

The First



Years Of
Broadcasting

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The Running Story of the Fifth Estate
by the Editors of BROADCASTING Magazine

Broadcasting Publications Inc.

1982

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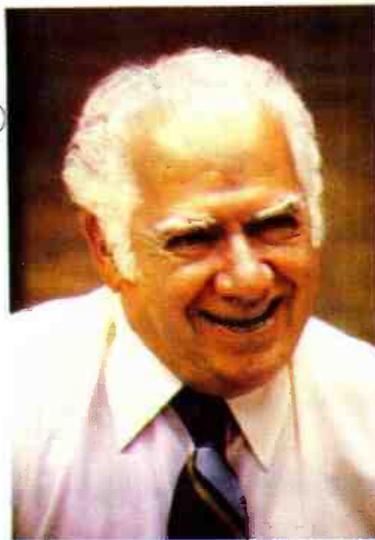
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It seems like only yesterday that we put the first issue of BROADCASTING to bed. Now, over 50 years later, we're putting to bed an entire history of the broadcast media, as seen through the pages of more than 2,000 issues of BROADCASTING. That's a lot of printer's ink for anyone's lifetime, and I count myself lucky to have been able to spend so much of it at work and play with the business and the people I love best.

Licensed radio was but 11 years old when BROADCASTING, The News Magazine of the Fifth Estate, made its bow on Oct. 15, 1931. The late Harry Shaw, then owner of WMT(AM) in Waterloo, Iowa, had agreed to back this new venture by a couple of Washington newsmen who had specialized in covering the very new world of radio for publications of general circulation. The newsmen had decided that broadcasters needed their own trade paper—a counterpart of *Editor & Publisher*, which served the Fourth Estate. Those newsmen were the late Martin Codel, originally of Hibbing, Minn., and I, a Washingtonian. Both had worked for the late David Lawrence's *U.S. Daily* (now *U.S. News and World Report*).

Shaw agreed to advance \$52,000 (a heap in those days) for 52% of the stock in Broadcasting Publications Inc., with the balance divided between Codel and me. But the first installment of 10% (\$5,200) was all that ever got into the kitty. Shaw's bank in Waterloo closed, a year before the bank holiday decreed by the new President, Franklin Delano Roosevelt.

Suffice to say we weathered the storm and in due course paid back Harry Shaw double his investment. Shaw, incidentally, was elected president, then an honorary post, of the National Association of Broadcasters two weeks after Vol. 1, No. 1 of BROADCASTING appeared. Thus, Martin Codel, at 30, and Sol Taishoff, at 27, became co-owners of BROADCASTING, and saw their dream come to life.

In the succeeding years BROADCASTING has undergone many changes to

keep abreast of the times and the enterprises it has served, but it has never veered editorially from its initial goal of “radio as free as the press.” More and more “the press” is defined nowadays to mean radio, television, cable, publications—all the means of delivery of journalism.

The public’s affection for what it sees and hears on the air—or on the wired services—transcends its relationship with any other medium, print included. The Fifth Estate that it is our joy to serve embraces not only all existing information and entertainment services—whether transmitted by radio, TV, cable or satellites—but is also broad enough to comprehend all the electronic media there ever will be beyond the printed page.

Looking back at that first half-century, we realize how fortunate we were to have been at the right place at the right time. It took more than an idea and the money to back it to succeed. It took dedication and perseverance—and helping hands from many in private as well as in public life.

As we enter the next 50 we thank our many benefactors, over the years, who took time out to guide us and to help when we stumbled. We have rubbed elbows with genius—in technology, in business, in programing. Our capable and dedicated staff, under our president and publisher, Larry Taishoff, will carry on after I’m out of play. For the nonce, the Almighty willing, we’ll do our job—giving everyone in the Fifth Estate our best shots for absolute freedom of the press—all of it.

73.

A handwritten signature in cursive script that reads "S. E. Taishoff". The signature is written in dark ink and is centered on the page.

CHAIRMAN and EDITOR in CHIEF

Washington, D.C.



Broadcasting Chairman and Editor in Chief Sol Taishoff

“The First 50 Years Were the Hardest”

When did you get your start in broadcasting?

I wrote my first radio story probably around 1925, when I was at the Associated Press doing offbeat things and radio wasn't assigned to anyone. The Department of Commerce licensed radio on ships at sea—the old safety of life, SOS thing. It wasn't until 1927 that you got a Federal Radio Commission.

When did the idea of BROADCASTING magazine first germinate?

It probably started when Martin Codel and I were on the staff of the *U.S. Daily* for David Lawrence, probably in 1928 or '29. He was writing the Robert Mack radio dispatch for the Consolidated Press. I spelled him when he was on other assignments, and I also wrote the Mack dispatch. I've forgotten precisely when Codel left the *United States Daily*, which was the predecessor of the *U.S. News & World Report*, but when he left, I immediately began to write the Robert Mack dispatch on what amounted to a full-time basis, five days a week. When I had a story that was hot or timely over Saturday or Sunday, I would write it for my own byline and distribute it on the Consolidated Press Association wire, which David Lawrence also owned.

After Codel left and went to work writing a column for the

North American Newspaper Alliance we became competitors but we remained friends. He was not married then and had very few ties here, and occasionally I would take him home with me on Friday for a kosher meal. We started talking about radio needing its own *Editor and Publisher*. The idea of BROADCASTING germinated from those discussions. That was in the late 1920's.

By that time Codel had left the North American Newspaper Alliance to run something he labeled the Radio News Bureau in Washington—special coverage for radio stations and a weekly newsletter. I was still writing the Robert Mack dispatch and working for David Lawrence. And the newsletter business wasn't doing very well.

How much were you making with Lawrence?

I was making \$45 a week on the *U.S. Daily*, \$35 a week for writing the column. But on the side, whenever I covered a hearing or something like that, I might furnish a black sheet (carbon copy) for the *New York Times* or the *New York Herald-Tribune*. It was nothing to work 12 or 14 hours a day on these things. I was doing pretty well. I was probably averaging over \$100 a week, which was much better than most news guys in town were doing.

The Robert Mack dispatch was a pseudonym owned by David

Lawrence. I was Robert Mack number three, and Codel was number two. Lawrence also had another specialized column on business way ahead of the press associations. I remember he had another columnist whose name was Hardin Colfax, which spelled out "hard and cold facts." He also was one of the early European dispatch distributors, and, if I remember correctly, he had a byline man named Paritonatti. Don't ask me how to spell it, but any guy that came along that had come back from Europe and had a good feature story got the Paritonatti byline. And this was Lawrence's genius.

Who was Robert Mack number one?

A fellow named Bill Sweetzer, who was an announcer on WRC here and who was assigned to something else. Most of Lawrence's people doubled in brass.

Well, then Codel and I decided that radio should have its own trade paper because it was a journalism medium, not a jukebox. We began looking around for an angel. But we couldn't get anybody to put up the money. This was the bottom of the Depression now—1930.

Then along came a fellow named Philip Geiselman Loucks, who was a lawyer and a good friend of mine—a former United Press guy. Phil became the managing director of the National Association of Broadcasters. He was elected to the post, and was given the assignment of raising the money to sustain an office—drawing \$10,000 in pay, if he could raise that much. Phil started this thing with two offices in the National Press Building. The NAB itself was not located in Washington at the time. It was a speakeasy in New York. True story. There was a guy named Hap Baker who ran the New York office. It was in the downtown area, and it was a place you could get a drink during Prohibition, and that was the NAB headquarters. Originally it had been formed in Chicago.

What did it do besides providing a drinking service?

Baker worked for one of the nonexclusive brokers in New York, and the NAB was an avocation. Phil was the first full-time person in Washington. There was another man named Paul W. Morency, who was also identified with the NAB in some way in New York. He used to call on WTIC, the Travelers Insurance station in Hartford, and wound up managing the station.

Phil became the managing director in Washington. He had a few clients, one of whom was a fellow named Harry Shaw in Waterloo, Iowa—WMT, now Cedar Rapids. Harry was a dapper guy who once had been in the trade paper business. He ran a paper in Chicago that had to do with refrigeration, *Refrigeration News* or something like that. And he was a bit of a promoter; he owned half of WMT and half of a newspaper in Waterloo. The newspaper was sold, and he had some money, and it was at that time that Phil Loucks said, "You know, if you want to get into a new venture and you know the trade paper field, why don't you back these boys in a trade paper? They've got a format, a dummy made up." And so Phil told us, "This is it. I think the man has money and will back you in a monthly publication."

When all the details were straightened out, Shaw had 52% and Codel and I each had 24%. My wife, Betty, thought I was crazy going into the thing. I had a good job with Lawrence, although this was a bad time; The *U.S. Daily* was about to go under. We'd taken cuts in pay. I was still writing the Robert Mack dispatch. Codel's newsletter had disappeared by that time.

Shaw put in a man of his own, a fellow named F. Gaither Taylor, who had worked for him on the newspaper in Waterloo, which had been sold. Gate was a nice enough, corn-fed country guy. He at least knew what make-up was. He knew what a rate card was. And he knew things that we'd never learned because we'd never been in the publishing business. We'd been news guys. Gate worked with us pretty well.

And Shaw did all right. Phil Loucks had promised him the presidency of the NAB within a year after he backed the paper. It was an honorary job; the managing director ran the thing. As things turned out, Shaw was elected president one week after

BROADCASTING began publication on Oct. 15, 1931, as a semi-monthly.

Were there many broadcasters in the NAB at that time?

Quite a few. I think there were probably 250 or 300 people at the 1931 convention that elected Shaw.

How long did he retain his 52%?

On March 4, 1932, the first bank in the country to close its doors—ahead of the bank holiday—was the First National Bank of Waterloo, where Harry Shaw had his money. Harry had put up \$5,200 as a 10% down payment on \$52,000 for 52% of the stock, so there'd be no problems about what went where when it finally worked out. He told us that his assets were frozen and that we would have to forage for ourselves, and that he would regard his \$5,200 as a loss.

We went out to our key accounts after a few issues of the magazine had been published and asked them whether they thought it was worthwhile, whether radio really needed a trade paper. The three networks were included. There were a couple of station representatives. There were some manufacturers. All agreed that it was desirable, and we gave them a 15% discount on their advertising under a one-year contract, which was the balance of 24 issues. We raised another \$6,000, and that is all the money that originally went into the magazine. And that was the way things went until I bought out Codel in 1944.

Who were the leaders in the industry at the time you started the magazine?

There was Alfred J. McCosker of WOR in New York. They called him "Hollywood Al" because of his fancy dress. He always wore cuffs on his clothes, you know. His best friend was Mayor Jimmy Walker. McCosker was a surprisingly articulate guy, and he served two terms as NAB president. There was a guy named Henry Adams Bellows who came from General Mills, who had a byline in our first issue. He was the CBS Washington lobbyist at the time. He also was a former member of the Federal Radio Commission.

There were other leaders, too. Take John Shepard 3d. He was of the Shepard Stores in Boston and New England—a very bright man who ran the Yankee Network and wore the loudest clothes. McCosker wore the fanciest. In the South, at WSM in Nashville, there was Edwin W. Craig of the National Life and Accident Insurance Co., who had working for him a guy named Ed Kirby. In Atlanta there was Lambdin Kay, the great pioneer announcer at WSB who covered Dixie like the dew. Later on there was John Elmer in Baltimore, who was instrumental in founding Broadcast Music Inc.

Then there was Walter Damm of WTMJ Milwaukee. They called him "The Great God Damm"—a nickname I gave him. He was a mean, sour guy, but he didn't mean it. He was a Dutchman who was meticulous as he could be. He put in the finest radio station you ever saw. All the walls were tile, so you could take a wet rag and wash the walls, never have to paint them. He had his own kitchen on the mezzanine floor, so he could have lunch and watch what was going on in the studios. He had no children, but he had the damndest hobbies you ever saw. He liked to knit, and he'd make fancy stuff with beads and shells. A very organized guy. I gave him the nickname because he was always griping and bitching.

Wasn't he the president of the NAB at the time the magazine started?

Yes. As a matter of fact, you'll find a quote in the first issue of the magazine which is still applicable today. It's a hell of a quote. I confess that I wrote it.

"Broadcasting in the United States today stands in grave jeopardy. Politically powerful and efficiently organized groups actuated by selfishness and with a mania for power are now busily at work planning the complete destruction of the industry we have pioneered and developed. These groups give no thought to the efforts and the monies which we

have expended, nor the services which we have rendered the American public in the development of the greatest broadcasting system in the world. They speak of our business as if it could be cut down and destroyed by the mere wave of a wand or legislative fiat. To protect the present system of broadcasting is a definite obligation which we as broadcasters owe to ourselves and to the millions of the public whom we serve. And adequate protection can be achieved only through efficient organization. In other words, American broadcasting today is given its choice between organization or destruction."

Where was he in the succession of NAB presidents?

He was probably number five or six.

Who was first?

The first was Eugene F. McDonald of Zenith, who owned WJAZ, a 100 watt in Chicago. The NAB started in Chicago. A fellow named Paul Kluge, who was a public relations man for radio set manufacturers, organized it. The main thrust of radio in those days was to sell radio sets. This was the first wave of receivers following the old improvised cat's whiskers, the vacuum tube set. There were a number of important manufacturers. Majestic, the mighty monarch of the air, was one of them. Zenith was another. Kolster was the one I had, and it was a big set. It cost \$400 or \$500 even in those days. Kolster was a radio inspector in the ship service of the Department of Commerce and then went into the set manufacturing business in that first wave, and the Kolster was a fine set.

A. Atwater Kent was a set manufacturer. That was a gooseneck set. And Atwater Kent made a tremendous fortune in the business. As I recall, he was manufacturing sets at the time the NAB had one of its early conventions in Los Angeles, and held a reception at his house, which was a showplace. He had the driveway up to the house strewn with beautiful flowers, orchids, all planted just for the occasion. He was making that kind of money even then, with a gooseneck speaker and the three-dial tuner.

That was before John V.L. Hogan invented the gang condenser, which made it possible to tune your radio with just one dial. The gang condenser made a lot of money. Hogan was a bachelor and a brilliant engineer, one of Louis Caldwell's favorite witnesses in anything that came along. Louis Caldwell was the first general counsel of the Federal Radio Commission. He came right out of the Colonel McCormick law firm in Chicago as the first big-time communications lawyer in Washington, and after having been general counsel of the radio commission—I think in 1927 or 1928—left to open up the practice of Kirkland, Fleming, Green & Martin. Caldwell was the resident partner.

But Louis was a brilliant guy. He should have been a law school dean. He had a house just off the Shoreham hotel on Calvert Street, standing right in the middle of two streets; it's still there. During World War II the house became an R&R place for anybody in communications who happened to come through on leave. Caldwell called it the Malay Club. Why the Malay Club, no one knows, but the District of Columbia government wanted to assess him a tax because he was running a boarding house. And he insisted it was not a boarding house—it was a recreation center for colleagues. It went through the courts, and the briefs that were filed are now legendary in the field of law. I don't know how many man-hours were spent by lawyers in trying this case, and they finally got it settled that it wasn't a boarding house.

Caldwell later became the first counsel for the Clear Channel Broadcasting Service.

Was Caldwell a bachelor?

No, he was separated. His wife, Irene, was a socialite. As a matter of fact, she was the niece of Colonel McCormick of the *Chicago Tribune*. Both Caldwell and Irene were white-headed, absolutely white-headed and a very charming couple. Louis was a smoker and a drinker. And he was told by his doctor he could not smoke but he could have one drink a day before dinner. So Louis got himself a 16-ounce glass, and he would fill it with scotch and ice, and that was his one drink a day. He had constant parties at his place, and he would go around with the girls who smoked and

have them blow cigarette smoke in his mouth. He was another of that Paul Moses Segal school, brilliant guys who thought they had fun and thought they were kidding their doctors and doing it their way. Segal was another lawyer-friend of mine. He was a radio ham as well as a gifted attorney. He became a connoisseur of wine and knew the best French vintners whom he cultivated on visits to France. He died before his time.

Did Caldwell have more of an impact on the FCC than some of the commissioners?

He did most of the implementation of the original Radio Act. Yes, he was brighter than most commissioners. There are not many people around who would remember Louis's contributions. In the early days of the commission it was a very, very small operation, and everybody knew everybody else. There was empire building up to a point—there always is—but this was a temporary outfit. It wasn't until you got the Communications Act of 1934 that things really began to happen. The early days were pioneering—they were breaking new ground everywhere. There was very little known about shortwaves, for example. The shortwaves were opened by the radio hams, by the amateurs, who probably contributed more to broadening the spectrum than any other group—not the big scientists in the laboratories but those hams just playing around and improvising equipment.

Herbert Hoover, as secretary of commerce, had a lot to do with the formulation of an allocations policy after the so-called breakdown of the law, when there was no licensing, and radio stations would just occupy one of the two frequencies and cause devastating interference.

There were only two frequencies?

Yes. They called them meters, and I don't know what the translation into kilohertz would be. There was a two-meter band and a four-meter band, and then they went to kilocycles, which later came to be called kilohertz.

There's an interesting story about one of the early chairmen of the FCC—Anning Prall. He had been a congressman from Staten Island who was defeated in the 1934 elections. So here was a lame duck from President Roosevelt's own state who had to be taken care of.

So FDR called in Prall and said: "Anning, I'm going to give you the second most important job in Washington. I have the most important. But we have created a Federal Communications Commission which is going to include radio, the remarkable invention, the telephone, telegraph, cable—you can't imagine how much power will be involved and what influence you'd have in this job."

And so word got out that Anning Prall was going to be named chairman of this Federal Communications Commission. And I called up Prall and said: "Congressman, I understand you're going to be the chairman of this new Federal Communications Commission. When do you plan to take office?"

"Immediately," he said.

I said, "I'm afraid you can't under the law. You cannot serve on a commission which was created while you were a member of Congress. You have to be out of Congress; this session of Congress would have to adjourn *sine die*." He said: "Well, I don't think you know what you're saying." And I said: "Why don't you check with Lou Deschler, the parliamentarian of the House?" And he called me back after a couple of hours and said: "Young man, you are right. I cannot do this until after this Congress quits. Come to see me."

And so I went to see this very affable, handsome fellow. And he said: "Mr. Deschler says you're right. How do I do this now?" I said: "Well, there's a lawyer named Hampson Gary who is going to be your general counsel, although the President hasn't designated him yet. Why don't you suggest that he be named acting commissioner—not chairman but acting commissioner—until you qualify, and then he moves over to general counsel." Prall called me the next day and said "That is being worked out," and that's what happened. Hampson Gary was temporary commis-

sioner for about 15 minutes or whatever it was. He moved over, and that became the commission that included Anning Prall as chairman.

It also had George Henry Payne, who was William Randolph Hearst's designee. He was the tax commissioner of New York and was Hearst's man. He had worked for Hearst in the newspaper office section, and he was a dandy and one of the worst phonies that ever hit the FCC. But there's a long story on that.

What's the story?

The story is that the commission originally was set up under the law as a seven-man agency with three two-man divisions with the chairman sitting ex officio in each division, so there couldn't be a tie. Each division had a degree of autonomy that way. But the full commission had to handle matters that affected allocations. Payne was a publicity seeker. So he sat in on the hearings involving the Powel Crosley W1W 500 kilowatt experimental station in Cincinnati. And without asking permission or anything else, sitting at the table with this panel, he began asking questions that were designed to make headlines. This wasn't cricket; Payne was a member of the staid telegraph division.

Well, I was indignant. Everybody was indignant about those things. So I wrote an editorial calling Payne a "publicity-seeking politician." I called one of our lawyers, Duke Patrick, and said I wanted to make sure I wasn't libeling the so-and-so by saying that. And Patrick said: "Oh, you can make it stronger. Why don't you make it a 'publicity-seeking politician who has a manner that is hardly that of a gentleman?'"

We ran it that way, and Payne sued us. It seems that under common law or something you can't say someone is not a gentleman—even if he's a horse thief. Well, here we were in 1934, about three years old, and this was a hell of a thing. We didn't have any money. And so Payne got a guy in town named Roger Whiteford, who was a society lawyer—you know, the Metropolitan Club, that sort of thing—and Whiteford sued us for \$100,000. We finally settled out of court but it cost us \$11,000 in fees. It really hurt.

But that isn't the end of the story. The terms of the first commissioners were staggered for the first seven years. Payne was up for reappointment that year, and he was reappointed, and he had a victory party at the Metropolitan Club gloating about his victory over BROADCASTING. The next day the appointment was withdrawn. Don't ask me how.

After the 1934 act was passed, we had a number of common carrier people come to us and ask us whether we were going to broaden the scope of BROADCASTING to cover these other functions of the FCC.

Our answer was no—we operated on the premise that radio was analogous to the newspaper and not to the telephone or telegraph—but we said we'd see that they were served. So I drafted a letter and took it over to Judge Eugene Octave Sykes, who had been chairman of the radio commission and was serving as interim chairman of the new FCC before Prall's appointment. In effect, the letter said: "We are pleased to hear that the editors and publishers of BROADCASTING magazine are going to inaugurate a newsletter—*Tele-Communications Reports*—to serve the common carrier field, telephone, telegraph, cable, nonbroadcast services. If they do as good a job in this newsletter as they have done in the broadcast field, its customers will be well served."

So then I had to get somebody to run it. Codel and I each agreed we would put up \$500 to hire a guy to be the editor. This, of course, was in the Depression. I got a man named Roland Davies, who used to work for the AP; he came in just about the time I left. Good reporter; he knew Herbert Hoover very well, and that appeared to me to be important. Davies was a ticket seller for the C&O Railroad in between jobs. Roland protested that he didn't know a thing about the field, but I said that a good reporter doesn't have to know anything about a field; he'll learn. Then I said: "Now, what we've got to do is to sell some subscriptions, and AT&T has got to be a big customer." And Davies said: "Oh, my mother went to school with Walter Gifford." He was the

president of AT&T at the time, and Davies went up to New York and sold him 50 subscriptions. And that was the beginning of the Yellow Peril.

But the point I was making was that until the time I wrote out "tele-communications" there had been no such word in the lexicon, insofar as I am aware.

Well, by 1934 radio was doing pretty well, and it was beginning to knock the dickens out of the theater business. In one of the early issues of BROADCASTING there's a quote from a theater operator, who said, "You can get Eddie Cantor on the air for nothing. It costs you 50 cents or more to get into a theater." That was L.B. Wilson who was complaining about the damage being done to the theater.

Yes, but his own radio station—WCKY Cincinnati—was doing pretty well. L.B. was a figure of some interest in those days—all 4 feet 11 inches of him.

L.B. Wilson was a theater operator, a banker and owned a boiler factory in Covington, Ky. He owned some motion picture houses—not first runs—in Covington and across the river in Cincinnati. He also owned a very small piece of Churchill Downs. He owned a piece of the Gibson hotel in Cincinnati and was one of the brightest guys and one of the best story tellers you ever heard. He called me up very early on and asked me about a radio station; he wanted to get one.

So I recommended a lawyer to him—Paul Moses Segal, who was about the same height. Wilson wanted Cincinnati, which was the market, but the Ohio quota was full, and Kentucky was under quota. In the early days there were five radio zones, and each zone could have equivalent facilities, so he applied for a high frequency—1490, top of the band, highly undesirable in Covington.

I went to see him after he got this thing in Covington. Walked up four flights of stairs, got to the top of the steps, and his secretary said: "Oh, yes, Mr. Wilson's been expecting you." I went in and saw this cherubic little man behind this big desk. Double chin, expensive clothes. I was all out of breath, and he said: "Hi, young fellow. That's the reason I'm up here. I want to do the talking."

