General of the United States at the request of the Commission, alleging a failure to comply with or a violation of any of the provisions of this Act by any person, to issue a writ or writs of mandamus commanding such person to comply with the provisions of this Act.

(b) If any person fails or neglects to obey any order of the Commission other than for the payment of money, while the same is in effect, the Commission shall have authority to make application to the district court of the United States for the enforcement of the order. The district court may, in its discretion, make any order direct, or grant such other and further relief as the case may require, and to that end the court may award and dismiss a complaint without filing an answer, or to dismiss a complaint for want of prosecution or for any other reason.

(c) Upon the request of the Commission, and if the person refuses or neglects to obey any order of the Commission, the Attorney General of the United States may institute and prosecute a suit in the district court of the United States upon the complaint of the Commission, alleging noncompliance with the order and asking the court to enforce the order.

Proceedings to Enforce or Set Aside the Commission’s Orders—Appeal in Certain Cases

Section 402. (a) The provisions of the Act of October 22, 1914 (38 Stat. 219), relating to the enforcing or setting aside of the orders of the Interstate Commerce Commission, as hereby made applicable to suits to enforce, annul, set aside, annul, and suspend any order of the Commission under this Act (except any order of the Commission granting or refusing an application for a construction permit for a radio station, or for a radio station license, or for renew- al of an existing radio station license, or for modification or alteration of an existing radio station license, or suspending a radio operator’s license), and such suits are hereby authorized to be brought as provided in that Act.

(b) An appeal may be taken, in the manner hereinafter provided, from decisions of the Commission to the Court of Appeals of the District of Columbia in any of the following cases:

(1) By any applicant for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification or alteration of an existing radio station license, whose application is refused by the Commission.

(2) By any other person aggrieved or whose interests are adversely affected by any decision of the Commission granting or refusing any such application.

(3) By any radio operator whose license has been suspended by the Commission.

(c) Such appeal shall be taken by filing with said court within twenty days after the decision complained of is effective, notice in writing of said appeal upon the attorney general of the United States, who shall cause copies of the same or of such part of the record as may be necessary to be sent to the Commission and to the United States district attorney for the district in which the radio station is located.

SPECIAL PROVISION AS TO PHILIPPINE ISLANDS AND CANAL ZONE

Section 328. This title shall not apply to the Philippine Islands or to the Canal Zone. In international radio matters the Philippine Islands and the Canal Zone shall be represented by the Secretary of State.

Administration of Radio Laws in Territories and Possessions

Section 329. (a) The Commission is authorized to designate any officer or employee of any other department of the Government or on duty in any Territory or possession of the United States to render therein such service in connection with the administration of Title III of this Act as may be necessary; provided, That such designation shall be approved by the head of the department in which such person is employed.

Broadcasting • Broadcast Advertising

1942 Yearbook Number • Page 387
upon the Commission. Any person who would be aggrieved or whose interests would be adversely affected by a reversal or modification of the decision of the Commission shall be entitled to have his objections heard before the Commission, and in any such case of objections filed by the Commission, nor any party to a proceeding before the Commission, may invoke the aid of any court of the United States in enjoining the issuance of any order, or in enjoining the Commission, or any party to a proceeding before the Commission, to carry out or enforce any judgment rendered by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 240 of the Judicial Code, as amended, by appeal, by the Commission, or by any interested party intervening in the appeal.

REPORTS OF INVESTIGATIONS

Sec. 401. Whenever an investigation shall be made by the Commission it shall be its duty to make a report in writing in respect thereto, which shall state the facts ascertained by the Commission, together with its decision, order, or requirement in the premises; and in case damages are awarded such report shall include the findings of fact on which the award is made.

REHEARING BEFORE COMMISSION

Sec. 405. After a decision, order, or requirement has been made by the Commission in any proceeding, any party thereto may at any time apply for rehearing of the same, or any matter determined therein, and it shall be lawful for the Commission in its discretion to grant such a rehearing if sufficient reason therefor be made to appear: Provided, However, That in the case of a decision, order, or requirement made under Title III, the time within which application for rehearing may be made shall be limited to twenty days after the expiration of the time otherwise allowed by law for the presentation of rehearing, and the party or any person aggrieved or whose interests are adversely affected thereby, Applications for rehearing shall be governed by such general rules as the Commission may establish.

GROSS PENALTIES RELATING TO PRACTICES—WITNESSES AND DEPOSITIONS

Sec. 409. (b) Any number or examiner of the Commission, or the director of any division, when duly designated by the Commission for such purpose, may hold hearings, sign and issue subpoenas, administer oaths, examine witneses under oath, and receive and consider such testimony as may be given before the Commission, or any of its examiners, or any division of the Commission, or any of its examiners, as may be directed by the Commission; except that in the administrator of Title III an examiner may not be authorized to exercise such powers with respect to any matter involving public safety or in the exercise of public jurisdiction, as are vested in the Commission, or any of its examiners, or any division of the Commission, or any of its examiners, by the provisions of this Act, or any other law of the United States, or by any rule or regulation issued by the Commission.