Then he said: "You've got a pretty good magazine here. What's a double truck cost?" and I didn't know what the hell a double truck was! I really didn't. I said: "You mean two pages?" And he said: "Yeah, right." So I said it was twice the cost of a page, which then was \$160. And he said: "Well, I mean every issue." So I said that would be at the minimum rate of \$120 a page. And he said: "I'll take it. Every issue a double truck." That went on practically as long as he lived, although the rates went up.

Well, he became one of the greatest characters I ever met. One day I was down there and he had Senator Ernst of Kentucky, a Republican, in for some function, and Wilson said: "Senator, I want to make this presentation to you." And he gave him a gold watch inscribed, "To the next President of the United States." It wasn't six months later that he had Alben Barkley there, the Democratic senator, and gave him a watch inscribed the same way.

But the funniest story I remember about L.B. was at an NAB convention in Cincinnati, probably around 1935. It was at the Netherland Plaza Hotel, which had two-story suites in the penthouse apartment floor. And everybody was there, including Bill Paley of CBS and Deac Aylesworth of NBC. And L.B. came up to the two of them, who were standing there arguing about something, and said: "You know, if the two of you went over Niagara Falls in a barrel, and it went end over end, there would always be a bastard on top."

Who else was outstanding in the radio business back when the magazine was getting started?

Stanley Hubbard was one of the leaders in those days—and, even though semi-retired, still is on the leading edge of things, as witness his involvement with DBS. In the Northwest there were the Fisher's Blend stations—still there. A pioneer in Oregon was Charles W. Myers, who coined such call letters as "KOIN" and

"KALE," both in Portland. And in the Midwest there was Colonel B.J. Palmer of the Palmer School of Chiropractic, who founded WHO Des Moines and WOC Davenport—where a young announcer-sportscaster named Ronald Reagan got his start.

The Storer dynasty is legend: started in Toledo under George B. Storer, who became the foremost group owner in TV after pioneering in radio. Many other owners tried to emulate Storer and his brother-in-law, J. Harold Ryan, who was the figure man. Ryan also was an interim president of the NAB.

And take John Fetzer, an engineer who put together his own station group, contenting himself with middle-sized markets rather than going for the top 10. And he wound up owning the Detroit Tigers and becoming the leading statesman in baseball.

J. Leonard Reinsch is a must on any list of the industry's leaders. First he put the Cox Broadcasting organization together and then he had the vision to pioneer in cable. And Bill Daniels, out in Denver, did enough for the development and promotion of CATV to earn the unofficial sobriquet as "the father of cable." And Tom Murphy at Capcities. He added unique dimensions to the concept of group media ownerships initiated by the late Frank Smith.

I could go on and on. The records are replete with success stories of people with a will to be creative and successful in a new and potentially important field. It was before the actuaries took over with the rule of thumb that everything had to be a "profit center."

About the time you got started, ASCAP was beginning to cause a lot of trouble on the music copyright front.

ASCAP caused trouble almost from the start. E. Claude Mills—Eugene Claude, but he called himself E. Claude—was general manager. He was a nice enough little guy—tough, wiry. I guess he was Irish. But he put it on the line to broadcasters. Pay up or we'll throw you in jail. We'll sue you at \$250 per infringement. He was affable about the damn thing, but he shook the guys down.

Then they elected a guy named Gene Buck, who had written for the Ziegfeld Follies. He was a big, handsome guy. That was about the time that the boys in Montana, Ed Craney and his cronies, decided to start an anti-ASCAP insurrection. Gene Buck went down to Arizona on a vacation and through connections that Craney and Burt Wheeler [Senator Burton K.] and others had they threw Buck in jail. We ran the picture. Buck never forgave them—and he shouldn't have, either.

But ASCAP went out to get its pound of flesh, and it socked the broadcasters. He would say to a station: "You've got 824 infringements. That'll cost you \$206,000. Or you can pay us a \$200 license." You know what they'd do. They got them all that way. Eventually, that resulted in Broadcast Music Inc., as a rival copyright clearance service for music.

And there were other fringe outfits like SESAC. Nobody ever knew what SESAC had, but they had some religious stuff, and they'd catch a station playing some obscure religious thing and an arrangement that they had copyrighted—they called themselves the Society of European Stage Authors and Composers. It wasn't European at all. But they were modest: they'd say: "Just pay us \$75 or so."

Then came—and we'll skip a few years now—1938. NAB was torn apart on the copyright issue, and Ike Levy, the Philadelphia lawyer, and his brother, Leon Levy, who was Bill Paley's brother-in-law, got into a situation whereby they said there ought to be a paid president for the NAB. And so they picked Neville Miller, the "flood mayor" of Louisville in 1937. He was a hero. And they told Neville that if he could get them out of this copyright mess, that he'd have their undying faith and a lifetime job.

Where were the Sarnoffs and the Paleys back when the magazine got started? Were they the giants in those days?

Very much so. David Sarnoff by that time was president of RCA and chairman of NBC. One of my early experiences with him when we started the magazine involved another New England

senator, Charles W. Tobey of New Hampshire I think. He had Sarnoff testifying up on the Hill and asked him: "Now, what about this publication you own?" Sarnoff said: "I don't own any publication." And Tobey said: "Well, what about this BROADCASTING magazine? Isn't that fellow Taishoff your nephew?" Sarnoff said: "No, but it would be all right with me. It's a good publication."

We were both born in Minsk, Russia.

Did Deac Aylesworth figure in things much then?

Merlin Hall (Deac) Aylesworth was NBC president and did most of the testifying here. He was great on the witness stand, and he always conditioned the committee by pointing out that he was reared in Denver and that his father was a preacher, and he was taught the good Christian ethic. In Denver he had been chief lobbyist for the National Electric Light Association, NELA. Aylesworth would testify before these committees and pretty soon he'd have them all crying.

Paley came into the picture in 1928, I believe, when he induced his uncle, his father and the Levys and a gent named Iglehart and a few others to invest their money in acquiring Major Andy White's Columbia Broadcasting System, 12 or 16 stations. Why? Because he'd been the advertising manager of La Palina cigars when he came out of the Wharton School, and he knew what it had done for the cigar business. He did it with the *La Palina Hour* and Kate Smith, and did she ever move that moon over that mountain.

Sarnoff had an apartment here at the Shoreham—with his own barber chair. He used to call me and say: "Sol, I'm going to be in tomorrow. Can you have breakfast with me?" This happened once every two or three months, something like that. And one day he was pacing up and down, and he said: "Sol, as between Bill Paley and myself, who has made the greatest contribution?" I said: "I guess you have. After all, you were there earlier, long before Bill got into the business. And you've been in the manufacturing end along with the broadcasting end."

He said: "Well, second question. Who do you think's worth more money?" I said: "Well, Paley, of course. He went in and invested in this thing." He said: "How much do you think Paley's worth?" I said: "I don't know—probably 10 or 15 or 20 million dollars." And he said: "What do you think I'm worth?" I said: "I haven't thought about it, but I assume you're a millionaire." He said: "I won't be until next week when they're going to give me a block of stock that I can buy. And I've got to borrow to buy that." It was one of the first of the stock options.

Sarnoff had a tremendous ego, and I guess justifiably so. The man had a great mind. At the drop of a hat he could make a speech that would just ring the rafters. You know, for a person who was perhaps 11 years old when he came over here, practically self-educated, he had become a world leader.

Paley, on the other hand, came from an affluent family and had the benefit of a college education. But he also was a person who was creative—he had a style, was a young man, and he capitalized on it. And he had the faculty of picking good men. The first person of real stature that he hired was Ed Klauber, the day managing editor for the *New York Times*. He figured the *New York Times* was a pretty good paper. And he sensed the value of news very early. And the next topper he hired was Paul Kesten. And Paul Kesten proved a great mind too, a genius.

Bill Paley had a circle of friends who went to school with him and were valued co-workers. One of them was the perennial secretary of CBS, Larry Lowman. Then there was his lawyer friend who was his outside counsel until he fired him over some dispute involving the Museum of Modern Art. Ralph Colin. He had a lot of confidence in a fellow named Mefford Runyon, who was a money man who came along later.

And then Frank Stanton was hired on the basis of a three-page, single-spaced letter on radio audience measurements. And Paul Kesten hired him on the basis of the letter as assistant director of research. And then, in Chicago, there were H. Leslie Atlass and his brother, Ralph. Those were back in the formative days—when

soap operas and big business centered in Chicago. They were always celebrating something on yacht parties. Ralph was a guy who always had a cigarette dangling from his lips; never saw him without one. Les stuttered. His two good friends were Bill Wrigley and Gene Autry, and he put them together, and got Gene Autry in the business.

Les trained Jack Van Volkenburg, Jimmy Shouse, Carl George, Merle Jones. He ran what they called the Western Division of CBS. That was his turf, there was no question about it.

In those days I had a lovely time. I covered a hell of a lot of territory. I got great satisfaction, for example, out of seeing a man like Walter Brown from South Carolina coming up here. He started out on the Hill for us, covering some hearings that I couldn't handle because there were just two or three of us on the staff. And I got him interested in broadcasting and he winds up a millionaire station owner. And I got a lot of satisfaction out of the Lyndon Johnson family doing what they did.

And the satisfaction of getting a professional like Bob Kintner in the business when he really didn't want to.

These things just happened. I didn't go out there to educate them; they came with the franchise, I guess.

The Johnson friendship came about because you were neighbors, were you not?

We became neighbors later on. It came about in a peculiar way. I received a call from Lyndon the year he came to Washington as the executive assistant to Congressman Richard Kleberg, who owned the King Ranch in Texas. Johnson said, in effect: "Taishoff, I'm told that if I want to know anything about radio, I should see you. And I want to know about radio." He was in his twenties at the time. And I said: "All right, why don't you come down and have lunch with me? I have a fellow sitting in my office who knows more than I'll ever know. His name is J. Leonard Reinsch." And Johnson said: "No, why don't you fellows come up here? I'll take you to the House dining room."

And sure enough, we went up there, and we went to the House dining room. That was the beginning of a friendship. Thereafter, he checked me on anything that happened with broadcasting. I recall one little incident. After he'd been elected to the House, I suggested to him that Lady Bird, who had inherited \$40,000 or \$50,000 from her father, a Mr. Taylor, buy the little radio station in Austin rather than the little newspaper that Lyndon wanted to buy, because he wanted to get some return on that money and not be entirely dependent on his \$10,000 salary as a member of the House and on contributions.

Johnson said: "You know, my friends in the House who are lawyers get fees. Those that are publishers get revenue. I was just a country school teacher, and they won't pay me any more than a few dollars for a lecture."

So I suggested that he get the radio station, but he said: "Well, that's not making any money either." I said: "But it will." And they bought the little radio station, KTBC. And that is a romance in itself, how that developed, but I won't go into it here.

There came a time when Lyndon decided to run for the Senate. They still owned the radio station, and I ran an editorial saying it would be wonderful to have someone in the Senate who knows what it is to meet a radio station's payroll. And I received an indignant wire from the publisher of the *Dallas Morning News* and the owner of WFAA, who was supporting a chap named Coke Stevenson, who'd been governor. The telegram said: "Since when is it the province of a trade paper to delve into state politics?"

And I also received a telegram from a fellow named Harold Hough of the *Fort Worth Star Telegram* and WBAP, applauding our support of Lyndon Johnson for the Senate, and so there you are. Lyndon was elected, and he did know what it was to meet a radio station payroll.

When Lyndon Johnson became President of the United States, the family was pretty well into the broadcasting business and the cable business. They had ownership of one television station and a radio station. They had 50% of another television station, 50%

of a big cable operation down there, 25% of a couple of other things.

Lyndon and I were talking about the political situation that arose. Sam Rayburn, the Speaker of the House, who had been his campaign manager, had a nephew named Robert T. Bartley, who was a member of the FCC. Everyone thought that Bartley would be named chairman. I told Lyndon: "Look, there's nothing wrong with your naming a Republican chairman of this commission. We've got a fellow named Rosel Hyde, who had been chairman; he's a Republican, but he's not very active in politics. If you name him then they can't point the finger at you." And he said: "That solves my problem," and he named Rosel Hyde chairman.

Lee deForest occurs early in the magazine's history, just as a figure in the manufacturing business, then selling tubes.

Well, he was the inventor of the audion tube, I believe. And, from that he went into the manufacturing business, although he was not a great promoter himself. But he was regarded as a genius of sorts. He regarded radio as his invention, which it was not. He made a very definite contribution as an inventor, and gave radio a better voice. But to say that he was on a level with Marconi would be stretching it, I think. And that's in the audio area alone.

DeForest was used by critics of radio, even in those early days, to inveigh against radio's development by the powers that were. I'm not sure if the quote is precise, but he was quoted as having said, "What have you done to my child?" Actually, he loved publicity, and he got plenty of it. Newspapers in those days were willing to carry practically anything that anybody of any importance had to say against radio. They were afraid of radio.

The more enlightened publishers got into the medium—not because they thought it had a tremendous future, but because they thought it would be competitive. Not all of them; there were some who went to town with it—the *Chicago Tribune* with WGN, the *St. Louis Post Dispatch* with KSD, the *Milwaukee Journal* with WTMJ, the *Kansas City Star* with WDAF. These were all pioneers in the field, and they were very dominant newspapers.

That was in the Midwest. On the West Coast, the automotive dealers were the big operators. There was Don Lee with the Don Lee Network, the Cadillac-Oldsmobile distributor—and not only in Los Angeles, but through another name in the San Francisco Bay area. There was Earl Anthony, the Packard distributor and a substantial stockholder in Packard, who had KFI and KECA in Los Angeles. Those fellows battled as competitors not only in the automotive end but in the radio end as well.

In the number-one market, the *New York Times* did not get in until very, very late—and then in the specialized good music area with WQXR. And that came largely in partnership with John V.L. Hogan, whom we mentioned earlier (page 122). The *New York World*, which was very dominant, did not get into radio. The *New York Sun*, which probably had the best technical page on radio, with E.L. Bragdon as its editor for years, never got into it as far as I'm aware.

Hearst did. Have I related to you the only interview I had with William Randolph Hearst?

No. When did that happen?

It was probably about 1933. I met William Randolph Hearst Sr. at the Washington hotel. He had retained Elliott Roosevelt, the second son of Franklin Delano Roosevelt, as his vice president in charge of radio. And I asked him why he was going into radio—in Oklahoma, I believe—and he said: "People are getting too lazy to read, but they will listen. I have been in the forefront of using pictures in my newspapers for the same reason. Short text, pictures. Or they will listen." That was his philosophy.

If we can get back to the subject of the inventors, what about Zworykin?

Vladimir Zworykin was one of General Sarnoff's imports at RCA by way of Westinghouse. He was a fellow Russian. Zworykin was primarily television; he was the man who invented the iconoscope and the kinescope. He was given his head by Sarnoff;

he worked at the Princeton laboratories, which became the David Sarnoff Laboratories.

There were other television systems, but I think that Zworykin's invention transformed the medium from a mechanical to an electronic system, by developing these tubes. Zworykin was a very important factor in the development. Have we talked about Allen B. DuMont?

No. Where did he fit in?

Well, Allen DuMont was an authentic genius. He developed the oscilloscope, which became the heart of the picture tube. DuMont had had infantile paralysis, and to some degree he was self educated. He started the DuMont network, which began with stations in New York, Pittsburgh and Washington. The New York station—WABD—had his initials as call letters. It was later sold to what is now Metromedia, it's WNEW-TV now.

But there were a number of important projects that converged to make the television that you have today. RCA was very anxious to get under way in television because it was in the set manufacturing business. CBS wasn't too anxious to get started because it had such an investment in talent that it had raided from NBC, including the Jack Bennys and the Fred Allens and so forth.

What about Farnsworth?

Philo Farnsworth was an independent operator who developed a TV system of his own early on. He figured in the news, he was competitive, but he never really got off the ground.

Some accounts seem to credit him as being the father of television.

Well, there are so many fathers. There must be a lot of bastard offsprings. believe me. Farnsworth had a lot to do with it. There was E. Caldwell Jenkins who developed a mechanical TV system right outside Washington, in Wheaton, Md. He made his fortune with the Dixie cup, and then blew it in mechanical television early on. That would have been in the early thirties.

You haven't really gone into David Sarnoff at length. Is this as good a time as any to talk about perhaps the biggest giant of them all?

All right. Sarnoff was in his teens when he migrated from Minsk, Russia, to New York. He had to support his mother, who was a widow, and I think there were other children. He sold newspapers. And he also learned international code and became a "brass pounder" at an early age. At the time of the sinking of the Titanic he sat in the window of Wanamaker's department store and copied the list of survivors. President Hoover had ordered all other stations off the air.

When did you first meet Sarnoff?

I met him when he was assistant manager of the American Marconi Co. At that time he worked for a man named W.A. Winterbottom. Sarnoff never forgot him. When RCA was established, Winterbottom became the head of the Wireless Operating Co., their common carrier subsidiary.

My first recollection of a meeting with Sarnoff was with Owen Young, who was the head of General Electric and of the group assembling RCA. I recall that Young was a very impressive fellow—tall and handsome—and he said: "David is the man who is putting this together and David will be the head of it."

What were the components that formed RCA?

General Electric, Westinghouse, AT&T, American Marconi and United Fruit, which had its own communications system. The field was divided into a manufacturing business and a communications business, and RCA was just a wireless company at the start. What we call common carrier today. RCA was set up initially in 1919 at the request of the secretary of the Navy.

When they decided to create RCA as a manufacturing company, it was going to manufacture radio transmitters and radio receivers, but it didn't have the capital or the facilities. So

although those early transmitters and receivers carried the RCA name, they were made by either Westinghouse or General Electric.

The telephone company at that time agreed to get out of the broadcasting business. It had WEAJ in New York and WCAP (Chesapeake and Potomac) in Washington—that's WRC now. In any event, they got out of that business.

And that put RCA in the broadcasting business?

Yes, it put them in the broadcasting business and in 1926 was responsible for the creation of NBC. And then, as stations sprang up over the country, there were needs for additional service in the major markets. So they set up a Blue network as well. The Red and the Blue ostensibly were competitive, but the Red actually was the nationwide network and the Blue network had separate key stations in markets like New York, Chicago, Washington, Philadelphia and so forth but with the same supplementaries.

What kind of person was Sarnoff? What did he bring to the party?

He was an engineer—self taught, largely. A brilliant mind. An innovator and probably the world's foremost salesman of his day.

Really?

Yes, he was a tremendous salesman. He could inspire an audience of any kind. And, surprisingly, he had a great command of the language—ad lib or rehearsed—and he could just take over an audience.

I always had the impression that he was quite a distant figure, very Olympian, and difficult to deal with.

Well, he had a tremendous ego; there's no question about that. I can relate one experience with him. There was an antitrust suit, a criminal antitrust suit, against RCA naming Sarnoff and several other figures in RCA as defendants. Sarnoff was then chairman of the board and Frank Folsom, formerly of Montgomery Ward, was a new president of RCA. I had a date with Folsom, and Sarnoff stuck his head in and said: "Oh, Sol, I didn't know you were there. How are you doing?" And he came in and sat down.

This thing was on his mind, this antitrust suit, and he said: "Isn't it a sad commentary on a man as devoted as I am to this field to be confronted with a criminal prosecution?" And he said: "I think I've made a contribution here—certainly I'm not capable of a thing like this."

But he so impressed me, so swayed me that I went back to the Ambassador hotel, where I was staying, and wrote an editorial. And I said that if this thing is actionable, then it should be a civil suit, not a criminal suit. This man is not culpable; Folsom is not culpable. A week later, the Department of Justice changed it to a civil suit. And Sarnoff called me up and said: "Sol, I'm not putting this in writing, but now you know the power of the press, even the business press." And I've never forgotten that.

Was RCA the kind of company it was, and is, because of Sarnoff?

I would say Sarnoff wielded a great influence. Although he did not pick Merlin Hall Aylesworth to become the president of NBC. Owen Young had a lot to do with it because of the GE connection and the fact that Aylesworth was the lobbyist for the National Electric Light Association. Only Aylesworth surpassed Sarnoff in eloquence. He was a great president. He was the fellow who put together the deal with the Rockefellers that resulted in Radio City. If you look at the Nov. 1, 1931, issue of BROADCASTING you will see a mockup of Radio City. And when that thing was going up, he called me up one day—I went to New York quite frequently then—and he called me up and said, "I want to take you to see Radio City," and he took me out across those damn beams and I was scared to death.

What happened to Aylesworth?

Unfortunately, he moved from president to chairman to consultant, although he was still on the payroll. He lived at the St. Regis,

and my dates with him after that were at about 11 o'clock in the morning at the St. Regis bar. He was articulate, still good, but he began hitting it pretty hard, and so he burned out, I guess.

What about Niles Trammell? I noticed his name in an early issue when he was Chicago vice president for NBC, and the remark was made that one-third of all the network programs came out of Chicago in those days. Was that because of the soap operas?

Sure. Most of your agencies, particularly your spot agencies, were in Chicago—the Middle West. The soap operas came out of Chicago because it was about equidistant coast to coast, and—taking into account the time difference—it was regarded as the most economical way of setting up networks. And a lot of your advertising, your breadbasket stuff, your cereals—came out of that area. And mostly the soaps were there.

A good many of them were agency-owned in those days, were they not?

That's right. Frank Hummert of Blackett-Sample-Hummert, later Dancer-Fitzgerald-Sample, was the great soap writer; he'd write scripts all day long. And that was the farm belt—WLS was owned by the *Prairie Farmer*, originally by Sears, Roebuck and the *Prairie Farmer*, and WENR, which had half of WLS's time, was owned by the utility there. And WBBM was owned by the Atlass brothers, until CBS bought it.

So Chicago was really kind of a sub-capital of big-time radio in those days.

No question about it. It was the originating point, the soap operas were on all day long, and the West Coast was regarded only as a talent resource. Nothing originated there in the early days. And business on the West Coast was centered in San Francisco, not Los Angeles, which was regarded as tinsel and papier mache. And you went to New York for the hard business.

Niles Trammell was another figure who came in through the RCA Communications end. He had been in the military, and was hired as an RCA Communications salesman for the West Coast, and was brought into Chicago to head their WMAQ operation—which originally, incidentally, had been owned by the *Chicago Daily News*, while WGN was owned by the *Tribune*. WMAQ was a pioneer; I think the book will show it was probably set up in about 1922. The president of WMAQ Inc. was William S. Hedges, who also was the radio editor of the *Chicago Daily News*—which gave a banner headline to the Robert Mack dispatch every day.

Did he suffer from any conflict of interest in those dual roles?

Not in those days.

Did the *Chicago Daily News* carry any radio criticism at that time?

Oh, I don't think there was much criticism at all then. Very little. They couldn't fill the radio page. In those days there were probably a dozen basic stories in radio, and you kept rewriting them, putting a new lead on them. Hedges went with WMAQ when it was sold to NBC and, except for a short tenure at Crosley in Cincinnati, spent the rest of his career at NBC. He became station relations vice president for a while, and later retired.

Who were some of the other really dominant figures? Chicago used to have a reputation for being a pretty free-swinging town in those heydays of radio—I'm thinking of the Atlass brothers and so on.

Yes, Chicago was a fun town for broadcasters. They all had their favorite places. But you've got to keep in mind that these were pioneers, and they were younger people.

Take for example Harold Hough, who was circulation manager of the *Fort Worth Star Telegram* but president of their broadcast operations. And he operated in a business office out front at the newspaper, where he had a desk and a secretary. He was the head of WBAP, a clear channel station that was half time with WFAA in Dallas, with which they shared a regional station, too, for years.

Hough was a very influential fellow in the business, and a very

wise old fellow. He was in the forefront of every activity, including the clear channel field. And he had a good friend named Glenn Snyder, who was vice president and general manager of WLS in Chicago, then owned by the *Prairie Farmer*. They had common interests—farm markets and that sort of thing.

WBAP never claimed to be a Dallas station; it was the frontier end of Texas, it was the longhorn country station, while WFAA was a metropolitan station. "The Old Hired Hand," as Hough called himself, would get on the air once in a while and ring a cow bell and philosophize. At one NAB convention, he and Glenn Snyder got a couple of overstuffed chairs placed out in front of the ballroom of the Conrad Hilton hotel in Chicago—then the Stevens hotel—and they had a little repartee that went something like this:

"Say, Glenn, there doesn't seem to be as much hell raising at these conventions as there used to be." And Glenn would say: "Harold, there's just as much—but other people are doing it!" And they'd just carry on that way.

Hough was originally from Oklahoma. His closest personal friend was Will Rogers, and he talked like Rogers. They owned a station together—KTOK—that they started in Oklahoma, even though Hough was in Texas.

Hough also had a wooden leg—no one knew how he lost his leg; he said it was run over by a train, but that wasn't it. And he had a penchant for taking a few drinks with the boys, playing cards. And he never took off his hat—big western hat—anywhere he went. Harold used to get a few drinks and sit in his hotel room with the boys, take off the wooden leg, get into his briefcase and take out an oil can and oil it. A lot of character, and a lot of fun.

What about Frank Stanton at CBS?

Well, to me, he made a major contribution to the evolution of broadcasting as we know it and has not been given enough credit. He was a man of ability. He had a touch of genius and exquisite taste. A perfectionist. And he had the faculty of picking good people. He achieved almost everything he wanted except the number-one spot at CBS; he never became the chief executive officer. Arthur Taylor was the first to whom Paley yielded the chief executive title. Then John Backe had the chief executive title, and now Thomas Wyman does. But it's just a title—Bill Paley is still the chief executive.

And why not? I mean, he owns the operation, and he hasn't fared badly. Any man who has the ability to call the right shots certainly has my applause. He's done it.

Paley is a little bit older than you, isn't he? He just turned 80. But he's perpetual youth.

Yes, and I was 77 on Oct. 8. About three years apart. Now it's not much, but in those days it was considerable.

Going back to Sarnoff. In 1953, in Chicago, [the late] Frank Beatty [a BROADCASTING writer and editor] and I went down to the Merchandise Mart, I think it was, to listen to Sarnoff address the Radio Manufacturers Association—the NAB also was meeting in Chicago at the same time. We were sitting at the press table when Sarnoff said: "You can write off radio. Television is the thing; write radio off."

I looked at Frank, and we did the old business of taking down every other sentence, so we had it damn near verbatim, and we wrote the story. And, boy, there were denials all over. But they couldn't deny it; there was a room full of people.

Over at the NAB it was a different story, because radio was still running the NAB. And there was hell to pay. But Sarnoff was impetuous and he was going with the ball. He was a promoter: "It's television, the hell with everything else." But he wasn't very happy about our reporting it.

Didn't he make a famous speech to affiliates that said essentially the same thing—get into television?

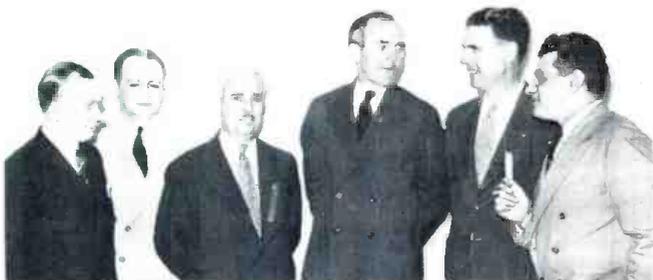
Oh, they were all making speeches to get into television, but not to write off radio. Radio had to pay the freight for television. But Sarnoff's enthusiasm was unbounded. In the early days of TV,

the ongoing wisecrack was that "you don't have to be crazy to go into television, but it helps." This was premised on the high start-up costs and low rates because of the paucity of sets and head counts. I'm reminded of this by a remark that crops up in our "2001" special report this week—something to the effect that a lot of money will be lost trying to find out which of the new technologies will work and which won't. It's ever been thus; that's the unfree part of the American system of free enterprise.

Let's get back to those early days in Washington. There are two figures that keep cropping up in the early thirties, Harry Butcher and Frank Russell, who were the CBS and NBC lobbyists, respectively.

Yes. It all started with a fellow named Milton Eisenhower. He was the younger brother of Ike, and he worked for the Department of Agriculture as secretary to William Jardine, the secretary of agriculture.

Mixing business with pleasure:



Early on. Changing of the guard at the National Association of Broadcasters on Aug. 8, 1938. L to r: Ed Kirby (wsm Nashville), who became public relations head of the trade association; Philip Loucks, Washington attorney and managing director of NAB; Gene O'Fallon, owner of KFEL Denver (whose call letters stood for "Kan't Find Enough Liquor"); Neville Miller, the NAB's first paid president; Herb Hollister, midwest broadcaster, and Sol Taishoff.



Studio tour. L to r: Victor A. Sholis, director of WHAS Louisville, escorted ST and Frank Silvernail, chief timebuyer for BBDO, and F. Ernest Lackey, president of the Kentucky Broadcasters Association, during the 1949 KBA convention in Louisville.



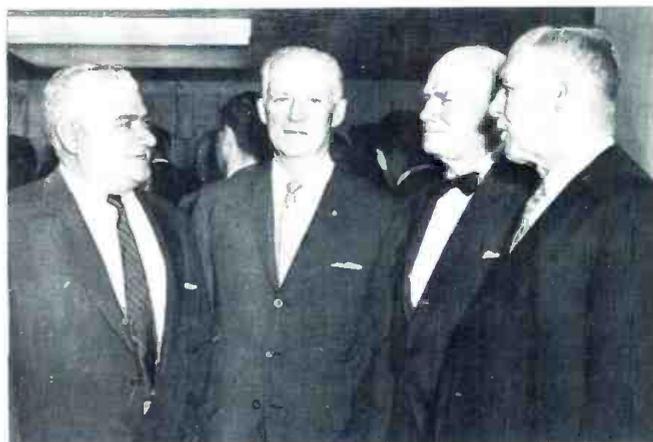
Family affair. Betty and Sol Taishoff were among the guests at this wedding party for the daughter of pioneer station representative Edward Petry (far right) in 1958. L to r: Herb Akerberg, chief engineer, CBS; ST; unidentified woman; Betty Taishoff; Lee J. Fitzpatrick of WJR Detroit. Others are unidentified.



Twosome. Betty and Sol Taishoff at Charles Farrell's Racquet Club in Palm Springs in 1961.



Shakespearean soiree. This motley crew of thwarted thespians performed at a Television Pioneers bacchanal written, staged and directed by Robert K. Richards, former editorial director of BROADCASTING. L to r: (seated) Clair R. McCollough, Steinman Stations, and Glenn Marshall, WJXT(TV) Jacksonville; (standing) Ernest Lee Jahncke, ex-NBC; Carl Haverlin, first president of the Broadcast Music Inc.; Ray Hamilton, station broker; "Dub" Rogers, KQUB-TV Lubbock, Tex., and TV Pioneer creator; John Fetzer of the Fetzer Stations, and cigar-smoking Sol Taishoff.



Birds of a feather. Radio Day at the Advertising Club of Washington, May 12, 1959. L to r: Sol Taishoff; Rosel H. Hyde, then acting chairman of the FCC; Robert H. Hinckley, vice president, ABC, and T.A.M. Craven, former chief engineer and twice a member of the FCC.

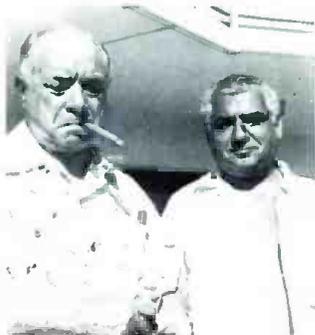
Milton started out as an educator of sorts, but he was a graduate of, I believe, the University of Iowa or Kansas or whatever, and he got to know Scoop Russell, who went to the same school. Russell became an assistant to Jardine—a lobbyist, I guess—and working with Milton. So when NBC needed a man here, Milton suggested Russell.

Then, when CBS needed a man here, Russell recommended Butcher, who had gone to school with him in Ames, Iowa.

Butcher's wife went to Ames, too. So Butcher—who was then chief editor of the *Fertilizer Review*—became the CBS Washington representative. At first he was manager of WJSV, and from that he became the CBS vice president. And Butcher's wife became very friendly with Mamie Eisenhower; they lived at the Wardman Park hotel together. And they played bridge together with then Colonel Eisenhower.

Butcher became very close to Ike, and as Ike moved up, Ike

some snapshots taken along the way



The boys from Minsk. A 1956 photograph of ST (r) with David Sarnoff, chairman of RCA. Their shared birthplace—Minsk, in Belo (White) Russia—was pure coincidence.



Big leaguers. L to r: John Felzer of the Felzer Stations and owner of the Detroit Tigers; Frank Stanton, CBS vice chairman; Sol Taishoff; J. Leonard Reinsch, Cox Stations, and Herbert Klein, director of communications at the White House during President Nixon's tenure.



Honorees. In May 1981, Lowell Thomas (l), pioneer newscaster and one of the principals in Capital Cities Communications, was a recipient of the Peabody Award, as was BROADCASTING editor Sol Taishoff. Three months later, the venerated Thomas succumbed to a heart attack.



Spirit of '76. It was an NBC radio and TV affiliates convention, but the guests were ecumenical. L to r: Bob Hope; William S. Paley, chairman of CBS Inc.; Leonard Goldenson, chairman of ABC Inc.; Herbert S. Schlosser, then president of NBC (and now head of RCA's video-recording enterprises arm), and Sol Taishoff.



Heading for the barn. This member-guest tournament at Washington's Woodmont Country Club brought out (l to r) William P. Sims, Washington attorney; Charles F. Adams, executive vice president and director of the Washington office of the American Association of Advertising Agencies; Sol Taishoff, and Samuel Thurm, senior vice president of the Association of National Advertisers, Washington.



Present tense. This May 18, 1981, reception at the Capitol Hill Club brought together the immediate past and incumbent chairmen of FCC as guests of Broad Street Communications. L to r: Richard L. Geismar, chairman of Broad Street; ST; Fred E. Walker, Broad Street president; former FCC Chairman Robert E. Lee, and the incumbent chairman, Mark S. Fowler.



At ease. NAB President Vincent T. Wasilewski (l) and Sol Taishoff at the Kemper Open in Washington in June 1981.

probably suggested to him that he get in the service some way, and he went in the Navy; he was a lieutenant commander. When the war came along and Ike wanted a companion over there, since the ladies were companions here, Butch became a four-striper, a captain and an aide to Eisenhower.

Butcher never returned to CBS after the war, did he?

No. He went out to Santa Barbara and started a radio station and later a television station. He also got into cable and made a lot of money. Butch has lived a charmed life. The last I heard he was playing golf almost every day with the retired president of AP, Wes Gallagher, who lives there.

Did Russell stay with NBC until he retired?

Not exactly. Things got hot at NBC because Russell kept no records. When they had new treasurers of NBC come down to look at his expense accounts, he had none, and he'd say: "See General Sarnoff." Well, things got to the point where it was decided that Russell should no longer remain an officer with NBC. So he retired, but was hired back by RCA as a consultant, and not as an officer of the company. One provision was that he would have to have other clients—he couldn't just have RCA. So he sent out the alarm to me and to others—"I'll work for nothing; get me some clients." Well, he got to dealing with Bill Daniels, and got in on the ground floor of cable. He took no fees but took an interest in cable systems. He did very well.

It was a small fraternity then. But Russell was a very capable lobbyist. Sarnoff did some lobbying in his own right, and the report was that he'd hire anybody as a consultant at 25 G's if he felt he would do him some good. One of them was Oswald F. Schuette, who represented what he called the Radio Protective Association, which happened to be office space and a mimeograph in the National Press Building. And he would put out these releases inveighing against the RCA monopoly and the AT&T monopoly. Finally he was hired by RCA.

How did the "VIP-pers" trip come about?

That didn't take place until 1945, but its development began long before that. In 1941 or thereabouts, one Ed Kirby, director of public relations for the National Association of Broadcasters, had a reserve status. He was called into active duty at the Pentagon, in radio, as a major or possibly a lieutenant colonel. He was a graduate of Virginia Military Institute, the West Point of the South. Kirby—a very creative fellow who always had more balls in the air than he could ever catch—organized and headed a radio branch at the Pentagon.

Did he have anything to do with the 'Army Hour'?

Yes. I think he was instrumental in getting the *Army Hour* off the ground. He produced the *Big Picture* later on. He was very, very active in getting broadcasting cooperation down the line. Toward the end of the war there developed a need for broadcasters to take over radio stations as we—the allies—invasion the enemy countries. Radio, rather than newspapers, could get to the people immediately. It was the first target. But they needed people who knew what went on at radio stations, and they recruited.

A new reserve unit was created, to be called G-5. A Colonel Looker, probably at Kirby's suggestion, called me in and asked whether I would be available for possible service in recruitment of broadcasters for some engineering training, some on-the-air training—people who would know what to do. And I said, "Sure, I'd love to."

We cooked up the idea of getting a mission of broadcasters over there. We hand-picked them. We went in uniform; it was 1945 and we had the assimilated rank of lieutenant colonels. This group of a dozen and a half went over after VE Day. We were in Piccadilly Circus on VJ Day.

We were in Unter den Linden at the Reichs Chancellery a couple of days later. We went all through Goebbels' files. This was the most exciting experience I'd ever had. We were at Berchtesgaden, which had been bombed out. This was the dam-

nestest thing that ever happened. We had R&R at Bad Homburg. We hit damn near everywhere—even Cap d'Antibes was part of the phasing out.

Did you do any work?

A lot of work. We got to Radio Berlin and found the Russians in control. It was in the British sector, but the Russians had moved in—there was a little Russian in charge of the thing who was not authorized to be there. In our group there was a signal corps brigadier general whose name was Sam Ford; he was an RCA engineer. We go into this thing, look around, and I said, "Sam, what the hell is this? I've never seen anything like this before." I had found a machine that looked like a teleprinter, but there was a thin tape coming out of it. And Sam said, "How in the hell do you think I know? This is the first time I've been here, and I got in under your coattails. They wouldn't let us in here."

Well, we look at the strange stuff, and John Fetzer, who had a little engineering background, said, "Damn, they're playing music and voice with this stuff. I don't know what it is." We had come across the first oxydized tape and player. It was called the magnetophone.

We took all this tape and stuffed it in our pockets, and we carried it back with us. It went into the hands of the alien property custodian, and it had to be released in the public domain. And that's the way tape got over here. 3-M was the first company to grab the ball—they just grabbed it and made a jillion dollars.

I recall going into what had been a concentration camp, and boy, it really hit me. Don Kearney was one of our conducting officers. He later became a broadcast executive with Corinthian and others, and he died just a few months ago (BROADCASTING, June 29).

We all took souvenirs; I have stuff at home now—pieces of the fireplace from Berchtesgaden; it was the most amazing place you ever saw, up in the clouds, in the Alps. John Fetzer came up with a telephone that had been torn off the wall, and he later made lectures all over, saying: "This was Hitler's telephone. With my own hands, I pulled it out of the rubble."

Well, the war was over now, and people were coming back home and there was a sudden demand to build radio. There was a big post-war rush for radio station applications, was there not?

There certainly was. That was when the daytimers were invented, and they were granting them almost at will. They hove onto the scene in great numbers; I would imagine the station population doubled in the course of a few years, and there were daytimers and limited timers—stations that went off the air at sunset, wherever they were, on dominant channels. Some of them made money, some of them lost money.

Charles Denny was chairman of the FCC then—from 1945 to 1947. He was succeeded by Wayne Coy, from 1947 to 1952.

Denny went to work for RCA. That's a story that can be told.

I happened to be having lunch or breakfast with General Sarnoff at the Shoreham hotel in Washington, and he was complaining about how difficult it was to get good executives who would make decisions. At that time a fellow named Joseph McConnell was president of NBC, and the general said that this fellow had a reputation of being a great salesman, a great executive, and he reported in glowing terms all the new business he sold, but failed to report the cancellations. And he had just arranged for this man to depart. I mentioned several friends of mine at NBC that I thought would make good presidents, and he said: "You're talking about administrators. I don't want administrators. I want dynamic leaders and decision makers."

I said: "Well, there's one guy that I don't get along with particularly, but he will make decisions, and that's Charlie Denny." And Sarnoff said: "I could buy that young man." And I said: "Well, you can't buy him now because he's chairman of the international telecommunications conference that's going on in Atlantic City—he's chairman of the conference and of the U.S. delegation."

It was after that conference was over that Denny resigned from

the FCC and joined RCA to become counsel for RCA or David Sarnoff Laboratories in Princeton. There was a training period and then he moved to NBC and became, I believe, executive vice president for station relations, or something of that kind. But it didn't work out too well. He transferred later on to RCA and became their new products head.

An interesting sidelight to that story is that when Denny went to RCA he took with him a fellow named David C. Adams, who was in the Common Carrier Branch of the FCC, and he knew nothing about broadcasting. And Adams became a star at NBC and Denny played out his career as the Washington vice president for RCA.

They've had an awful lot of trouble with NBC executives, up through today.

It's because of the RCA dominance, and the fact that NBC was one of the original breadwinners of RCA, and the head of RCA was also, at least nominally, the head of NBC. That was his prize operation and the glamour operation—the one they prided themselves on.

I wonder if RCA has ever gotten over David Sarnoff?

There's never been anyone who starred as Sarnoff did.

Well, after the post-World War II buildup of the radio system, then came television.

Actually, television began in the late 30's—there were perhaps 20 experimental stations authorized before the war. RCA immediately advertised sets, and the FCC cracked down on them and said, "You're exploiting experimental operations." And they put it back in the deep freeze. That stayed on through World War II, of course, and then they began authorizing permanent stations after the war.

By 1948 there were 108 stations on the air, and it had become apparent that the VHF spectrum wouldn't accommodate the demand. That's when the big freeze was put on, until 1952. Then the great gold rush was on.

But radio was still the dominant broadcast medium. We had very serious problems as a magazine. When television was emerging, we decided we had to get on the television bandwagon even though the radio guys hated hell out of television, which was poaching on their territory and getting its hands in their pockets—not unlike what has transpired in the past few years with cable.

We had changed our name from BROADCASTING and BROADCAST ADVERTISING to BROADCASTING • TELECASTING. The "TELECASTING" was very small. Gradually, as the medium grew, we increased the size of "TELECASTING." It got to the point where some of my very good friends—a fellow by the name of Ed Craney in Montana and a fellow in Tulsa whose name was Bill Way—sent out a letter to radio broadcasters saying that BROADCASTING had sold out to television, the enemy. They canceled their subscriptions and their advertising. But we kept increasing the size of "TELECASTING" until it equalled the size of "BROADCASTING" on the masthead.

What became of the Craney crusade?

It fell by the wayside. In the case of Craney, I told him on one occasion that he was cutting his own throat, that he would never be able to sell the three or four little radio stations he had in Montana for enough to retire on, but if he went into television, he could probably come out of it, and that's exactly what happened. In his case, Bill Way just evaporated. His station, KVOO, also became a television licensee, but not with Bill Way there.

The NAB was having problems, too. It changed its name to NARTB—the National Association of Radio and Television Broadcasters—because of the protest of television people that they weren't being represented. But when television came to full bloom, we just dropped the "TELECASTING" because it was all broadcasting. And NARTB reverted to NAB.

What do you think of the future? What is your vision of the way

things are going to go with all of the Fifth Estate media we cover?

Well, there are very interesting things developing in the field. Television seems to be the culprit—everybody points his finger at television for wasting our time, and for mediocrity. They don't talk about the good things.

My notion is that with all these developments in the field that generally fall under the label of technology, we are actually building a computerized information-entertainment center in the home: the television set in the future is not going to look anything like it does now. The tube will always give you the information, but it's going to come from many more sources. You're going to dial them in, just as we dial them on the telephone now.

And there will be great competition, and I would assume that when you have such competition, you're not worried about anti-trust. But then the big ones will start eating the little ones. And after that some guy will come along with a new idea and knock the spots off some existing thing. And all these things will find a level.

And the public, whether we like it or not, is going to pay for these services one way or another. The one true thing that was said to me by a fellow early on in cable, when I made the argument, as we all did, that people are going to be paying for something they now get for free. And he said: "So what's wrong with that? Do you have a subscription price for your magazine? Do you sell advertising? You get both, don't you? You have a box office. Everything has a box office except television. And why shouldn't it have a box office?" And that's the philosophy of the thing.

Are you ready to buy that philosophy now?

Not all the way. I can't convince myself that the box office is the only way of getting it. If advertisers can get their return from sponsorship of the right sort of fare, why not? Why not give the public something? I don't see making the public pay for baseball games; yet that's what it's going to come to. That's what Walter O'Malley had in mind when he refused to sell baseball rights to television way back, when he moved to L.A. He told me so when I was with him. He said: "Why do that? We're going to get real money for that."

What is the best of all worlds? The public pays for damn near everything it gets, and it pays more than it ever paid before. And the people are earning more than they ever got before.

What's been your specialty in reporting, and the magazine's specialty?

I've always been in quest of that little tidbit, that little scoop, that little something that nobody else has. As for the magazine itself: The brick and mortar of this book are coverage of the events that happen, better than anyone else does it, and doing it honestly and without coloration. I think if you do an honest and sincere job of reporting, you will acquire a status that will be appreciated.

What do I do best? I don't know. I don't do anything as well as I used to. But I like people. I like to ferret out stuff. And I think that could be done more effectively if I got around a little more instead of sitting on my duff here. Maybe in this new life, I'll do it.

Could you give us your list of the five most memorable characters in and around this business? Or whatever number you choose to take. The people who had the greatest influence on the broadcast media?

You would have to begin with Sarnoff and Paley, and I don't see how you could leave Stanton out of it.

All three were associated with network operations. Does that say that the networks ran the business and/or were the primary influence on the business, up until now?

I think that's right. And I think I'd rank them one, two, three. After that it gets tough.

Who is number four?

Well, I'll give you a number four. If you're looking at innovators

or impact. I must go for Franklin D. Roosevelt. His "Fireside Chats" did more to alert the nation to what radio really was than anything that happened in the early days of this medium.

For number five, I'm going to get to a guy who falls in the network syndrome again. Pat Weaver. He was the most creative guy in those early days. I'm not going to the inventors, the Zworykins and the Farnsworths and the DuMonts.

And no overview of broadcasting development would be complete without the evolution of American Broadcasting Companies, under the inspired leadership of Leonard Goldenson. As president of United Paramount Theaters, he arranged to buy a bobtailed ABC Network from Edward J. Noble, the Lifesaver (candy with a hole in it) king for \$25,500,000—if memory serves—in 1951, in what was characterized as a "merger."

Noble, who reportedly owned about 900 of the Thousand Islands in the St. Lawrence, as well as St. Catherine's in the Sea Island area of Georgia, was bailing out of the network business. He had acquired the Blue Network Co., which became ABC, from RCA for about \$8 million cash in 1943 when RCA was under court mandate to dispose of one of its two networks.