GENERAL PENALTY

Sec. 501. Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing in this Act required to be done, or willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly fails to comply with any rule, regulation, or order made by the Commission under the authority of this Act, or any rule, regulation, or order made by the Commission under the authority of this Act, or any rule, regulation, or order made by the Commission under the authority of this Act, or any rule, regulation, or order made by the Commission under the authority of this Act, or any rule, regulation, or order made by the Commission, shall be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or imprisonment for not more than one year, or both.
TITLE VI—MISCELLANEOUS PROVISIONS

UNAUTHORIZED PUBLICATION OF COMMUNICATIONS

SEC. 605. No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission specially designated for such purpose; and any person employing or authorizing to forward such communication to its destination, or to proper accounting or distributing officers of the various receiving centers over which the communication may be passed, or to the master of a ship under whose command he is serving, or to a representative named by a court of competent jurisdiction, or on demand of another lawful authority; and no person not being authorized by the sender shall intercept or intercept or divert by communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any foreign communication by wire or radio and use the same for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having acquired the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same for any purpose other than the public interest or the national defense or the national security, to direct that such communications as in his judgment may be essential to the national defense and security shall have preference or priority with any carrier subject to this Act. He may give these directions at end for such times as he may determine, and may modify, change, suspend, or annul them and for any such purpose he is hereby authorized to issue orders directly, or through any person or persons authorized by the Commission. Any carrier complying with any such order or direction for preference or priority herein authorized shall be exempt from any and all provisions in existing laws imposing civil or criminal penalties, or liabilities upon carriers by reason of giving preference or priority in compliance with such order or direction.

(b) It shall be unlawful for any person during any war in which the United States is engaged to know or willfully, by physical force or intimidation by threats of physical force, obstruct or retard or aid in obstructing or retarding interstate or foreign communication by radio or wire. The President is hereby authorized, whenever in his judgment the public interest requires, to employ the armed forces of the United States to prevent any such obstruction or retardation of communication: Provided, That nothing in this section shall be construed to repeal, modify, or affect either section 6 or section 20 of an Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

(c) Upon proclamation by the President that there exists war or a threat of war between a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President may suspend or amend, for such time as he may see fit, the rules and regulations applicable to any or all stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of existing stations or the creating of new stations for radio communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

(d) The President shall ascertain the just compensation for such use or control and certify the amount, socertified to Congress for appropriation and payment to the person entitled thereto. If the amount so certified is unsatisfactory to the person entitled thereto, such person shall be paid no less than 75 per centum of the amount and shall be entitled to sue the United States to recover the balance. The amount so paid shall be paid to the United States to be held in trust for the benefit of the person entitled thereto.

SEC. 607. This Act shall take effect upon the organization of the Commission, except that this section and sections 1 and 4 shall take effect July 1, 1927, which Commission shall be organized upon such date as four members of the Commission have taken office.

SEPARABILITY CLAUSE

SEC. 608. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Unions And Labor Groups Dealing in Radio Fields

<table>
<thead>
<tr>
<th>Name of Organization</th>
<th>Affiliation</th>
<th>Address</th>
<th>Telephone No.</th>
<th>Executive</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Communications Association</td>
<td>CIO</td>
<td>19 Bridge St. New York City Bowling Green 9-4007</td>
<td>Joseph Selye, Pres.</td>
<td></td>
</tr>
<tr>
<td>American Federation of Musicians</td>
<td>AFL</td>
<td>145 Broadway New York City Pennsylvania 6-5546</td>
<td>James P. Pells, Pres.</td>
<td></td>
</tr>
<tr>
<td>International Alliance of Theatrical Stage Employees and Ring Picture Machine Operators</td>
<td>AFL</td>
<td>630 Fifth Ave. New York City Circle 3-4570</td>
<td>Richard F. Walsh, Pres.</td>
<td></td>
</tr>
<tr>
<td>Association of Technical Employees of N.F.P.</td>
<td>AFL</td>
<td>201 N. Wells St. Chicago Randolph 8884</td>
<td>E. C. Horsman, Pres.</td>
<td></td>
</tr>
<tr>
<td>American Advertising Guild</td>
<td>CIO</td>
<td>31 E. 27th St. New York City Murray Hill 5-5552</td>
<td>Howard Willard, Pres. Aquarium, Selye</td>
<td></td>
</tr>
</tbody>
</table>

Name of Organization | Affiliation | Address | Telephone No. | Executive |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Radio Writers' Guild of the Authors League of America</td>
<td></td>
<td>6 E. 39th St. New York City Murray Hill 5-3030</td>
<td>Henry F. Carlson, Pres.</td>
<td></td>
</tr>
<tr>
<td>American Newspaper Guild</td>
<td>CIO</td>
<td>1 Pearl St. New York City Whitehall 3-3272</td>
<td>Milton Murray, Pres.</td>
<td></td>
</tr>
<tr>
<td>Associated Actors &amp; Artists of America</td>
<td>AFL</td>
<td>45 W. 47th St. New York City Bryant 9-5350</td>
<td>Frank Gillmore, Pres.</td>
<td></td>
</tr>
<tr>
<td>Mrs. Florence Mauranton, Easterns Representative</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>