What Noble and company acquired was a barebones operation having four clear-channel AM radio stations and construction permits for five major-market TV stations. A sagacious trader, Noble had sold WMCA(AM) New York to accommodate WJZ (now WABC(AM) New York), with the result that his acquisition of the Blue Network netted out at about \$6.4 million. In 1948, Noble called me with the query, "What's my network worth?"

I replied, "I never regarded myself as an appraiser but I would put a value of \$5 million on each of the five television station construction permits without regard to the lack of studios and other brick and mortar."

Later we learned that negotiations had been in progress for the sale of ABC to 20th Century-Fox but it wasn't until 1951 that Noble called me to advise me that he had made a deal with United Paramount (Mr. Goldenson as the negotiator) to "merge," involving a \$25,500,000 figure. I asked him how come an additional \$500,000. He replied "That was the interest I lost when Spyros Skouras, head of 20th Century-Fox, disagreed with your evaluation and made an offer of \$23,500,000."

What Leonard Goldenson has done with ABC and its associated properties is now legend. He, like Bill Paley, had the ability to attract bright young people. But he worked alongside them, determined to put ABC-TV on top and to develop ABC Radio into a multiplicity of specialized networks. He succeeded ratings-wise and dollar-wise and even at this date, is still riding the crest.

Are there any station operators or station group owners who loom above all the rest?

One of the great modern success stories is Metromedia and its chairman, John Kluge, a former food broker, who parlayed a little AM station in the Washington area (WGAY Silver Spring, Md.) into the largest major-market group of independent television and radio stations as well as in the forefront of production and outdoor advertising and syndication.

I've already mentioned Storer and Cox and Capacities—on anyone's list of the foremost group broadcasters. And you certainly can't ignore Don McGannon of Westinghouse, although it's only fair to keep in mind that McGannon inherited something from a man named Walter Evans. Evans started out as an engineer working for Westinghouse. He was the chief engineer of KYW in Chicago, and was made the vice president in charge of radio for Westinghouse in the 30's. He bought the Fort Wayne stations—I was there celebrating with him during Prohibition, because we drank Old Rarity, the first time I'd ever seen it, in the Keenan Hotel. Wowo Fort Wayne. And they had WBZ in Boston, WBZA synchronized in Springfield, Mass. KDKA in Pittsburgh. Evans was head of the whole schmear. During the war, he was made head of their air arm, located in Baltimore, as well as the broadcast operation—again, a quiet engineering type.

He went to his board of directors and asked for five television

stations—the maximum, five V's, and the board wouldn't give it to him. They said it was too experimental, and they gave him only one. They took Boston—WBZ-TV. They had to buy everything else they got in television.

But McGannon did make a great contribution. He was gutsy; he had courage. He had what amounted to a training school, too, and he developed a lot of other executives. There's almost a Don McGannon School of Broadcasting.

Right up there among the influentials you would have to put a guy who just lost his job—Fred Silverman. I think he took over in terms of network influence after Stanton retired. One of our editors used to say that Silverman was going to ruin the television networks of this country one at a time—he ruined CBS and then went over and ruined ABC and after he got through with NBC there was almost nothing left. But Fred Silverman ran television in this country for the last 15 years; he was THE most influential man in television. Almost everything on the air, in terms of program types and values, he put there.

Now, when it comes to the new generation of television, you have to rank Jerry Levin of HBO. There are similarities between his record and that of some of the early pioneers of the medium—there was no road map for them to follow. He started something new, with the satellite interconnection, that is changing all of our lives.

But if you're looking for heroes, there's no one man. Sarnoff happened to be the innovator, the American Marconi, whom Owen Young spotted as a comer. And Owen Young gave him a chance and Sarnoff delivered.

From time to time, I have been asked to evaluate members of the Federal Radio Commission and the FCC over the years. I have known every commissioner since the formation of the FRC in 1927 and its successor, the FCC, in 1934. The total is 64.

The FCC isn't and never was a popularity contest. Problems did not diminish, and competition for facilities burgeoned in every area. I would be disposed to rate Wayne Coy (1947-1952) as perhaps the most effective chairman. Rosel Hyde, a career success story, who began as a junior lawyer with the agency in 1927, served two tours as chairman and was admired without regard to political fealty as a conscientious and fair-minded head, immensely popular with the staff. He served as commissioner and twice as chairman from 1946 to 1969. Hyde, more than any other individual, was the savior of TV allocations. After the lifting of the deep freeze in 1952, he expedited authorization through "paper hearings" wherever possible, avoiding many tedious hearing encounters that might have run for months.

Frieda Henneck, a New York attorney (1948-1955), was the FCC's first distaff commissioner and used all her wiles and charm in getting results. More than anyone else, she was responsible for noncommercial, educational broadcast allocations—actually the fairy godmother of ETV.

The Kennedy administration brought in Newton N. Minow, who at 35 was one of the youngest chairmen ever. His maiden speech became the theme for the do-gooders everywhere—that, of course, was the catch-phrase "vast wasteland" as applied to TV.

Minow was—and still is—an activist. His law firm in Chicago numbers among its special clients such entities as CBS and AT&T—the latter he's representing in its quest for equal competitive footing in the volatile new world of telecommunications. AT&T alone, it should be remembered, has the nation "wired."

Dean Burch, the Arizona Republican (1969-1974), was regarded as efficient, even-tempered and judicial. He got things done in lawyer-like fashion. And his successor, Richard E. Wiley, was innovative, indefatigable, ubiquitous and always on the move, making speeches here, meetings there, with no regard for the clock or vacations.

And now, after some 54 years of communications regulation—I'm counting back to the Federal Radio Commission in 1927—we've got Mark Fowler. He came on board because the Reagan administration was trying to restore order out of the chaos precipitated in the three-year reign of Charles Ferris. Fowler's

“marketplace” approach, with minimal government snooping, epitomizes the Reagan mandate. And you have to remember that the President is himself familiar with broadcasting as a former news and sports commentator as well as an actor.

Fowler was never what you could call an establishment lawyer, although he too has at least some broadcaster credentials—he used to be a disk jockey. And, of course, he has endeared himself to the broadcast media by espousing repeal of Section 315 and its fairness doctrine. Now, I don’t think he’s likely to see fulfillment in this session of Congress, but it won’t be for lack of trying. But Fowler does have a working majority of the FCC in place on critical issues. His “marketplace” approach and jettisoning of ascertainment and other hinder-and-delay devices seem possible, although some of the hard-liners in the Democrat-controlled House may block action. One thing is certain: The Ferris era of reckless disregard and punishment of the “ins” is over.

You often talk about the “American Plan of Broadcasting.” What do you mean by that?

Well, at the time we started, there were two world systems. The so-called British plan, which was subsidized—the BBC—which had spread through Europe as it caught on. We were fighting for the American plan of free enterprise against the British plan.

There were a number of advocates of the other system, and they all stemmed from the so-called “Hoover Conferences” in the 1920’s when Herbert Clark Hoover was secretary of commerce. These conferences were to formulate rules for the development of radio broadcasting. And Hoover said at these conferences: “Perish the thought that these services will ever be underwritten by the hawking of advertised products, or advertising of products.”

But the Hoover conferences didn’t get to that determination: they got to allocations, and the orderly allocation of facilities among various services—common carriers, ships, etc., and broadcast. Later, Hoover was to change his mind. And as president of the Broadcast Pioneers, I presented him an oak leaf cluster to an award that the Pioneers had given him for having been secretary of commerce at the time. In our first issue, we carried a speech—made by remote control to the NAB convention—by then President Hoover, in which he recognized broadcasting had made better progress here than under the British system—he ate his words on that.

The answer, of course, is that more and more of the world’s broadcasting is now commercial to some degree. They may lump their commercials together, as in Britain, but you have a commercial system alongside the government system. And in television the costs are so great that they’ve almost had to go commercial. So the thing is almost academic now. Only in the very small countries where they couldn’t sustain a private system do they have completely subsidized services. Except in your dictatorships, and even the Soviets have advertising on their television. They may be selling state commodities or state goods, but there are commercials.

So the American plan versus the British plan—or the European plan—was commercial versus noncommercial. And we contended that the British plan amounted to state control.

What do you think has been the result of the American plan versus the other?

Well, I think you’ve gotten a better product all down the line.

Does that explain the magazine’s basic opposition to public broadcasting?

Yes, because we’re for free enterprise. That’s the American plan, a free competitive enterprise. Let him stand or fall on what he does. You now hear it as “marketplace,” but they’re talking about the same thing.

Do you think we’d be better off without public broadcasting?

That’s a tough one. I think that public broadcasting should not be sustained by the government for a minority of the audience, using taxpayers’ money to fill the needs of a very definite upper-middle-class minority of our people. Why? Let them contribute to the programs they want. Why should government funds be appropriated for the benefit of a minority of the people?

Would it have been better for public broadcasting to have been started as a pay television service?

Yes. Except that the techniques of collection weren’t there at the start.

Basically, our argument against public television has been that it was using spectrum to supply a type of service that might possibly be used politically to the disadvantage of your populace or your electorate. That hasn’t happened, although you have a sporadic complaint here or there.

Quite often I’ve defended our position against people who disagreed with it on the basis that, down deep in your heart, you fear totalitarianism, and that it comes out of your origins. That you don’t want the government to have anything to do with the communication system.

That’s essentially correct. I know that FDR was revered by many, many people as a great President, for a couple of terms. He did some pretty good things. But I know that he once called in his secretary of the interior, the old curmudgeon, Harold Ickes, and said: “You know, I get reaction when I make a fireside chat, but I’m beholden to the commercial networks to get the time. Why shouldn’t there be a government network now? Look into the matter of putting together a network—perhaps for crop reports, weather reports and so forth for the farmers, through the Department of Agriculture. It would only take two or three clear channels to cover the country.”

And Ickes did indeed make the study, and reported back that the commercial networks were too well entrenched, and that you could not do it with two or three clear channel stations, that you’d have to have a dozen or more, and you’d upset the balance. You just couldn’t do it.

Well, what FDR had in mind was—without asking or being beholden to private interests—he could, any time he wanted, address the nation with any message that he had. Now that, to me, would have resulted in a dictatorship—you damn near had it by virtue of not two but first three and then four terms. The potential was always there. So, your answer is perfectly valid.

If you had it to do all over again, would you do it the same way?

Perhaps not quite the same way. I’d spend more time with my family, for one thing. That was my greatest failing, and now it’s my greatest regret.

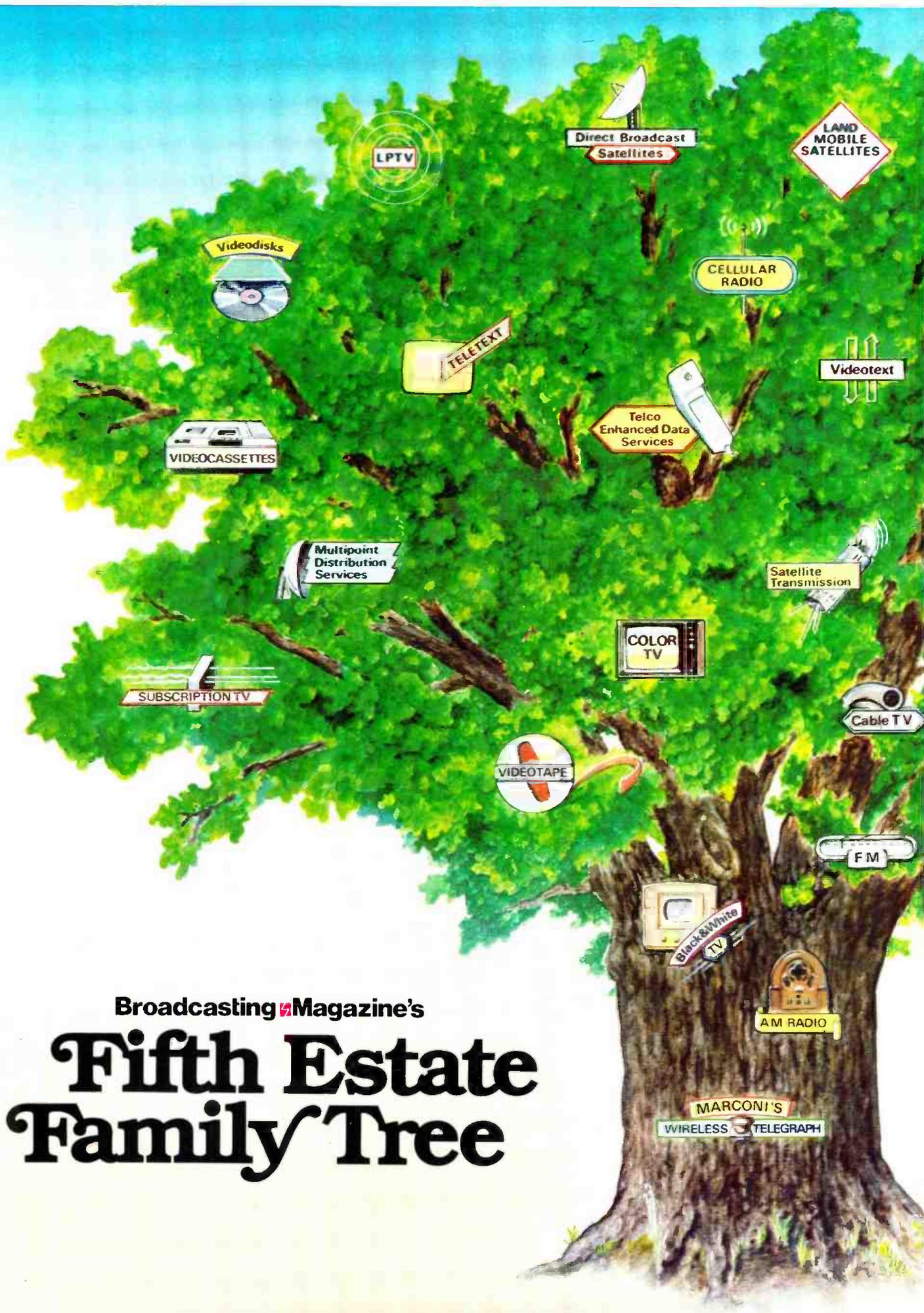
Well, you can’t go back. But in a sense we do get a chance to do it all over again every week at BROADCASTING. That’s part of what makes the job so exciting. The trick is always to do it a little better the next time.

But the first 50 years were the hardest, there’s no doubt about that. Yet we all have to acknowledge that they were only the beginning. We really haven’t seen anything yet.

The great thing about it—as I mentioned a few weeks ago in talking to the Broadcast Financial Management Association [BROADCASTING, Sept. 28]—is that we’re dealing with a magic medium: “wireless,” if you want to settle for the old-fashioned term. But there’s never been anything like broadcasting. “It flies through the air with the greatest of ease,” I said to the financial people. And it does. And it’s going to keep doing just that. Low-power TV. Direct broadcast satellites. Cellular radio we’ll all be wearing around on our wrists. All part of the magic that belongs to no other communications media.

Truth to tell, I feel the same way about BROADCASTING. the magazine. I think it will continue to grow with the times. ■

Broadcasting Magazine's
**Fifth Estate
Family Tree**





Genesis

- 1666 □ Sir Isaac Newton performs basic experiments on the spectrum.
- 1794 □ Alessandro Volta of Italy invents the voltaic cell.
- 1827 □ Sir Charles Wheatstone of England invents acoustic device to amplify sounds. He calls it a "microphone."
- 1844 □ Samuel F. B. Morse tests first telegraph with "What hath God wrought?" message sent on link between Washington and Baltimore.
- 1858 □ First transatlantic cable completed. President Buchanan and Queen Victoria exchange greetings.
- 1867 □ James Clerk Maxwell of Scotland develops electromagnetic theory.
- 1875 □ George R. Carey of Boston proposes system that would transmit and receive moving visual images electrically.
- 1876 □ Alexander Graham Bell invents the telephone.
- 1877 □ Thomas A. Edison applies for patent on a "phonograph or speaking machine."
- 1878 □ Sir William Cooke of England passes high voltage through a wire in a sealed glass tube causing a pinkish glow—evidence of cathode rays.
- 1884 □ Paul Nipkow of Germany patents a mechanical, rotating facsimile scanning disk.
- 1886 □ Heinrich Hertz of Germany proves that electromagnetic waves can be transmitted through space at the speed of light and can be reflected and refracted.
- 1895 □ Wilhelm Conrad Roentgen of Germany discovers X-rays.
- 1896 □ Guglielmo Marconi of Italy applies for British patent for wireless telegraphy. He receives American patent a year later.
- 1900 □ Arthur Kennelly and Sir Oliver Heaviside propose theory that radio waves will bounce off a reflective layer in the upper atmosphere (Kennelly-Heaviside layer) and cause them to carry great distances, especially at night.
- 1901 □ Marconi sends first transatlantic signal from England to Newfoundland.
- 1906 □ Lee deForest invents a three-element vacuum tube (the audion), which becomes the basis for amplification of radio signals.
- 1906 □ Reginald Fessenden transmits speech and phonograph music using a high-frequency generator.
- 1916 □ David Sarnoff, assistant traffic manager of Marconi Wireless Telegraph Co., proposes developing a "radio music box."
- 1920 □ Westinghouse's KDKA Pittsburgh is first licensed radio station; broadcasts Harding-Cox election returns.
- 1923 □ Vladimir Zworykin files for patent for all-electronic TV system.
- 1927 □ Philo T. Farnsworth applies for patent on image dissector camera tube.
- 1931 □ First issue of BROADCASTING is published on Oct. 15.

On Aug. 15, 1982, Sol Taishoff died. The last piece of copy to bear his mark was the foreword he had written for this 50th anniversary book, and which he approved on his hospital bed.



For years, Sol Taishoff had talked of writing a book about the art forms of radio and television, to which he had devoted his life. It was, in a way, an unrealized ambition: Sol Taishoff was always too fascinated with today and tomorrow to spend more than a few minutes at a time with yesterday. But, in another way, this is his book. It would not exist but for his vision, his energy and his love.



The pages that follow in this volume—and all the pages that will follow in subsequent issues of BROADCASTING magazine—are dedicated to his spirit and his memory.

THE FIRST 50 YEARS



OF BROADCASTING

The year 1931 might well be regarded as the end of the beginning for American broadcasting. Order had been restored to the spectrum in the years since the Radio Act of 1927. The number of radio stations had stabilized at 608 and, abetted by expanding network operations, broadcasting was attracting an ever growing share of the advertising dollar. By the end of 1930, the Census Bureau had found radio sets in more than 12 million of the country's 30 million homes.

Small wonder that a nation mired in the Depression had at least this area in which to feel a sense of accomplishment. One such sentiment came in October 1931 from Major General Charles McKinley Saltzman, then chairman of the Federal Radio Commission. Saltzman, retired as the U.S.'s chief signal officer, called the American broadcasting industry "the best in the world."

But Walter J. Damm, the elected president of the National Association of Broadcasters, almost simultaneously had words of caution. Damm, general manager of WTMJ Milwaukee, warned: "Broadcasting in the United States today stands in grave jeopardy. Politically powerful and efficiently organized groups, actuated by selfishness and with a mania for power, are now busily at work plotting the complete destruction of the industry we have pioneered and developed . . . In other words, American broadcasting is given its choice between organization or destruction."

Far from being contradictory, each had evidence for his point of view. Together, their statements delineated the status of broadcasting in the 1930's. All of the elements and factions that shaped broadcasting were present—including the Depression. As the medium grew in power and influence, advertisers, educators, newspaper publishers, legislators and critics took particular notice by creating special interest groups, voicing concerns and proposing legislation.

BROADCASTING magazine appeared on Oct. 15 in 1931. Chairman Saltzman greeted the new semi-monthly publica-



In the summer of 1915, an assistant manager of Marconi Wireless Telegraph proposed a "radio music box" and described the possibilities of broadcasting to the public. That vision—of David Sarnoff, the future chairman of RCA—was but one in the chronology of events that determined the course of radio before 1931. The more tangible history began to materialize in the early 1920's. There was the coverage of the Harding-Cox election in November 1920 as KDKA Pittsburgh and WWJ Detroit provided crackling reports to a limited number of crystal set owners. The decade that followed became a blur of events with the proliferation of stations by pioneer broadcasters—to such a degree that, in 1927, the Federal Radio Commission was created to bring order out of chaos. The Zworykins, DeForests and Armstrongs were already hard at work in their laboratories, not only advancing AM radio's state of the art but laying the groundwork for FM and television. "Amos 'n' Andy" and "The Rise of the Goldbergs" were among the programs that came on the American scene to help the nation weather the hard times. And then came BROADCASTING on Oct. 15, 1931.

The rest, as they say, is history.

tion by expressing interest "in all agencies or instrumentalities operating to advance or improve radio . . . The commission therefore welcomes the entrance of BROADCASTING into the national radio field . . . and hopes that it may be a means for great good in the development and advancement of the art. An ideal trade journal is not only a forum wherein the problems of the art may be discussed but also an agency which assumes a responsibility for asserting a leadership in advancing the art or profession in which it is interested."

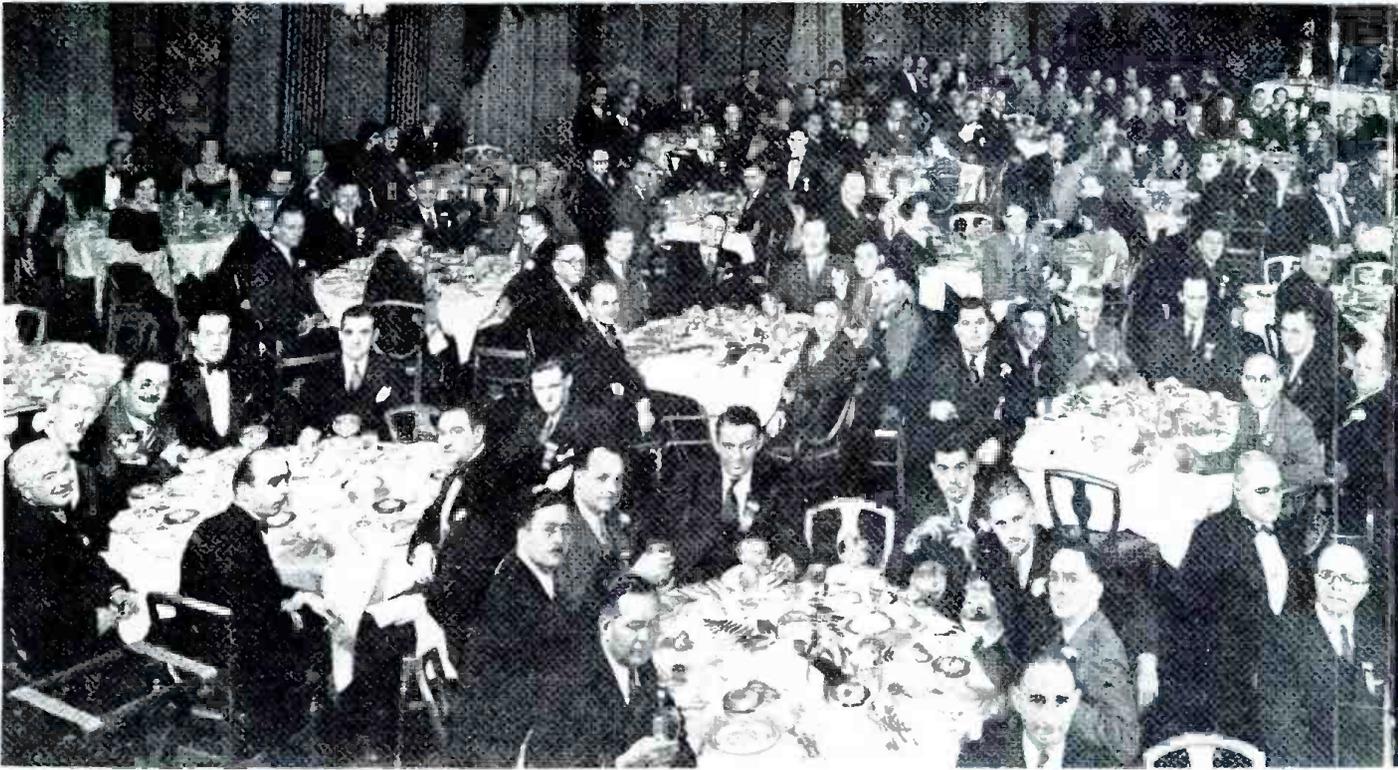
BROADCASTING, which dedicated itself "to the American system of free, competitive and self-sustaining radio enterprise," accepted this challenge with the resolve "to report, fairly and accurately, the thoughts and the activities that motivate the field of broadcasting and the men who are guiding and administering broadcasting." If, as Damm

suggested, radio faced problems of survival, and if, as Saltzman contended, U.S. radio remained the most advanced in the world, then BROADCASTING as the trade journal for this promising but still evolving "Fifth Estate" had work to do.

BROADCASTING's opening editorial declared: "And now, Radio! Who is there to gainsay its rightful status as the Fifth Estate? . . . Radio as the mouthpiece of all the other Estates* occupies a peculiar position of its own in American life. It furnishes all of man's other high Estates voices that reach far beyond their cloistered chambers, their social circles, their sectional constituencies and their circulation areas. But beyond all that, it brings new cheer, new intelligence, new light to the many and diversified forms of education and entertainment that the human ear can convey to the mind."

In the course of providing all this, broadcasters faced the

* BROADCASTING's first issue traced the four other estates back to Edmund Burke by way of Thomas Carlyle: "Burke said there were Three Estates in Parliament, but, in the Reporters' Gallery yonder, there sat a Fourth Estate more important far than they all." The three earlier parliamentary estates: the Lords Spiritual, the Lords Temporal and the Commons.



practical reality of needing commercial support—and meeting the frequent hostility of critics who demanded little or no advertising on radio. In a time of increasing economic turmoil, radio's 89% gain in advertising revenues from 1929 to the end of 1931 alarmed many, especially newspapers. Measuring that 1929-31 interval, the *U.S. Department of Commerce Yearbook* noted that newspapers lost \$55 million in advertising revenues (21%), magazines lost \$37 million (18%), outdoor advertising lost \$30 million (50%) and car cards (transit advertising) lost \$5 million (50%). Radio, on the other hand, had captured \$36 million in advertising revenues by the end of 1931, according to a J. Walter Thompson study.

Despite some cooperative ventures between newspapers and radio, many newspapermen blamed radio for a loss in advertising. Perhaps the most vocal of radio's

opponents was H.O. Davis, publisher of the *Ventura* (Calif.) *Free Press*. Davis, in collaboration with 500 other newspapers, distributed literature alleging a radio monopoly on advertising and arguing that ads should be restricted from the air in order to make room, in Davis's words, "in the overcrowded ether for education, information, the public service, and to protect the country's publishers against unfair competition."

Besides Davis and his colleagues, two other groups interested in educational radio developed in 1930. One, Joy Elmer Morgan's National Committee on Education by Radio, wanted a "fair share," or 15%, of the channels allocated for educational institutions and government agencies. In 1931 this group was instrumental in the introduction of the Fess Bill (sponsored by Representative Simeon D. Fess [R-Ohio]), that would have achieved that

end. A less demanding group was Robert A. Millikan's and Levering Tyson's National Advisory Council on Radio in Education, established with funds from John D. Rockefeller and the Carnegie Corporation. As Tyson was quoted in *BROADCASTING's* inaugural issue: "It is almost impossible to chase a satisfactory definition of 'education' into a corner, let alone a satisfactory definition of 'educational broadcasting.' There are very few educational stations adequately financed—and broadcasting is, if anything, expensive ... no one can state with any degree of confidence just what the American people will listen to ... There are economic questions, and political questions, and engineering questions, and legislative questions—and any one of these questions is puzzling enough to keep the educational world, the broadcasting industry and the lawmakers of the land occupied for many years to come."

With some publishers mounting anti-radio campaigns, and educators promoting reform, broadcasters realized the need for "Brass Tacks," as the Nov. 1 editorial was entitled. "The era of reckless development is over," the editors wrote. "Henceforth, American broadcasting must build along sound social as well as economic lines ... This country's broadcasting must be maintained at a high level with a maximum of self-regulation and a minimum of outside intervention."

Besides the controversy over educational radio, one threatened intervention was a redefinition of the Interstate Commerce Commission's authority to regulate advertising rates. The test case: a suit by the Sta-Shine Products Co. against NBC and WGBB Freeport, N.Y.

Other tests included the validity of the

Farnsworth is Working on Television for Philco

IN A penthouse laboratory atop the plant of the Philadelphia Storage Battery Co., Philadelphia, manufacturers of Philco radios, Philo T. Farnsworth, young radio engineer of Salt Lake City and San Francisco, for the last few months has been conducting experiments with his new cathode ray system of television. Claims have been made for this system that it narrows the regulation frequency band for visual transmission from the regulation 100 kilocycles

down to as low as 10 kilocycles and that, operating without mechanical parts, it builds up images of 40 to 400 lines.

The Philco makers are now the exclusive licensees of the Farnsworth system. Though James M. Skinner, president of the company, and W. E. Holland, chief engineer, say they have no definite plans made yet for the manufacture of receivers, they have applied to the Federal Radio Commission for authority to erect an experimental transmitter at the Philadelphia plant, asking for 1,500 watts and the 1,500-3,000 and 2,750-2,850 kc. bands.

Broadcasting, Oct. 15



NAB tableau. (Top left) This picture from BROADCASTING'S Nov. 1, 1931, issue was taken during the National Association of Broadcasters ninth annual convention in Detroit (Oct. 26-28). Identifiable in black tie and wing collar at the lower right of the picture: BROADCASTING'S co-founder, Sol Taishoff. (Top right) The same issue carried this picture of "speakers and officers" at the same convention. L to r: Henry A. Bellows, CBS vice president; Cesar Saerchinger, CBS London representative; Edwin M. Spence of WPG Atlantic City, N.J., NAB vice president; William S. Hedges of WMAO Chicago, NAB past president and member of the executive committee; Walter J. Damm of WTMJ Milwaukee, the retiring NAB president; Senator Wallace White Jr. (R-Me.), co-author of the Radio Act of 1927; Clyde P. Steen, American Radio Association, and John Benson, president of the American Association of Advertising Agencies. (Circle photo above) Harry Shaw of WMT Waterloo, Iowa, who was elected to be the new NAB president, and whose financial backing made possible the start of BROADCASTING magazine. (At right) John Shepard III of the Yankee Network, who won the NAB golf tournament with an 87.

Federal Radio Commission's quota regulations in the denial of power increases to WPTF Raleigh, N.C., and KECA Los Angeles. BROADCASTING called the situation "a showdown on the commission's authority to adjust arbitrarily the distribution of broadcast facilities among the zones and states, and a test before the court is the constitutionality of the Davis [equalization] amendment itself." Still another fight involved the NAB's organizing to oppose a luxury tax on receiving sets and to oppose the Fess education bill.

Other problems that surfaced as 1931 ended included the interference caused by Mexican border stations that operated in between clear channels used by Canada and the United States, and rumors of a hike in music performance fees by the American Society of Composers, Authors and Publishers. As an international issue, "The Mexican situation," wrote BROADCASTING, "is becoming a matter of grave concern . . . and emphasizes the need for a

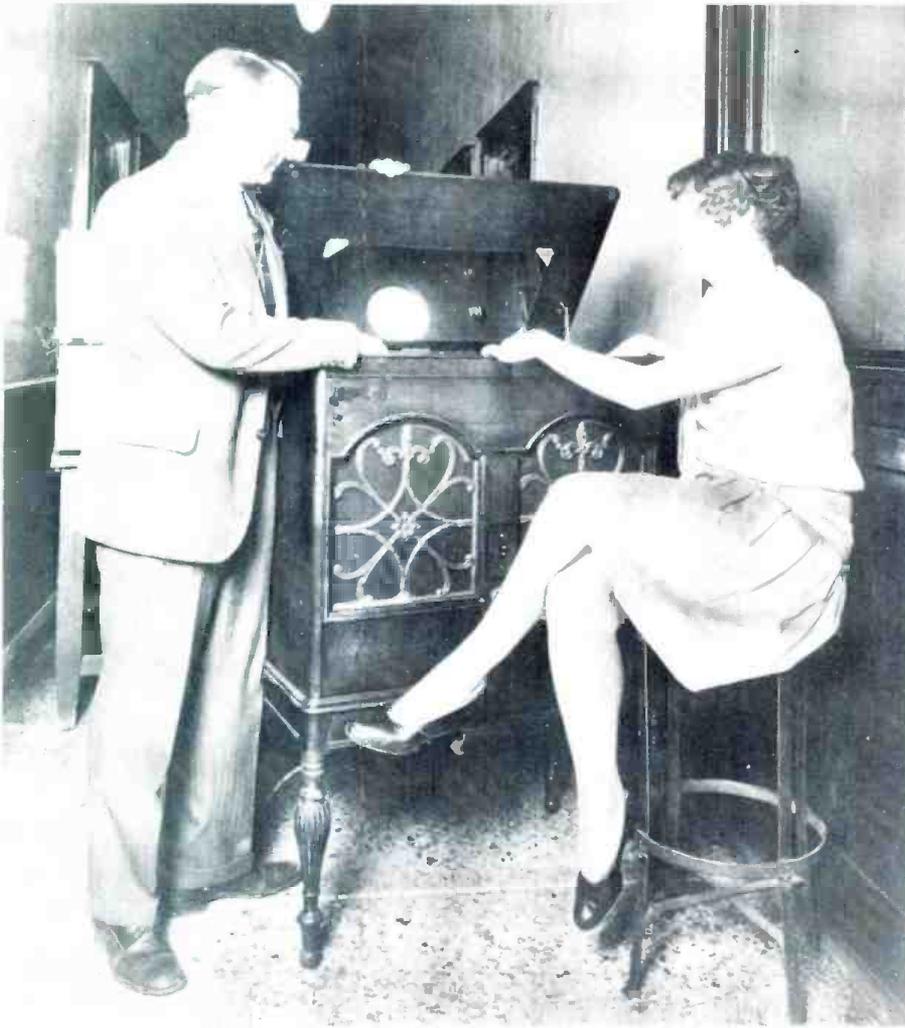
definite understanding on the use of wavelengths by North American stations."

As an indication of things to come in broadcaster-ASCAP relations, Julius Rosenthal, general manager of ASCAP, began negotiating a rate increase for ASCAP royalties. Said Rosenthal in a letter to BROADCASTING: "Our members are not jealous of the prosperity of the broadcasters, but their business has been affected to such an extent that they cannot exist any longer unless they receive adequate compensation from the broadcaster who, notwithstanding the Depression throughout the country in every other industry, has prospered materially."

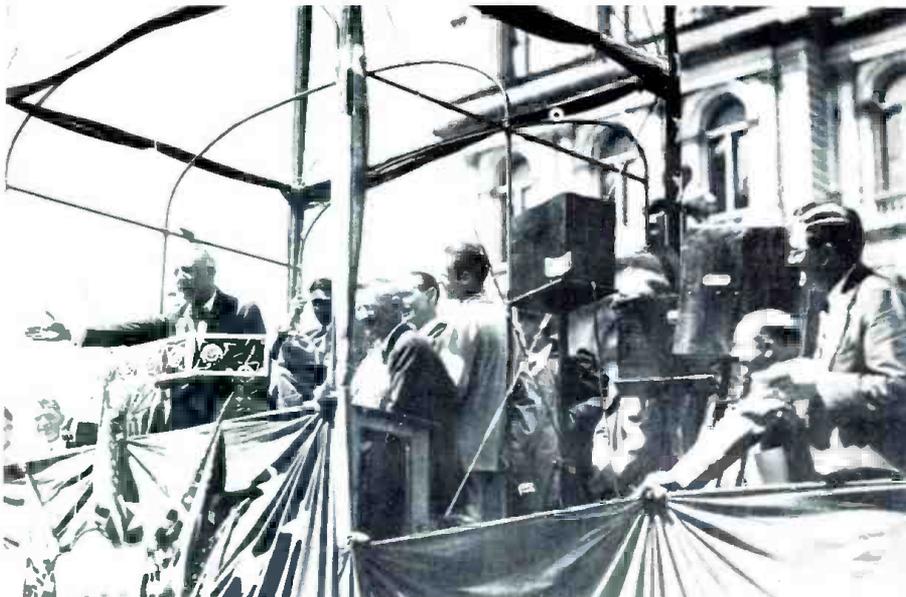
Despite some hard times, the radio networks prospered—if at lower levels than in the late 1920's. (NBC had been started by RCA in 1926, and what is now CBS began in 1927.) In October NBC formed two Pacific Coast networks, unofficially called the Orange and the Gold. In November

NBC celebrated five years of existence. "Organized national broadcasting today," said President M.H. (Deac) Aylesworth, "represents the greatest advance since the invention of type in man's eternal battle against ignorance, war and intolerance. In fact, the radio transmitter and printing press now stand shoulder to shoulder as the two greatest forces used by mankind in defeating those elements in civilization which have heretofore obstructed the road leading to international understanding and peace."

On a daily basis, however, radio—and particularly network radio—was looked to



The tube cometh. Experimental television was well on the way by the time BROADCASTING began reporting the electronic media in 1931, thanks to the groundwork of such pioneers as Vladimir K. Zworykin, shown here (in 1929) demonstrating a new cathode ray TV system he developed at the Westinghouse Research Laboratories. The Russian-born scientist applied for a patent on an electronic beam television pick-up tube in 1923. **Politics was first in line.** These General Electric television cameras, from Woy Schenectady, were said to be involved in the first TV remote when they covered New York Governor Al Smith accepting the Democratic presidential nomination in 1928.



primarily as a major source of entertainment. In November the *New York World-Telegram* polled 132 radio editors to select the most popular network shows and personalities. Guy Lombardo and Paul Whiteman were the leaders of the "foremost dance orchestras." Morton Downey, Bing Crosby and Rudy Vallee won as the "foremost male singers of popular songs," and Kate Smith, Ruth Etting and Mildred Bailey won as their opposite numbers.

The year's programming also was memorable for the beginning of Metropolitan Opera broadcasts on NBC with Milton Cross as host-announcer, a position he held until his death in 1974. Another program destined for longevity was the *March of Time*, begun March 6, 1931, as the handiwork of CBS, Time Inc. and BBDO.

Even though radio was an important source of entertainment, and even though the April 1930 census revealed that almost every other home in America contained a radio, and even though the networks were making money, Harry Shaw, owner of WMT Waterloo, Iowa, and by then the successor to Damm as NAB president, was careful to tell the Federal Radio Commission in December that more than half of the nation's stations were operating without profit. "These stations," he said, "are being faced with increased music license fees, the necessity for expenditures for new equipment and, in some instances, increased demands from local musicians unions."

Broadcasters, therefore, anxiously watched Congress and state legislatures for signs of increased interference with their business. Henry Adams Bellows, CBS Washington vice president, felt that "Danger Number One lurks in Washington, in the form of congressional encroachment on the functions of the Federal Radio Commission ... Danger Number Two lies in the probability of ill-advised and misdirected action by state legislators."

Meanwhile, in December, the FRC ordered "drastic rule revisions," as reported by BROADCASTING, and simultaneously recommended to Congress amendments to the Radio Act of 1927. BROADCASTING's analysis cited the "bitter" recommendations: "A strict one-year limitation on station licenses, as against the three-year provision in the law, is the most important of ... the recommendations ... An anti-lottery law that would hamstring broadcasters, small stations and networks alike, to a degree that was not hoped for even by radio's most ardent enemies, is a second recommendation. The right to suspend broadcast licenses for 30 days ... is a third important suggestion." On the "sweet" side, the commission relaxed the language, needed to identify electrical transcriptions, reduced the station identification requirement from every 15 minutes to every 30 minutes, and created procedures for licenses to be granted without formal hearings.

In its formal pronouncement on the

subject, the FRC issued a guarded, yet firm, warning against excessive commercialism. The commission cautioned broadcasters that the voluntary elimination of such "blatant" practices was necessary to stave off "proper legislation." It specified false, deceptive, exaggerated and offensive advertising, and commended to the attention of licensees the code of ethics that the National Association of Broadcasters had adopted on March 25, 1929.

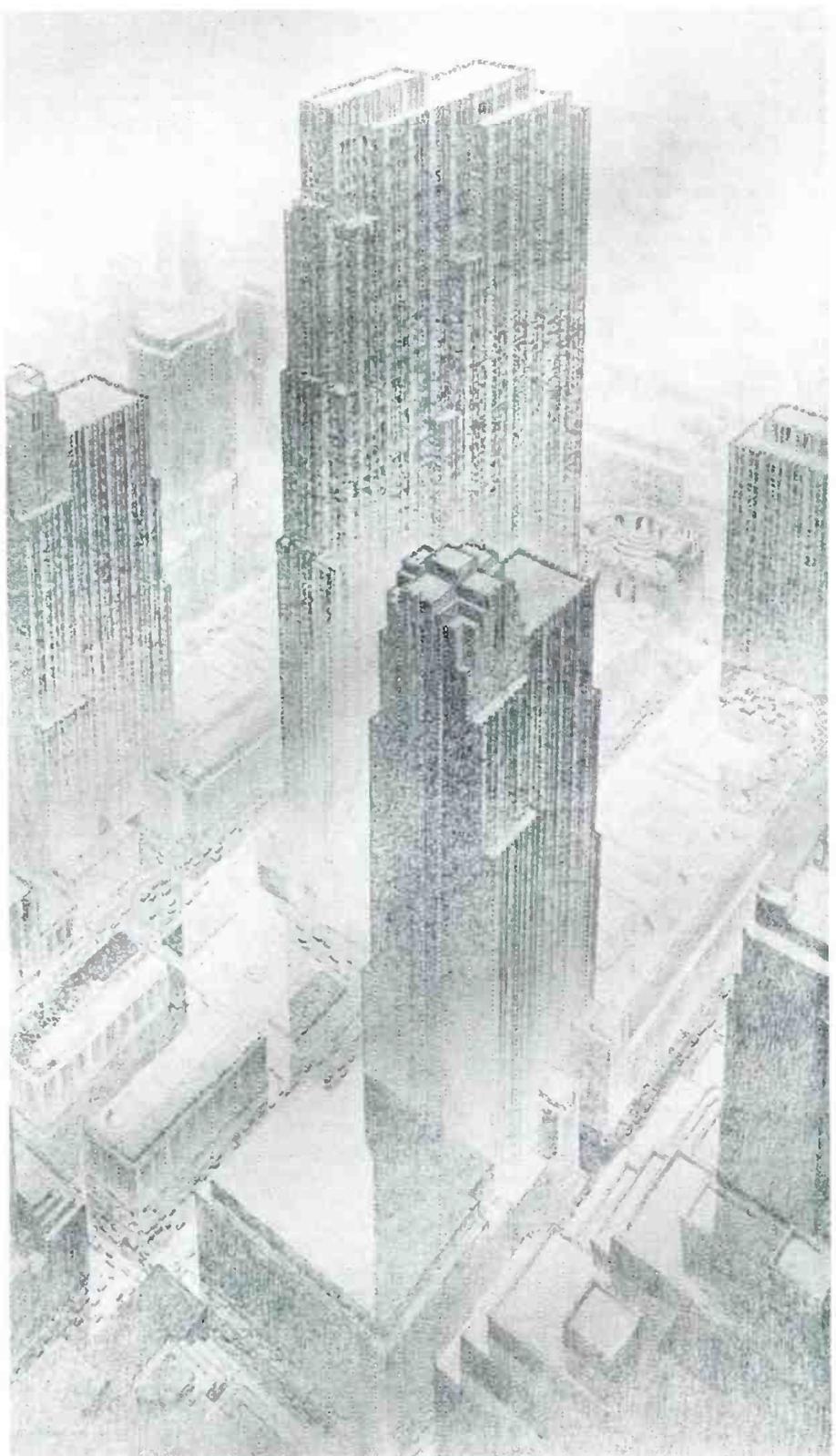
In December 1931, however, broadcasters remained worried about the survival of radio. BROADCASTING summarized concerns about the new session of Congress by writing: "Legislative tom-toms already beating on Capitol Hill are calling into session next week the 72d Congress of the United States. To the radio world at large this heralds the renewal of much palaver about radio and more attempts to legislate for American broadcasting . . . [Broadcasters] are fearful lest Congress yield to the anti-radio campaigns now in swing, and they are not unmindful of the fact that radio is being ogled by a growing congressional element as a bouncing new political football . . . The danger is real. Were it not for the disturbed economic situation . . . Congress might blunder into the political radio morass camouflaged by these lobbying factions. Some members are already on the war-path, raising alternately the cry of too much commercialism and of monopoly . . . this Congress probably will not be disposed to accede to demands for government ownership, which in the last analysis is what the enemies of present radio want."

By the end of 1931 it was clear—to broadcasters, at least—that there were "enemies of radio" who advocated government ownership and other restrictions on commercial broadcasting. Besides these combative factions, other groups (such as ASCAP) and certain legislators (such as Representative Fess) appeared with demands that looked equally threatening. Legislators, educators, advertisers, ASCAP members, newspaper publishers and broadcasters readied themselves for 1932 as a year of fighting for their individual definitions and concepts of survival in a growing and powerful industry.

Stay Tuned

1. Who sponsored *Amos 'n' Andy*?
2. What congressman began hearings on the ASCAP copyright issue?
3. What kind of increase did E. Claude Mills, general manager of ASCAP, announce for June 1, 1932? (a) 50%. (b) 100%. (c) 300%.
4. Which sponsor was the first to take advantage of NBC's new policy allowing prices to be mentioned over radio during the day?
5. Who designed the directional antenna?

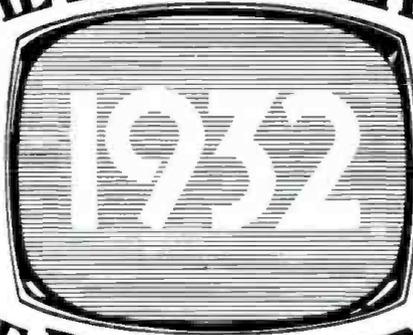
The answers in "1932."



RADIO CITY—An air view of the general development that will cover three square blocks from 48th to 51st Streets, between Fifth and Sixth Avenues, New York City. The view is from the east side of Fifth Avenue. This \$250,000,000 building project, the greatest in modern history, is being financed by John D. Rockefeller, Jr.

—Broadcasting, Nov. 15

THE FIRST 50 YEARS



OF BROADCASTING

TIMES were tough. More than 10 million were jobless in a population that totaled fewer than 125 million. And more than a million homeless people wandered from place to place.

But for broadcasters, the beginning of 1932 was a time for guarded optimism. Despite the Depression, advertising on the air increased. Broadcasters' concerns about their future were principally aroused by such external problems as music licensing, federal regulation, the threat of international spectrum chaos and menacing moves against the medium by self-interest groups within the U.S. Yet the continued expansion of broadcast advertising was itself the subject of concern.

Early on, broadcasters received a warning from one of their own: Henry A. Bellows, CBS Washington vice president and former member of the Federal Radio Commission. In the Jan. 1 issue of BROADCASTING Bellows said:

"If the broadcasters ... are so stupid as to fail to look beyond the hope of quick cash return, they may seriously injure and perhaps destroy their own business ... If 1932 is a year of thorough housecleaning among the broadcasters, it will be a good year in itself and a long step toward better years ahead. If such a housecleaning does not take place, 1932 may see congressional action which will permanently cripple a broadcasting service that [is] ... the most extensive, and the freest from artificial restraints in the world."

On Jan. 12 the Senate passed the Couzens-Dill Resolution, a fact-finding inquiry that authorized the FRC to determine to what extent broadcasting stations were being used for commercial advertising, whether advertising should be reduced or eliminated from radio, and the feasibility of government ownership and operation of broadcast facilities.

The federal threat did little to take the bloom off radio's advertising rose. In January, for example, N.W. Ayer and Son, a pioneer advertising agency, released a national survey designed "to take the guesswork out of radio as it affects advertisers." The advertising attention being paid to radio provoked a response from the press. Throughout January and February the *Ventura* (Calif.) *Free Press*, acting with the National Congress of Parents and Teachers and with Joy Elmer Morgan's National Committee on Education by Radio, argued



It was the last year of the GOP's 12-year run in the White House. "Brother, Can You Spare a Dime" was introduced in the stage revue, "Americana," and soon was to be the unofficial theme song of the Depression. A quarter of the farmers had lost their farms, and unemployment reached record numbers. The Army had marched across the Potomac to rout World War I veterans of the Bonus Army. Small wonder that the New Deal promises of Franklin Delano Roosevelt won him the Presidency in November. (Herbert Hoover, the man FDR drove from the White House, would in later years regain respect for contributions that included his early recognition of the American broadcasting system — such as, in 1957, the Distinguished Service Award of the National Association of Broadcasters.) Babe Ruth made his last World Series appearance as the Yankees beat the Chicago Cubs. And in BROADCASTING ...

against radio by the "American Plan" and for public ownership and operation of broadcasting. These groups labeled radio a "commercial monopoly which is already going over the heads of parents in an effort to influence children in their homes." The National Committee on Education by Radio sponsored a bill in Congress that sought to allocate 15% of the broadcast channels for educational use [see 1931]. (A check of FRC records, as reported in the Jan. 1 issue of BROADCASTING, had revealed that commercial stations were devoting more than 10% of their program time to educational programs while educa-

tional stations were devoting less than 8% of theirs to that area.)

The alliance of the *Ventura* paper with the educational interests did not conceal commercial purposes. A commentary by Virgil Evans, managing director of WSPA Spartanburg, S.C., and WNOX Knoxville, Tenn., in the Feb. 1 BROADCASTING cited some telling statistics: "Newspapers lost in excess of 38% advertising revenues in 1930 from the peak revenues of 1929. During the same year radio gained approximately 97%. Newspapers took another nose dive in 1931 while radio went up another 50% over the 1930 figures. Local advertisers spent \$170 million over radio stations in 1931."

The increase in advertising as well as issues of wave lengths and copyrights spurred further government attempts to wrestle the new medium into regulatory control.

To stop "trafficking in wavelengths and licenses," the FRC adopted a requirement that station licenses include sworn statements of transfer terms. Beyond that, the FRC continued its inquiry "by going," as BROADCASTING wrote, "to the very root of the advertising problem. Aside from asking stations and networks precisely how many hours during a given week are devoted to sales talks or descriptions of commodities ... the commission is soliciting the opinions of leading agencies and radio advertisers." Representative Ewin L. Davis (D-Tenn.) prepared a bill designed to curb excessive advertising on the air, require license fees to defray the cost of federal regulations and provide a solution to "the growing menace of Mexican-Cuban stations, backed by American capital, which are 'squatting' on or near U.S. and Canadian wave lengths."

Also on Capitol Hill, on Feb. 1, Representative William I.

Sirovich (D-N.Y.), chairman of the House Patents Committee, began hearings on the copyright issue. Sirovich said that he did not wish to dissolve the American Society of Composers, Authors and Publishers, which was demanding increased payments for music use, but he did want an "equitable readjustment" of copyright fees. On March 12 Sirovich announced that he would draft new legislation to protect broadcasters from what he called ASCAP's "racketeering tactics." Senator Clarence C. Dill (D-Wash.) introduced a copyright bill that "for the first time recognized radio as an entity" and imposed special restrictions on copyright owners that combined to issue licenses and charge royalties. The legislation also provided for a 10% tax on network and remote control originations.

The controversy between ASCAP and the National Association of Broadcasters continued to escalate. However, the NAB's hope for an equitable settlement

plus a sustaining license fee. This schedule would increase ASCAP's revenues from the \$960,000 it received from the flat assessments used in 1931 to about \$2.5 million, excluding the \$1 million expected in sustaining license fees. ASCAP also demanded the right to examine the accounting books of broadcasters. The battle lines became clear. "Killing the Goose," a BROADCASTING editorial of April 15, referred to the new fees as "akin to extortion" and said that "To call the new music copyright yardstick of ASCAP posterous would be putting it mildly."

Meanwhile, broadcasters continued to encourage the innovative use of radio as an advertising medium while studying the issues of commercial advertising. In March, Federal Trade Commission Chairman William E. Humphrey praised the integrity of radio stations. He said that "while fraudulent advertising does exist in some programs and over some stations, it is not a condition that is common with the

records in audience support when the sponsors asked listeners to send in a Pepsodent carton if they liked the show. Harlow P. Roberts, advertising manager for Pepsodent, said that "The Goldbergs go on over the basic NBC Red network. Chicago is the farthest western outlet, yet we received letters from every state except Oregon, from every Canadian province except British Columbia and from 15 foreign countries. Explain that if you can." Also impressed with radio's advertising potential, Lehn & Fink, in an experimental program, placed all of its 1932 advertising budget for Pebecco toothpaste in radio.

Accordingly, it was small wonder that the toiletries and drug industry was the largest user of radio time in 1932. Led by Pepsodent, toiletries and drug concerns spent \$8,526,268 on CBS and NBC during the year—more than 20% of all network time sales.

The popularity of such programs as well as technical improvements continued to make radio an increasingly powerful force. The government's April radio census revealed that four million more U.S. homes were equipped with radios than in April 1930. That brought total homes with radios to 16,679,253—or more than 50% of all homes.

A new development, the directional antenna, designed by Raymond Wilmotte* for WFLA-WSUN Clearwater, Fla., and installed in April, permitted the station to reduce its 620 kc signal toward Milwaukee while utilizing higher ranges of power. Walter Tison, director of the station, found the shielded transmissions appealing because "the foreign situation is getting bad. Cuba had recently put into operation many new stations on almost all the so-called clear channels or split frequencies. Unless the American stations agree on something soon, it will mean a clear U.S. channel shared with a Cuban or Mexican station." An international radio conference in Madrid Sept. 15 discussed such issues as well as a proposal to enlarge the broadcast band, including a part of the longwave portion.

Other foreign issues concerned American radio. In March the U.S. radio commission established a new policy that allowed American broadcasters to transmit sponsored as well as unsponsored programs to foreign audiences. AT&T and RCA Communications Inc. incorporated these provisions into their transoceanic licenses.

With the nationalization of American radio still a possibility, Canada announced on Feb. 17 a major investigation to determine the future of Canadian radio. A widespread campaign by the Canadian Radio League sought support for nationalized radio. The CRL plan would establish at least seven 50 kw stations from



March 1932. This was the scene in a tiny room above a store in Hopewell, N.J., where CBS established temporary studios to cover the kidnaping of Charles A. Lindbergh Jr. L to r: Douglas Gilbert, CBS commentator; Don Higgins, CBS publicist, and J. McCafferty, field engineer. In the inset, upper right: Colonel H. Norman Schwarzkopf of the New Jersey State Police as he broadcast an appeal to the public on WOR Newark-New York.

was dimmed March 22 when Sirovich introduced a new and weaker bill to supersede his previous legislation. Except for a provision that reduced the infringement penalty from \$250 per incident to \$50, broadcasters felt the bill was "practically worthless."

Angered broadcasters offered harsh testimony to the House committee about the effects of the current copyright laws. Henry A. Bellows, chairman of the NAB's executive committee, said that there were major shortcomings in the Sirovich bill: It did not curb the activities of copyright owners, and it created a new copyright on phonograph records.

In April, E. Claude Mills, general manager of ASCAP, announced a 300% increase in the fees for broadcast use of ASCAP music—then, just about all the music there was, save for that in the public domain—to become effective June 1. ASCAP wanted 5% of the gross revenue from commercially sponsored programs

medium." Humphrey suggested that broadcasters voluntarily draft rules to control and eliminate false advertising.

The sponsor-developed radio drama increased in popularity and proved effective as an advertising tool. G. Washington's Coffee sponsored the *Sherlock Holmes* program on NBC, voted by radio editors as the best dramatic program on the air. *Happy Hollow*, a syndicated radio drama, shattered several precepts of radio advertising by proving that a radio serial could be based on homey characters in familiar situations, could give equal weight to music and to plot, could have advertising worked into the natural sequence of events and could run daily in half-hour segments for two years while still retaining its number-one position in popularity.

With its creation of *Amos 'n' Andy*, on NBC, Pepsodent proved that a well-written quarter-hour show could draw large audiences. *The Goldbergs*, another Pepsodent show about "real people," broke all

* Raymond Wilmotte has continued to make important marks on U.S. telecommunications. From January 1977 to July 1978 he headed the FCC's UHF Task Force and is now senior technical adviser in the Private Radio Bureau, where he works primarily on narrow-band land mobile radio services.

coast to coast and a number of smaller stations, and would compensate owners of private stations for their equipment.

Despite talk of the nationalization of American radio, in March William S. Paley acquired the Paramount Public Corp.'s half-interest in the Columbia Broadcasting System thereby attaining complete ownership of the network. Also in March radio news made important progress. The Lindbergh kidnapping case tested CBS, NBC and New York-area stations with their biggest news coverage job to date as they provided "round-the-clock" coverage of events. After a three-month trial period, United Press and KNX Los Angeles signed a three-year contract that enabled the station to use UP's wire service to broadcast four news programs a day. In a similar experiment, WCAU Philadelphia found that its agreement with the *Philadelphia Daily News* to broadcast two 15-minute segments of news increased both the paper's circulation and the station's popularity.

The Ventura Free Press, behind Editor H.O. Davis, however, accelerated its anti-radio propaganda by trying to gain support at the April convention in New York of the American Newspaper Publishers Association for a comprehensive reorganization of American radio that would, according to broadcasters, "limit, control, restrain and generally retard broadcasting development." Among other provisions, Davis's plan would dissolve the networks, severely limit radio advertising, and provide up to 25% of available channels for educational institutions.

Besides Editor Davis's plan, federal legislation and regulatory activity dominated the spring.

The 10% tax on networks was deleted

from the Dill legislation. The amended version of Representative Davis's bill emerged as an important piece of legislation that would establish a system of license fees intended to collect about \$670,000 annually to defray the cost of radio regulation, and would make it mandatory for political opponents and parties to be given equal opportunity for air time on stations.

W.M. Cheseldine, an Interstate Commerce Commission examiner, felt that broadcasting's rate structure was outside the range of the ICC's jurisdiction.

In recognition of radio's potential, Senator Dill introduced legislation to equip the Senate chamber for broadcasting at an estimated cost of \$30,000.

Both Senator Dill and Representative Davis appeared at the annual convention of the American Association of Advertising Agencies April 14-15 in Washington. Senator Dill spoke against government intervention in radio saying that "brains will win in this situation as it has in others." Representative Davis, chairman of the House Merchant Marine, Radio, and Fisheries Committee, supported the American system of broadcasting but remained skeptical of the industry's ability to regulate itself.

Throughout the second half of 1932 two forces continued to affect broadcasting—the Depression, which jeopardized marginal stations, and technological advances that continued to increase broadcasting's effectiveness and potential. In May broadcasters reported that business was on the upgrade even though several low-power stations remained economically threatened. As a result of increased revenues, the networks expanded their facilities, and a report in the May 1 issue of

BROADCASTING showed that in the first quarter of 1932 the networks "found their combined time sales 45.4% ahead of the same quarter the preceding year. NBC ... sold \$8,071,839 worth of time to sponsors ... which compared with \$6,116,072 during the same three months in 1931, a gain of 32%. CBS sold \$4,104,306 worth of time during the first quarter of 1932, as against \$2,142,573 during the same three months of 1931, a gain of 91.5%!" Despite the rise in revenue, CBS in May cut all salaries by 15% and released more than 100 employees.

At the May 3 annual meeting of stockholders of NBC's parent RCA, David Sarnoff, president, announced progress. Sarnoff reported that for the first quarter of 1932 RCA's gross income was \$20,585,222 with a net profit of \$503,223 in contrast to a deficit for the first quarter in 1931.

Broadcasters, station managers and transcription manufacturers looked to the 1932 political campaigns to produce needed revenues. The use of electrical transcriptions (a high-quality recording) in ads. for shows and for political announcements was becoming more popular. Scott Howe Bowen, president of a pioneer station representative firm that bore his name, declared that as long as the performance is professional the "listener is but little interested in whether live, breathing persons pour it into a mike for instant use, or whether they engrave it in wax for future reference." In May NBC lifted its ban on the use of recorded programs by its owned-and-operated stations, but still prohibited transcriptions on network programs.

The growing use of transcriptions bred new problems with copyrights. Although



Meet them in St. Louis. Among delegates at the National Association of Broadcasters convention in 1932 were (l to r) *Seated*—Lewis Allen Weiss, WJR Detroit (who later was to return to head Don Lee Broadcasting System, where he had served prior to 1932); Scott Howe Bowen, owner of the sales representation firm bearing his name; Earl H. Gammons, WCCO Minneapolis, later to be CBS Washington vice president;

Leo Fitzpatrick, WJR; Stanley E. Hubbard, KSTP St. Paul-Minneapolis, and J.O. Maland, who Des Moines-woc Davenport, Iowa; *Standing*—W.O. Pape, WAPI Birmingham, Ala.; A.J. Eaves, Western Electric Co.; I.R. Baker, RCA Victor Co.; Don Searle, KOIL Omaha; Kenneth Berkely, WRC Washington; Oscar C. Hirsch, KFVS Cape Girardeau, Mo., and I.M. Taylor, WBOB Harrisburg, Ill.

the NAB and ASCAP had declared a moratorium until Sept. 1 on the increased copyright fees, the Music Publishers Protective Association in June demanded from stations a fee of 25 cents for each composition on a copyrighted transcription.

Also in June, broadcasters reacted to the licensing fees proposed in the Davis bill by calling them "unwarranted, inequitable" and damaging to many smaller stations. On the brighter side for broadcasters, the FRC, in June, presented the results of its study and recommended continuance of the American system of commercial broadcasting.

At about the same time, however, the Canadian commission announced its intention to nationalize Canadian radio with a plan that "appears to be a sort of compromise between the British government's monopoly and the American plan." Under its plan, the Canadian government would operate several high-power and regional stations, but private broadcasters could operate local stations.

Other important legislative decisions continued throughout the summer. The Sirovich copyright law was killed in June. In July the State Supreme Court of Nebraska, ruling in conflict with the Radio Act of 1927, decided that a broadcasting station was equally responsible with its speaker for any libelous statements. This caused problems for the upcoming political announcements by placing broadcasters in the paradoxical situation of being accountable for libel but unable to prevent it, since the Radio Act of 1927 prohibited stations from censoring political speeches.

Despite this confusion, broadcasters still saw the upcoming campaign as a needed panacea. In June radio scooped the media world with its carriage of the Democratic and Republican national conventions. To broadcast 58 hours of sessions, NBC canceled 56 commercial programs and CBS reported more than 12 cancellations. The July issue of BROADCASTING said that "broadcasting proved its worth as a medium for arousing interest and getting out the vote. . . . From now until the November elections, politics will hold sway on the air. . . . The tremendous investments of time and money by networks and stations in the handling of the conventions at Chicago stadium may soon be compensated—to some extent at least—by the budgets which the national and local parties and their candidates will apply to the purchase of broadcast hours."

To cover the conventions, the networks used such technically innovative devices as lapel microphones, and a velocity microphone that improved studio pickup by increasing the fidelity of reproduction.

In August the Republicans announced their radio budget of \$300,000—\$200,000 for network time and \$100,000 for spot time on independent stations. In addition to the airing of political speeches, both parties used radio to solicit contributions.

Networks took steps to increase the effectiveness of advertising. In July A&P

was the first client to take advantage of NBC's new policy that permitted price mentions during daytime hours. By September both CBS and NBC allowed product prices to be quoted at night as well as during the day.

The economic situation of the U.S., however, continued to worsen. In August Frank T. Hines, head of the Veteran's Administration, endorsed job auctions over the radio. The FRC considered reducing the number of radio districts from nine to five in order to reduce employes and cut the commission's payroll by \$40,000. In an effort to restore confidence in financial institutions, Western banks began the unprecedented move of advertising on radio.

Broadcasters were still outraged by ASCAP's financial demands. In early August when Mills rejected an NAB pro-



A First Lady first. Eleanor Roosevelt, the wife of the President-elect, became a broadcaster on WEA New York and NBC Red Dec. 9 when she started a 12-week series, sponsored by Pond's Extract Co., New York, through J. Walter Thompson. The fees she received were donated to charity, half going to the New York State unemployment fund and half to her own charities.

posal that copyright fees be increased about 25% to \$1,250,000 for 1933 and 1934, negotiations between the two groups ended. ASCAP announced that it would begin negotiations with individual broadcasters, using the terms it proposed in April—a sustaining license fee plus 3% of a station's gross receipts for the first year, 4% for the second, and 5% for the third. In mid-August negotiations resumed with NAB still wanting a flat rate fee. In September broadcasters accepted "under protest" ASCAP's percentage fees on a gross receipt basis.

With those domestic issues temporarily resolved, the focus turned to international broadcasting as the fourth International Radio Conference convened in Madrid on Sept. 3. Several European countries attempted to convince the U.S. that a widening of the broadcast band below 550 kc would be mutually beneficial. The Canadian delegation, backed by Mexico and Cuba, presented a compromise plan to make available to North America seven additional 10 kc channels below 550 kc. American broadcasters favored the plan, but were unable to persuade the State Department to agree to it. Since the Navy

Army, Coast Guard, Departments of Commerce and Agriculture as well as certain shipping interests opposed the plan, the international committee scheduled a North American conference for 1933 to discuss reallocation.

Domestically, ASCAP and the upcoming elections continued to occupy broadcasters' attention. In September FRC Acting Chairman Harold A. Lafount asked broadcasters, many of whom remained confused by the Nebraska libel ruling, to allow political candidates access to radio as a "great political service." To protect stations from charges of libel resulting from political broadcasts, John W. Guider, acting chairman of the committee on communications of the American Bar Association, proposed a rule to release a station from liability whenever the management had "exercised due and reasonable care to avoid the utterance of defamation."

In October another endorsement of American radio appeared. The Department of Commerce's *Radio Markets of the World*, a biennial review of world radio, reported that those countries that allowed advertising on the air showed the greatest development in their systems of broadcasting.

Also in October, ASCAP's Mills and NAB's Oswald F. Schuette announced a compromise in copyright fees. Sustaining fees for 340 stations of less than 500 watts would be reduced 36%, and fees for stations in the 1 kw class would be reduced between 20%-30%, but Mills also moved to reduce fees for newspaper-owned stations. Mills offered to cut their sustaining fees in half and reduce the percentage fees because of the "substantial contributions to the promotion . . . of music made by newspapers." The NAB labeled the offer discriminatory and divisive.

Copyrights and the international frequency allocations occupied prominent places in the discussion at the 10th annual NAB convention in St. Louis Nov. 13-16. Senator Dill sent an unsolicited letter to BROADCASTING stating that: "This latest attempt of ASCAP to curry favor with the great newspapers of this country is a new illustration of their attempt to use every possible influence of public opinion to keep down opposition to their tyrannical and arbitrary use of the power which they exert by control of 90% of the copyrights on the most popular music. I sincerely hope that radio stations owned by newspapers will not be induced by this mess of pottage to endanger their birthright to run radio stations."

At its convention, the NAB organized to fight ASCAP. Alfred J. McCosker, president of WOR New York, was elected president, and with Schuette, director of copyright activities, continued the NAB fight for another year. The NAB platform called for greatly increased funds to fight relentlessly against threats to broadcasters. In December the NAB began its new approach to the music-licensing problems by urging several government agencies, including the Department of Justice, investigate ASCAP for restraint of trade and

discriminatory practices.

The year ended with other important developments. On Nov. 21 RCA and its subsidiaries willingly settled a pending antitrust suit. Under the terms of the agreements, General Electric and Westinghouse would divest themselves of their control of RCA which would become a completely independent company but would retain licensing rights for GE and Westinghouse patents as well as those of RCA. Some 4,000 pooled patents held exclusively by RCA became nonexclusive.

Also in November the American Bar Association went on record in opposition to broadcasts of sensational trials, and the Interstate Commerce Commission ruled that it had no power to regulate advertising rates since broadcasting stations are not public utilities.

Advertising on radio continued to increase in effectiveness. Beechnut, for example, announced the success of its use of electrical transcriptions to adapt ads for local markets. In a novel use of radio advertising, the Chrysler Corp. on Nov. 1 broadcast its annual trade meeting to introduce 75,000 Plymouth salesmen to the new 1933 cars. Using CBS Radio to link 25 cities proved less expensive than bringing all the dealers to one convention site. Chrysler also took the unusual step of buying \$500,000 worth of insurance in case the broadcast failed because of technical problems.

There were complaints about the com-

mercial volume in radio in 1932, but there was praise developed for radio's coverage of the political campaign. Senator Dill extolled radio for its fair coverage, saying that station managers had "observed the spirit as well as the letter of the law, and it is primarily for that reason that radio has rendered the greatest public service in this campaign that was ever rendered in the formation of the conclusions of the voters of a great nation. There has never been anything like it previously in this or any other country on earth." If radio's role in the campaigns increased its prestige, it did not always increase its profits. A BROADCASTING report in November argued that the presidential campaign caused "networks and stations a dead loss." Even though candidate speeches were paid for, the pre-emption of commercial spots and the need to make rebates to regular sponsors caused stations to lose money. In addition, there was anger among some listeners whose favorite programs were canceled. However, this and the sputters of the economy in 1932 did not stop the major national networks from chalking up a record aggregate gross of \$39,106,776 in time sales.

The year ended with yet another federal publication praising radio. The Federal Radio Commission's sixth annual report for fiscal year 1932, which ended June 30, appeared on Dec. 5. It noted progress in administrative, technical and judicial fields, and did not recommend any new

radio legislation.

Despite the continued progress, power and praise of the medium, BROADCASTING's closing editorial of 1932 warned: "The inclination to meddle with broadcasting, incited by professional reformers, wave grabbers and their ilk, is still there. The perennial siege of Congress hasn't been eliminated: it has simply been postponed. . . . It is the legislator's duty to protect his constituents. It is the broadcaster's duty to protect himself."

Stay Tuned

1. With what special phrase did the Music Publishers Protective Association label its records?
2. Which station was the first to broadcast daily news from Washington, D.C.?
3. What was the name of the press-radio agreement of December 1933?
4. Who was the head of the National Committee on Education by Radio?
5. What type of American music did Adolf Hitler ban from Germany's airwaves?

The answers
in "1933."

Radio "Scoops" World at Chicago Stadium

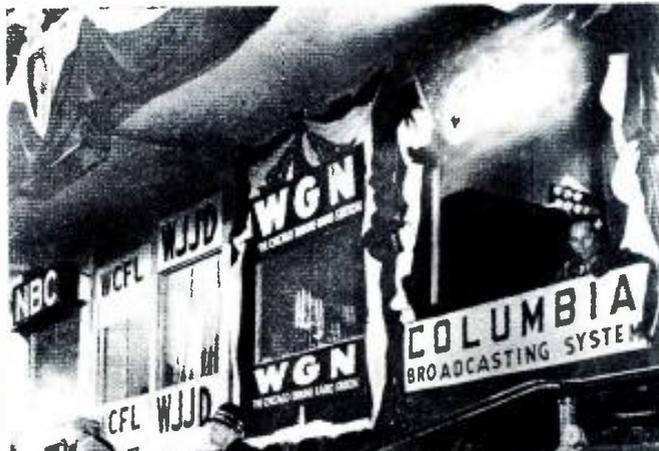
Fine News Coverage and Technical Work at Conventions Protend Lively Sponsored Campaigns on the Air

THE "RADIO ERA" in American politics, heralded in 1928 and gaining impetus in the intervening years as broadcasting proved its worth as a medium for arousing interest and getting out the vote, is now fully under way. From now until the November elections, politics will hold sway on the air, bringing to broadcasting an additional and much-needed source of supporting revenues.

The tremendous investments of time and money by networks and stations in the handling of the recently concluded Republican and Democratic national conventions at Chicago Stadium may soon be compensated—to some extent at least—by the budgets which the national and local parties and their candidates will apply to the purchase of broadcast hours.

Expenditures Undecided

EXACTLY how much the politicians will spend on radio, and how and where they will spend it, remain to be decided. At this writing they are busy clearing away the embers of their respective Chicago battles and organizing for the larger fray this fall. It may be stated, however, that both Republicans and Democrats plan to handle their radio "accounts"



CONTROL and announcing booths overlooking Chicago Stadium from which broadcasts of the national political conventions were carried to the listening world.

Networks and individual stations will be used in the national campaigning, and it is likely that transcriptions for the spot placement of particular speeches and programs will also be contracted

terprise, has ever had the advantage of such remarkable handling of a news event so that citizens in every nook and cranny in the land and people at the far corners of the earth could follow the momen-

Technically, the convention broadcasts brought forth the greatest advances yet recorded in the short history of remote broadcasts. Lapel microphones carried about the convention floors, parabolic microphones towering above the speakers' stand, studio and control booths in full view of the entire convention hall, improvised studios in hotel rooms—all were used to bring the proceedings in every detail to the listening world.

Some Criticisms

MECHANICALLY, the convention broadcasts represented a job amazingly well done. Fairly well done, too, were the descriptive and analytical features, though they lacked something. The criticism this observer would venture—and his views are strengthened by highly competent listener-critics whom he has consulted—is that the longer periods of the conventions, and occasionally some of the short periods on the air, were filled with too much "pap"—sheer time-wasting attempts at idle descriptions by announcers who plainly knew little or nothing about politics, about the political figures passing in review or about the political significance of what was transpiring before their eyes and back of the scenes.

In a word, there were not enough interpolations of the William Hard-Frederic Wile type of intuitive, keen, penetrating, brilliant analyses in the running commentaries.

Broadcasting, July 15

THE FIRST 50 YEARS



OF BROADCASTING

The sporadic sniping of newspapers at radio broke into wide open warfare in 1933. And a so-called truce in December only served to make broadcasters all the more rebellious about the terms dictated.

In addition, it was the year in which there were definite indications that the Federal Radio Commission was destined to be supplanted by yet another communications regulatory agency, the Federal Communications Commission.

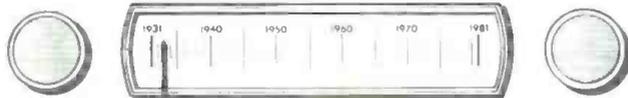
For broadcasters and America, 1933 also brought the "fireside chat"—Franklin D. Roosevelt's recognition of radio as a catalyst to reunite an economically depressed nation.

It was a role that broadcasting willingly assumed, as exemplified by this headline in the Jan. 1 BROADCASTING:

"Broadcasters Accept Challenge of 1933: Business Prospects Held Favorable, Competition Keener: Improvement in Technique and Programs Foreseen." The word was "opportunity" and the hoped-for condition, "improvement." Optimism prevailed in the broadcasters' statements about the coming year and, as BROADCASTING noted, this feeling "should prove a tonic to broadcasters, agency radio executives and radio advertisers" who suffered through 1932. "the first year that radio really felt the effects of the Depression."

Radio entered 1933 with clearly defined adversaries. Not only was the dispute with the American Society of Composers, Authors and Publishers escalating but bad feelings had developed between radio and the newspaper and film businesses, both of which blamed radio for their shrinking revenues. Radio was by now so large that it attracted hyperbole in comments on its functions. Commercial broadcasting was described as venal, boorish, corrupt, tiresome. That was the picture that emerged from "American Broadcasting," published early in 1933 by the *Ventura* [Calif.] *Free Press*. However, equally detailed documentation showed that commercial broadcasting was varied, educational, cultural, magnanimous. That was the picture that emerged from "Broadcasting in the United States," published in 1933 by the National Association of Broadcasters.

While newspaper publishers and movie house owners were complaining about radio, radio executives warily contemplated



World leadership was changing in 1933. January saw Adolf Hitler assume power as chancellor of Germany. In March, Franklin D. Roosevelt brought his New Deal to the White House. In April, 3.2% beer was legalized and in December Prohibition went down the drain with ratification of the 21st Amendment. Chicago was host to The Century of Progress World's Fair.

America's bravado toward the Depression was epitomized by the hit song, "Who's Afraid of the Big Bad Wolf?" On Broadway, "Tobacco Road" began its amazing run of 3,182 performances, and Maxwell Anderson won the Pulitzer for drama. The Chicago Bears beat the New York Giants, 23-21, at Wrigley Field in the first National Football League championship game. And in BROADCASTING ...

the clout of ASCAP. In December 1932 the National Association of Broadcasters had started fighting back by encouraging the Department of Justice and the Federal Trade Commission to investigate ASCAP for possible violations of antitrust laws. In January, Oswald F. Schuette, the NAB's director of copyright activities, began a campaign to unite all of ASCAP's "victims," including broadcasters, hotels, restaurants, dance halls and amusement parks. At that time ASCAP demanded and received royalties from radio receiving sets in hotel rooms, small business establishments, drug stores, barber shops and boot-black stands.

An article in the January issue of *Fortune* and summarized in BROADCASTING revealed that ASCAP, before its rate hikes in 1931, utilized a budget of \$1,971,000 of which radio furnished \$939,000, motion pictures \$665,000, dance halls \$135,000, hotels \$89,000, restaurants \$79,500 and parks, carnivals, circuses and steamships \$63,000. NAB's Schuette felt that radio not only bore an inordinate share of ASCAP's financial burden, but also had undertaken an unfair portion of the battle. In unity, he hoped, lay victory.

Besides ASCAP's copyright demands, broadcasters now encountered problems with the Music Publishers Protective Association, a transcription copyright organization that insisted broadcasting stations should acquire MPPA licenses and pay fees for MPPA records and transcriptions. MPPA, however, maintained that those recordings be played only on stations with ASCAP licenses. The NAB objected to that restriction and felt it was another attempt at control by ASCAP, many of whose board members also were directors of MPPA. Schuette and the NAB retaliated by asking for government studies of MPPA's structure and fees.

The MPPA countered in January by labeling its records "Not licensed for radio broadcast." A. E. Garmaize, counsel for the Columbia Phonograph Co., rationalized MPPA's action: "The broadcast of our records places at the disposal of the public the labor, skill and money investment [of our company] ... for the sole benefit of the broadcaster, so that the broadcast of our records is a use of our property rights without our consent for the benefit of someone else without any com-

compensation accruing to us, the owners of the property rights. Broadcasting stations probably are not aware that they are violating our rights by the broadcast of our records, so that in order to give them notice that we reserve our rights and do not desire them to be violated, we have placed on the labels of all of our records the notice 'not licensed for radio broadcast.'

Unconvinced by this reasoning and suspecting MPPA to be an ally of ASCAP, Schuette and the NAB maintained that MPPA's ban was illegal and was an attempt to force broadcasters to use transcriptions instead of records. If an advertiser or station used a transcription, MPPA collected 25 cents per number and 50 cents for a restricted number, but if a record were used, MPPA collected only two cents.

The NAB fought on. On Jan. 18 ASCAP announced willingness to reopen negotiations, but refused "under any circumstances" to deal with the NAB's Schuette. To facilitate continued discussions and to fortify its position, the NAB retained as its counsel Newton Baker, Cleveland attorney and secretary of war in the Wilson administration. Calling this "the biggest step forward in NAB history," BROADCASTING said that "it brings to radio fully as strong representation against the arbitrary onslaughts of ASCAP as that organization has had. ASCAP now has a foe worthy of the respect it has hitherto denied broadcasting, and radio now has an advocate who can really test and bring to task the legalistic shroud which Mr. [Nathan] Burkan [ASCAP counsel] has woven around his organization."

With radio programing proliferating and diversifying, music was becoming an ever more integral part of broadcasting. This much fought-over element provided what David Grosch, vocal instructor and radio personality in Kansas City, called "the essential atmosphere" of a program as well as an ad. "Say it with music," wrote Raymond Paige, then music program director at KHJ Los Angeles, "has gradually come into its own." "The modern trend in radio programs," said BROADCASTING in March 1933, "is to let music do most of the talking that was recently done by long-winded announcers. . . . Whereas, in the old days an orchestra and perhaps a soloist were linked with a commercial announcement more or less haphazardly, today the progressive program manager tries to adjust every program, even to the music, to the tastes of his audience."

These careful efforts to improve the effectiveness of programing and advertising worried newspaper publishers. Even though BROADCASTING's Jan. 15 editorial, "Can't Blame Radio," argued that the Depression and not radio was responsible for the losses suffered by other advertising media, BROADCASTING also noted "radio's steady progress, even through the Depression . . . [because of its] fundamental soundness as an advertis-

ing medium."

Radio's growing commercial acceptance prompted still other newspaper publishers to seek protective measures. James G. Stahlman, publisher of the *Nashville Banner* and president of the Southern Newspaper Publishers Association, urged newspaper publishers to try to gain control of the Federal Radio Commission. Stahlman warned that "newspaper publishers had better wake up or newspapers will be nothing but a memory on a tablet at [just opened in New York] Radio City."

While publishers like Stahlman fought radio, others, like William Randolph Hearst, sought to capitalize on radio's power. To boost circulation, the Hearst papers sponsored two 15-minute transcribed programs per week. Broadcasts included opera, jazz and romantic stories, as well as dramatizations of outstanding



At the NAB helm. At its October 1933 convention in White Sulphur Springs, W.Va., the National Association of Broadcasters voted not to change its leadership. That meant the re-election of Alfred J. McCosker (l), of WOR Newark, N.J., for a second term as president, and the continuation of Philip G. Loucks (r) as NAB managing director.

features from the *American Weekly*, the Sunday supplement that appeared in Hearst papers.

The newspapers' unhappiness with broadcasting continued to grow as radio increased its stature in news, both at the network and station level. Locally, for example, WIL St. Louis claimed the distinction of becoming the first station to broadcast daily news from Washington, gathered by an accredited Washington correspondent.

Election returns, inaugural ceremonies, major events and "fireside chats" provided networks and stations with important material that proved radio's special accessibility and unique powers. Both NBC and CBS utilized the largest staff of commentators, announcers and technicians in each of their histories to cover President Roosevelt's March 4 inauguration with broadcasts from the Capitol, the White House and from various points along the Washington parade route.

During the March banking crisis broadcasters placed radio's facilities at the disposal of the Roosevelt administration. BROADCASTING reported: "It was a period

of radio news reporting on a magnificent scale, with the networks sparing no effort nor expense to provide an intensive coverage of the Washington scene." NAB President Alfred J. McCosker added that besides providing facilities, stations must "radiate calm, confidence and good humor in our attitude and in our broadcasts [so that] the listening public—60,000,000 of our citizens—[will] become infused with the same spirit."

Radio's range and importance increased further with Roosevelt's "fireside chats" broadcast on March 12, May 7, July 17 and Oct. 27. The first, in which he announced the closing of banks to preserve the nation's economy, set the tone by projecting a new FDR.

While bringing the nation into the White House, Roosevelt also brought importance to radio as a news medium. Quoting from a CBS summary of the event, BROADCASTING said: "It remains for radio to thank the President. . . . What else could have won radio such gallant praise from the press. . . . It is hard to believe that any other drama could have called radio so urgently into the council and conference rooms of America—its force suddenly revealed, its promise newly seen, its influence on social and on business thinking so swiftly accelerated overnight."

Also, the Depression helped to accelerate radio's development as a major source of entertainment. Broadcasters were discovering new techniques in production. *Tarzan of the Apes*, a transcription program that first aired on Sept. 12, 1932, gained great popularity in 1933. The show, broadcast five times a week in 15-minute segments, made novel use of special effects.

According to Barton A. Stebbins, president of Logan & Stebbins, the agency responsible for *Tarzan*, the show's "sound effects are synchronized to a degree that could never be achieved before the studio microphone. All the birds and beasts of the jungle appeared in their own voices. Sound equipment was taken to zoos in all parts of the country where suitable animals were available. There, the operator waited hours and days recording the voices of tiny birds, lions or trumpeting elephants in all of their various moods. A tremendous collection of these sounds has been assembled and appropriate portions were synchronized on the transcriptions with fraction-of-a-second exactitude and with emotional quality that fit the story. *Tarzan* on the air was the jungle made audible."

Other popular shows included Caswell Coffee's weekly sponsorship of hour-long Gilbert and Sullivan operettas and WLS Chicago's Saturday night broadcasts of the *National Barn Dance* before a capacity crowd at the Eighth Street Theater.

Broadcasts of baseball and football continued to arouse interest as well as ire as the professional club owners, college groups and broadcasters argued over whether radio reduced or boosted box of-

fice receipts. Most club owners felt certain that radio caused a significant drop in attendance, but a few believed radio's spurring of interest in the games helped.

No one, however, was pleased with the drop-off in box office receipts. But there were those who perceived that the cause was more the Depression than radio. One such observer was David Driscoll, program director for KGDE, Fergus Falls, Minn. "A diagnosis of the attendance slump is hardly necessary," he wrote in the Feb. 1 BROADCASTING. "Baseball was hard hit for the simple reason that the boys who ordinarily packed the grandstand and bleachers were out of work or simply could not afford the expense of entertainment. Baseball owners, like everybody else, cannot collect dollars when there are no dollars to collect. . . . Club owners are pricing down expenses right to the bone. Salaries of players will be cut as much as 40%." Baseball, regarded as distinctly a luxury, was in for a bad season.

Like business generally, the networks also had a bad season financially. Throughout the beginning of the year, network revenues continued to drop, reaching a new low in July. NBC and CBS had combined incomes for April 1933 of \$2,462,970 as compared to \$4,004,484 for April 1932, itself a bad year. Network revenues continued to decline. In June 1933 the networks collected \$2,065,195 as opposed to \$2,997,296 for June the year earlier, and in July 1933 the network revenues totaled \$1,809,473, down from \$2,416,616 in July 1932.

Because of the economy, and despite shrinking network budgets, radio's popularity increased. For people who had little or no money to spend on sports events, shows and movies, radio grew in importance as a source of entertainment.*

L.B. Wilson, president of WCKY Cincinnati and owner of the Wilson movie theaters—a "showman of 23 years experience"—analyzed the situation. "Radio," he said in the March 15 BROADCASTING, "is successfully competing with the theater. Hard times have added millions of persons to the radio audience, while taking millions from the [theater] audience. You can get Eddie Cantor on the air for nothing. It costs you 50 cents or more to get him at the theater. You may need the 50 cents for food or clothing. So the theater loses a patron and the radio gets a listener. In previous depressions, the theater was not so badly affected. There was no radio, and people had to have something to get their minds off their worries."

The more people listened to radio, the more other issues entangled themselves with the simple pleasures of entertainment and news. In late February, the secretary of the Navy, Charles Francis Adams, banned Navy and Marine band broadcasts because of pressure from the musicians' union. While thousands of musicians were without work, the service bands played without pay. In March, Adolf Hitler banned American jazz from Ger-

many's airwaves, particularly the work of black orchestras and singers, because he felt such music was detrimental to his intended goals.

In America, the proponents of educational radio still felt themselves to be the guardians of American cultural standards despite a Federal Radio Commission report to the Senate stating that educational broadcasting could be entrusted to commercial stations. From 1927 to 1933, there had been a steady decline in the number of exclusively educational stations—95 to 39—with 12 selling time.

According to BROADCASTING, the decline was caused by a lack of financial support and listener interest. According to Joy Elmer Morgan, the forces of commer-

cialism, if not greed, had won out. Although admitting defeat, Morgan's National Committee on Education by Radio would not accept death. In April the committee formed the American Listeners Society intended to "supply machinery through which listeners might exert an influence in determining the nature and content of radio programs." Implying that this group had little power and less reason for existence, BROADCASTING reported that "the most prominent of educators now are associated with the National Advisory Council on Radio in Education, directed by Levering Tyson, which has cooperated with stations throughout the country in offering educational features."

BROADCASTING, in a Jan. 15 editorial,



The radio Presidency. FDR's White House years were an era of close rapport with America via radio. It started with his March 4 inaugural broadcast and his first "fireside chat" March 12. The photo above was taken on May 7, 1933, when Roosevelt broadcast his second fireside chat, a report on the state of the nation and a thank-you to the radio audience for the unexpectedly large amount of mail that flooded the White House after his first fireside chat. The fireside chat term is generally attributed to Harry Butcher, then director of the CBS Washington office at wjwv (now retired in Santa Barbara). In a discussion with CBS Washington newsman Ted Church, Butcher felt it would be more friendly to use that description than to say the broadcast originated from the diplomatic reception room. Marvin McIntyre, FDR's appointments secretary, later said that the President was captivated by the term. Bob Trout, then a CBS newsman (and now with ABC Radio), was the first to use the phrase on the air. The photo at right shows the specially designed microphone stand that was presented by CBS to FDR and used for the first time at his inauguration. Herbert Glover, CBS director of news broadcasts, grips the side bars that supported the disabled President.



wrote: "That educational stations, by and large, are misfits in American broadcasting, commanding little financial support from their own institutions and having negligible listener appeal, is reflected in the official records of the radio commission. . . . How can Joy Elmer Morgan . . . and his group of misguided pedagogues justify their silly demand for more wavelengths for educational stations . . . ? How can they have the audacity to oppose commercial broadcasting when some 30 educational stations have sold out—voluntarily—to commercial groups. . . . It is one thing to present well-organized educational programs over commercial stations which have the audience. It is another to attempt to cram education down the public's throat over more stations that have no listener appeal, as is proposed by Mr. Morgan's National Committee on Education by Radio."

Network receipts from time sales continued to decrease. In January, Frederic R. Gamble, executive secretary of the American Association of Advertising Agencies, urged that broadcasters provide agencies with a cash discount for bills paid promptly. As a result of decreased revenues, many stations tried unusual plans to increase sales. For example, KOTL Omaha created business by selling time not only to individuals but also to groups of tradesmen such as barbers, beauticians, florists and grocers. With revenues down, some broadcasters looked to the legalization of beer as a potential source of new advertising.

In an economy move in April, NBC implemented its second pay cut by decreasing all employe salaries of over \$1,000 a year by 10%. NBC's first salary cut had been in September 1932. Also in April 1933, NBC discontinued its Pacific Coast Gold network to save line costs and had its Orange network absorb some Gold programs.

Comedian Ed Wynn, whose Texaco-sponsored hour on NBC was declared the most popular network program, announced in January that he would head a third network, the Amalgamated Broadcasting System, which would revolutionize the handling of commercial programs and station relations. Originally scheduled to begin Feb. 15, the network encountered financial and organizational problems, but finally started in September.

Wynn, who deplored the increase of commercialism on radio, aspired to "bring the theater to the air," and to return some of the business he felt that radio had taken from newspapers and magazines. "What I am going to do," he said, "is throw millions of dollars back to the newspapers and magazines." Wynn called his new network the "new deal" in radio and planned to limit commercial credits to 30 words at the beginning and end of each program, to prohibit price mentions, and to refer listeners to sponsors' ads in newspapers and periodicals.

Curtis B. Dall, President Roosevelt's son-in-law (he was married to FDR's daughter, Anna), became chairman of the

board and on Sept. 25 Wynn's network began a four-hour inaugural program with a 14-station hookup.

Others besides Wynn wanted changes in radio. Some were motivated by anticommmercialism and others were moved by hopes of economic improvement in a continuing Depression. In February, with the support of the Roosevelt administration, Representative Sam Rayburn (D-Tex.) proposed a bill to abolish the FRC in favor of creating a federal agency that would have jurisdiction over all communications. This bill, however, was withdrawn for rewriting. Also in February Representative Hampton Fulmer (D-S.C.) introduced a bill, sponsored by interests opposed to commercial radio, that requested a two-year inquiry into the "future administration, management, control and financing of radio broadcasting."

During a March special session of Congress, Representative Rayburn reintroduced his bill although it appeared unlikely that any radio legislation would be enacted at that session.

Also reintroduced at that time was the so-called Davis omnibus bill which had passed both Houses but had been pocket-vetted by President Hoover. (The earlier bill had been offered by Representative Ewin L. Davis [D-Tenn.], chairman of the House Merchant Marine, Radio and Fisheries Committee. The new bill was submitted by his successor as chairman of that committee, Representative Schuyler Otis Bland [D-Va.].) Among other amendments to the Radio Act of 1927, the bill would have allowed the licensing of stations under 100 watts without regard to quota restrictions and would have required that rates charged by stations to political speakers not exceed the rates charged to commercial advertisers.

Other changes affecting radio were proposed by Secretary of Commerce Daniel C. Roper, who at the request of the Roosevelt administration submitted a plan to reorganize radio legislation by providing one communications body. Roper's recommendations formed the basis for the abolition of the FRC and the creation of the FCC under the Communications Act of 1934.

Among the other changes on Capitol Hill with the new Roosevelt administration, Clarence C. Dill (D-Wash.) became chairman of the Senate Interstate Commerce Committee. Also new to that committee was Wallace H. White Jr. (R-Me.), prominently identified with previous radio legislation in both branches of Congress.

On May 8 the U.S. Supreme Court conferred upon the FRC absolute powers in distributing frequency assignments when the court upheld the commission's decision to delete WIBO and WPCC, both Chicago, which operated in "overquota" areas, and to give the 560 kc regional channel to WJWS Gary, Ind.

While many broadcasters railed against the perceived injustice of the commission, many newspapermen rallied to fight what they perceived to be the injustice of radio's

encroachment upon news reporting.

Throughout 1932 and 1933 radio stations had broadcast news of important events—the election returns, the Roosevelt inauguration, as well as the President's speeches. KFOK Long Beach, Calif., for example, kept broadcasting throughout an earthquake. When the Navy dirigible Akron crashed in early April, the networks provided immediate coverage. Newspapers became anxious.

In Sioux Falls, S.D., a judge granted the Associated Press a permanent injunction against the unauthorized broadcasting of its news dispatches by KSOO there.

As a result, broadcasters felt the need for their own news services, and a tenuous truce between newspapers and radio was shattered. A headline in the May 1 BROADCASTING read: "AP and ANPA [American Newspaper Publishers Association] Declare War on Radio," and the story reported: "An open break between broadcasting and the press, with newspaper publishers in general casting aside entirely the proved fact that they can use radio cooperatively to their own promotional ends and profits, appears to be the design of the radio resolutions adopted by the Associated Press April 24 and the American Newspaper Publishers Association April 26 at their annual meetings in New York."

The AP membership voted to ban network broadcasts of AP news and to limit local broadcasts to brief bulletins that credited the member newspaper. The ANPA recommended that newspaper listings of radio programs would now be considered as advertising and printed only if paid for.

Despite these actions, radio news broadcasts were not drastically affected. The United Press and the International News Service did not follow AP's example, and the networks established their own correspondents in key cities. A May 15 editorial in BROADCASTING summarized the situation as having "not very greatly altered the functions of either the networks or stations. . . . Radio people generally seem quite indifferent about the actions taken at the recent press meetings. The networks and their commentators have found legitimate ways of getting what they want and need without press association help, for the press by no means can have a monopoly on news."

Radio's efficacy as a news medium was further demonstrated on May 7 when Roosevelt used radio to deliver another fireside chat. BROADCASTING wrote, "That the President should again use radio as the primary medium for contacting his 'American family' is another great tribute to radio for which the broadcasters owe the chief executive their heartfelt thanks."

Besides recognizing radio as an important political vehicle, Roosevelt's New Deal utilized broadcasting, and his National Recovery Administration (NRA) affected the industry. In June Roosevelt signed the industrial recovery public works bill which was intended to revive business and to aid employment. Each industry was

to design its own plans for organization and self-regulation. In addition, the bill authorized a \$3.3-billion public works project.

"Every element in the business of broadcasting," wrote BROADCASTING, "and that includes agencies, stations and allied enterprises as well as the world of industry generally . . . becomes immediately and vitally affected by President Roosevelt's gigantic industrial recovery program." The program was presented by President Roosevelt over a nationwide radio hookup on July 24. As businessmen, broadcasters felt that the NRA would stimulate business and create renewals of advertising accounts. As employers, broadcasters pledged to create more jobs and to negotiate contracts that complied with NRA guidelines. As media representatives, broadcasters offered the practically unrestricted use of radio facilities to promote the NRA campaign.

In August and September the networks experienced increased advertising business which George E. McClelland, executive vice president in charge of sales for NBC, attributed to Roosevelt's industrial recovery drive. Delighted, broadcasters continued to help by contributing more time for NRA messages. NBC and CBS established regular NRA broadcasting periods, NBC at 10:15 on Sunday nights and CBS at 10:30 on Thursday nights. W.B. Dolph, radio director of NRA's public relations bureau (later to become a broadcaster and manager of a prominent radio commentator, Fulton Lewis Jr.), considered broadcasters' backing to be "100%."

Another sign that the Depression might be easing was the FRC's termination in August of the short broadcast day. Previously, stations, upon application, could operate less than the minimum two-thirds of their licensed hours; about 40 stations had taken advantage of the waiver. After August the FRC cut off applications for this privilege.

The NRA continued to affect broadcasting. A new broadcasting code was drafted in September by the NAB. It was the subject of an NRA hearing in September, revised in October, signed by President Roosevelt in November and enforced starting Dec. 11. It provided for the adoption of a 48-hour week for technical personnel and outlawed rate cutting, lotteries, song plugging and the acceptance of per inquiry business. The code also created a minimum wage of \$40 a week for technicians, \$20 a week for announcers and program-production employees, but \$15 a week if there were fewer than 10 such employees at a station.

BROADCASTING analyzed the code as "designed to lift the industry by its bootstraps out of objectionable and unfair trade practices. . . . The code is unquestionably the most drastic and far-reaching measure ever devised for regulation of broadcasting."

While these regulatory discussions proceeded, the FRC prosecuted 60 unlicensed

Texas stations that had challenged the FRC's right to regulate them. The 60 "outlaw" stations, as they were called, argued that since they broadcast entirely intrastate they were outside federal jurisdiction. The NAB's spokesman, Philip G. Loucks, its managing director, urged the FRC to prosecute the stations, arguing that they violated the law, competed unfairly with licensed stations and created interference. In August, the Department of Justice filed a suit against 18 persons in connection with the outlaw stations, and in November, George B. Porter, acting general counsel of the FRC, promised that federal authorities would actively prosecute the outlets.

Besides such domestic issues of channel

tions. All things considered, it is fortunate that the conference agreed to disagree."

While the international conference created no changes in the broadcasting structure, other issues such as the warfare with ASCAP and with newspapers as well as the cumulative effects of New Deal reforms on employment and advertising portended change. To counter ASCAP, the NAB created the Radio Program Foundation and in July acquired 123,000 compositions of the Ricordi catalogue which it offered to members for monthly royalties between \$2.50 and \$25. BROADCASTING called this the "first tangible step toward releasing the broadcasters from the ASCAP grip."

Just as ASCAP's demands led to the



The early days of radio's Huckleberry Finn. His name was little known outside the Baltimore Washington area when Arthur Godfrey conducted a highly successful *Breakfast Club* for NBC managed WMAU Washington. Devices, such as membership certificates for listeners (above), built record audiences. However his unexpected antics—before irreverence to the establishment was tolerated on air—led to a split with WMAU CBS's WJWS, just two blocks away, readily engaged Godfrey for its morning show and a late-night show. Commentator Walter Winchell, while dialing up distant stations, picked up a Godfrey broadcast. The New York columnist-network broadcaster reported to the nation on the refreshing manner of the man in the middle of the night. After that, it was a short trip to New York and national stardom, first with CBS Radio and later CBS Television.

allocations, there were international problems as well. The first North American Radio Conference on allocations, held in August, aborted when Mexico refused to compromise its demands for 12 AM clear channels with the American delegation's offer of three or four channels. BROADCASTING analyzed the situation: "Broadcasters are heaving sighs of relief, though mingled with regret. They are relieved because the immediate danger of a reallocation here is eliminated. They regret the failure because the way is open for more and bigger Mexican stations to preempt channels and cause even more serious interference with American sta-

formation of alternative music associations, the newspaper publishers' demands spurred the growth of radio's own news services. By October CBS organized the Columbia News Service with Paul W. White as general manager. This represented a direct answer to AP's and ANPA's edicts barring use of their news on radio. General Mills sponsored CBS news broadcasts twice a day.

NBC, meanwhile, let A.A. (Abe) Schecter organize a one-man news department. His chief tool was the telephone, and he was able to supply enough material for Lowell Thomas's NBC program and some material for Walter Winchell's Sun-

day evening program on that network.

A lull in the press-radio war came when a truce was declared in December. But the terms were so restrictive that broadcasters almost immediately rebelled and in the early months of the next year began establishing their own news organizations.

BROADCASTING reported that the Dec. 11-13 meeting in New York that drew up the truce was called "in a spirit of friendly cooperation and mutual recognition of one another's place in the economic sphere."

A 10-point plan, to be submitted to AP's board of directors, proposed that the press associations (AP, INS and UP) drop their policies of refusing to provide service to broadcasting, furnish two five-minute daily summaries to radio, and protect broadcasters with special bulletins. In return, radio was to agree to broadcast one morning summary after 9:30 a.m. and an evening summary after 9 p.m. Also, news broadcasts were not to be sold.

The plan further called for CBS to withdraw from the news agency field and dissolve its Columbia News Service corporation as well as for NBC to agree not to enter the news collection field.

The services to radio were to be provided by a new organization, the Press-Radio Bureau, composed of representatives from newspaper groups and broadcasters. The bureau got under way in March of 1934, but under heavy fire not only from broadcasters but from Capitol Hill.

Newspaper publishers felt threatened by radio competition not only for news but also for advertising—and with reason. Malcolm Muir, deputy administrator of the NRA, expected a renaissance in advertising, but with radical change in its distribution. He wrote: "Old market evaluations, old methods of distribution and old advertising policies are out. The New Deal . . . means new consumers, new trading areas, new merchandising methods. It means specifically that advertising as a great and constructive force in merchandising should at last come into its own. You and I know that the price-cutter was the biggest builder of profitless prosperity. . . . I know of no force [advertising] that can be used more effectively to re-create confidence . . . to unlock the pocketbooks of those who have been afraid to buy, to tap the resources of those new income classes created by the New Deal. I am not referring to a 'buy-now campaign' or any other such 'ballyhoo' but to that intelligent, constructive force, 'advertising,' which can do so much to create demand through an awakened and revitalized America."

Others, too, had their eyes on advertising, but from another perspective. Rexford Guy Tugwell, assistant secretary of agriculture, encouraged the Food and Drug Administration to prepare a new bill calling for precise information in ads about food, drugs and cosmetics.

The adverse reaction to the bill initially came more from the manufacturers, and then from broadcasters. BROADCASTING'S Sept. 15 analysis conceded that the bill

sought to place responsibility on the advertiser or manufacturer rather than on the medium. BROADCASTING also expressed the belief that the elimination of "chiselers" from the food, drug and cosmetic fields would benefit advertising in the long run, despite short-term losses.

Tugwell, himself, defended the legislation in BROADCASTING, arguing: "this bill would put responsibility where it belongs, in the advertising business. The man who knows best whether a product is truthfully or falsely represented is the manufacturer or advertiser himself. Any attempt to raise standards by federal legislation must place responsibility on the shoulders of manufacturers."

Since revenues from food advertisements provided networks with their number-one source of income, and revenues from drugs and toiletries number-two, broadcasters paid attention to the bill. Advertisers and drug manufacturers soon began to pressure broadcasters on the evils of the new bill. For example, Frank Blair, president of the Proprietary Association (drug manufacturers), introduced his refutation in BROADCASTING with the following: "Radio broadcasters must be deeply interested in legislation, which, if enacted, would cripple or destroy industries—food, drug and cosmetics—from which is derived a large part of radio broadcasting's revenue."

The NAB declared war on the Tugwell bill, and opposition to it mounted so much that by December the bill was revised. BROADCASTING'S Dec. 1 editorial stated that "these developments are reassuring. Only by a united front on the part of the groups affected can safe and sane legislation be obtained." Others, however, felt that the bill's revisions rendered the proposed law virtually powerless.

Meanwhile, November brought two other developments related to advertising: Ed Wynn's Amalgamated Broadcasting System went bankrupt from lack of advertising, and George F. McClelland, former NBC executive vice president, announced plans for another network, probably to be called the Associated Broadcasters Inc., to start in the fall of 1934.

Another development concerned the possibility of hard liquor advertising on radio following passage of the 21st Amendment. William S. Paley, CBS president, decided that CBS would advertise wine but not hard liquor because the network felt advertising of the latter was inappropriate in a "medium which enters the homes of so many millions of persons and which carries its messages to groups of listeners of every conceivable assortment."

Precisely because radio was a medium that entered the homes of millions, it enjoyed increasing prestige and power in 1933 despite copyright, news and other problems. NBC moved into its new headquarters at Radio City in New York during October and November. M. H. Aylesworth, first NBC president who inspired the project, characterized the move

into the 400,000 square feet of space, the world's largest broadcasting plant, as "the passing of another milestone in radio progress."

In his congratulations to NBC, President Roosevelt wrote: "Radio is an invaluable instrumentality for public service. Its values to the country are manifold—educational, recreational, entertaining, and serving the common needs of the people and the government. . . . Despite the splendid advancement made in recent years in the science of radio, I do not concede that it has yet been developed to the point where it approaches a full utilization of opportunities that it has in store for service to mankind. It is my judgment that nothing since the creation of the newspaper has had so profound an effect on our civilization as radio."

With such praise and with such promises came inevitable conflicts. "In the public interest" was destined to remain a tricky phrase to be defined by broadcasters, public interest groups, legislators and others to their mutual satisfaction.

The year ended with hints of important changes as President Roosevelt studied Secretary Roper's report recommending that all communications activities be consolidated under one government agency. With Roosevelt's NRA backed by radio and designed to encourage economic growth, broadcasters felt, as an editorial title in BROADCASTING suggested, that "Radio [was] Doing Its Part." An editorial pointed out: "Business is getting better in radio. . . . From the high tides that ran in 1932, to the ebb of the first six or seven months of 1933, the ship bearing revenues into radio's coffers now seems to be running into flood tides. . . . it looks as though the best winter season in radio's brief history is here."

Looking ahead to better times, it concluded: ". . . Radio can count more friends than ever. Radio is doing its part, with its earnings, its satisfied employes and its improved and improving methods. Its record in Depression and recovery is one of which it may well be proud."

Stay Tuned

1. What were the basic provisions of the Wagner-Hatfield broadcasting bill that "threatened" radio's structure?
2. Name the seven original members of the FCC.
3. Who began Transradio Press and why?
4. What four stations formed Mutual Broadcasting System?
5. Name two top male singers and two top comedians.

The answers
in "1934."

THE FIRST 50 YEARS



OF BROADCASTING

IN 1934 President Roosevelt called for a Federal Communications Commission. Congress responded by creating one.

Broadcasters wanted static-free programming. Edwin H. Armstrong perfected frequency modulation.

Radio listeners demanded more news. Broadcasters organized their own news services.

Sponsors encouraged new networks. Entrepreneurs formed the Mutual Broadcasting System.

The National Association of Broadcasters intensified its efforts to counter escalating music copyright demands. The Department of Justice filed an antitrust suit against the American Society of Composers, Authors and Publishers.

As the Depression abated for broadcasters, advertising revenues rose, and the New Deal took a firmer hold. Radio entered what some later called its "golden age"—a time after conceptual immaturity but before the competition of television and the interruption of World War II. In this same time beyond its genesis, radio grew as the word of politics, the voice of free entertainment, the promulgator of news and the prophet of a new age beyond unemployment, bread lines and static.

Dun & Bradstreet predicted 1934 would be the best year for radio since 1930, saying that radio "is now on a more stable basis than at any time in its history, and fully capable of keeping pace with any industry in the recovery movement." With 60% of U.S. homes (17,948,162) having radios as of Jan. 1, 1934, and with 1.5 million car radios as of June that year, radio enjoyed a prodigious reach over a widely spaced, diversified and growing audience. Prior to the Communications Act of 1934, federal regulation of the communications industry had been parceled out to a number of agencies. The newly envisioned Federal Communications Commission, said Herbert Pettey, secretary of the predecessor Federal Radio Commission, would monitor the "600 broadcasting stations . . . 30,000 telegraph and cable offices . . . more than 16 million telephones connected by 80 million miles of line . . . [and] that developing newcomer, television, with all of its yet untold possibilities and potentialities."

With the creation of the FCC on July 1, all of these com-



A first-class letter cost three cents and a carton of cigarettes went for \$1. Congress devalued the dollar by reducing its gold content 40.92% and forbade the export of silver. Dust storms and drought decimated the nation's farmlands. In Chicago, gangster John Dillinger was gunned down by the FBI outside the Biograph theater. In Europe, Austrian Chancellor Dolfuss was assassinated by Nazis in an attempted coup d'etat masterminded by an Adolf Hitler who proclaimed himself "Der Fuhrer." Rodgers's and Hart's "Blue Moon" and Peter DeRose's "Deep Purple" were among the musical escapes from reality offered on radio, while the inescapable realities of life continued to be brought home in FDR's fireside chats.

And in BROADCASTING . . .

munications facets came under the control of one body of seven members appointed by the President and confirmed by the Senate. Even though the new act abolished the five-member Federal Radio Commission, most provisions of the Radio Act of 1927 remained, with regulation consolidated under FCC jurisdiction. Despite this similarity, many in the broadcasting industry resisted the notion of more legislation and the thought of increased government control for a privately owned business—especially one turning a profit in a depressed economy.

BROADCASTING summarized those feelings in a February editorial: "Broad-

casting is an industry without a parallel insofar as government relationship with business is concerned. Although privately operated, it is governmentally regulated. Therefore, it lends itself admirably as ammunition for political oratory. It also is excellent material for reformers, who otherwise would be crusading against cigarettes or the use of lipstick. It is so close to the masses of the people that the agitator can always get some kind of an audience."

Creation of the FCC was proposed in early 1934 by President Roosevelt. He acted on the recommendation of an interdepartmental committee on communications that examined the role of nine government agencies involved in radio at that time.

Senator Clarence C. Dill (D-Wash.) introduced a Senate bill (S. 3289) toward that end. It would abolish the Radio Act of 1927, combine the duties of the different agencies in the new FCC, and set up rigidly defined radio and television divisions in the new agency.

Representative, later Speaker, Sam Rayburn (D-Tex.) introduced a House version (H.R. 8301) that would replace the FRC with the FCC and modify the Radio Act of 1927 without abolishing it.

A Senate-House compromise, as S. 3285, was passed by both houses. It was signed into law by FDR on June 30.

Among the more controversial amendments proposed during debate on the Communications Act was one by Senators Robert F. Wagner (D-N.Y.) and Henry D. Hatfield (R-W.Va.) that "would uproot the existing broadcasting structure by or-

dering cancellation of all station licenses within 90 days and requiring a new allocation under which 25% of all facilities would be given to religious, educational, labor and similar so-called nonprofit organizations." For various reasons, including the proponents' unorganized lobbying, the amendment was defeated 42-23 as the Senate decided that educational allocations should be left to the new FCC.

After such a prologue, the FCC began July 1. Eugene O. Sykes of the Federal Radio Commission was the chairman. Thad H. Brown, also from the radio commission, along with Paul A. Walker, Norman S. Case, Irvin Stewart, George Henry Payne and Hampson Gary filled out the roster. There were three divisions, for broadcasting, telephone and telegraph, each with two members plus the FCC chairman. The broadcasting division consisted of Gary (chairman) and Brown plus Sykes. The new FCC had a staff of approximately 600, almost triple that of the FRC.

Broadcasters' fears that a new regulatory agency in Washington could be a forerunner of extensive change for radio were alleviated somewhat at the first meeting of the new commission on July 11. It was unanimously voted that the status quo be retained for communications and that

the new body move cautiously in revising federal regulation.

Despite its self-proclaimed role of guardian of the status quo, the FCC in the year's second half began to explore areas for change in radio. One was proceedings to revise the quota systems, under which radio stations were granted to five separate regions of the country under a formula in which population and station power were dominant factors. Another was a review of the clear-channel structure in which a major study was to determine coverage of higher-powered radio outlets and the service afforded listeners.

Two of the early FCC proclamations concerned the proposal to reserve 25% of the radio band for educational purposes and the revision of the quota system. During 10 days of FCC hearings in October on the "25% proposal," BROADCASTING reported that "educational groups ... saw their ambitious project blasted out of the sphere of practicability from every point of view by nearly 100 witnesses. ... Building what undoubtedly is the finest record of testimony ever prepared in support of the American system of broadcasting, broadcasters were joined by many leading educators, clergymen, authors and other personalities identified with art and industry in espousing maintenance of the status

quo."

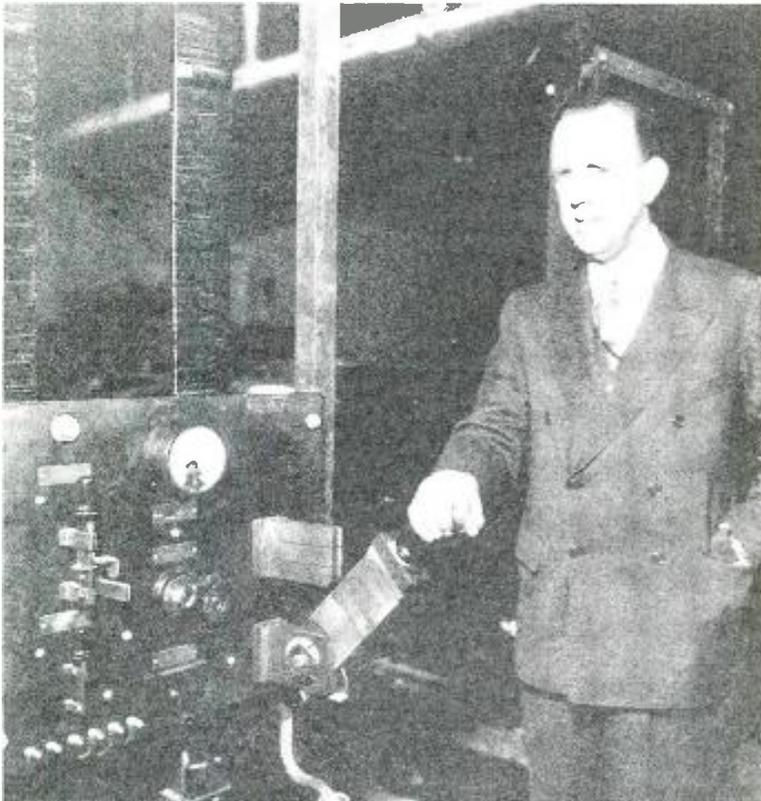
H. L. Mencken, for example, testified: "It would be very imprudent to assume that stations controlled by pedagogues and theologians would engage in any worthwhile cultural propaganda. Neither class has any active interest in the fine arts, or in ideas in general. ... The theologians naturally give their chief concern to their own dogmas, and are far more interested in making converts than in spreading the general enlightenment. As for the pedagogues, their first and almost only purpose is to raise more and more money." Based on arguments such as this, the 25% proposal was defeated.

After the FCC altered the quota system in October, BROADCASTING called the revisions "the most sweeping change in the system of allocating broadcasting facilities since the nationwide shift of 1928 ... [these changes] will open the way for substantially increased facilities generally throughout the country." The new rules permitted some stations higher power and additional time while also enabling 100 watt stations to obtain licenses more easily without being counted in state quotas.

Besides public reorderings, internal forces in radio were effecting or promising change. Edwin H. Armstrong had developed the frequency modulation limiter. Armstrong, who had applied for the first four patents on his FM system in 1930, received them after Christmas 1933, and demonstrated his system to David Sarnoff of RCA in early 1934. Despite RCA's enormous investment in AM radio, Sarnoff invited Armstrong to install equipment in RCA space on the Empire State building and to work with RCA engineers in broadcasting experimental FM. Still not publicly demonstrated, these experiments confirmed an engineering breakthrough although it was years before FM was to be incorporated into radio's scheme of things and then only after bitter disputes between Armstrong and Sarnoff over patents.

Other areas of change during 1934 included radio news. The so-called truce the preceding December at the Biltmore hotel in New York only served to strengthen the determination of some broadcasters to fight the Biltmore agreement's repressive conditions. The agreement had stipulated networks and stations were to dissolve their own news-gathering services and use the reports of the Press-Radio Bureau which began operation in March. But others chose to exercise their prerogative to broadcast their own news from their own sources.

Under the Biltmore agreement, the Associated Press, United Press and the International News Service were to provide stations with material for two five-minute news broadcasts each day, plus bulletins of "transcendent importance" to be broadcast "in such a manner as to stimulate public interest in the reading of newspapers." In February, CBS and NBC promised not to gather news, not to sell commercial time for news broadcasts, and not to air the Press-Radio Bureau's morning



500 kw wallop. WLW Cincinnati became the most powerful station in the world in 1934—if only for an experimental period—when it began transmission with 500 kw in its after-midnight operations. Throwing the switch during a test: Powel Crosley, president of the licensee, Crosley Radio Corp.



Splawn

Rayburn

BROADCASTING

and
Broadcast Advertising

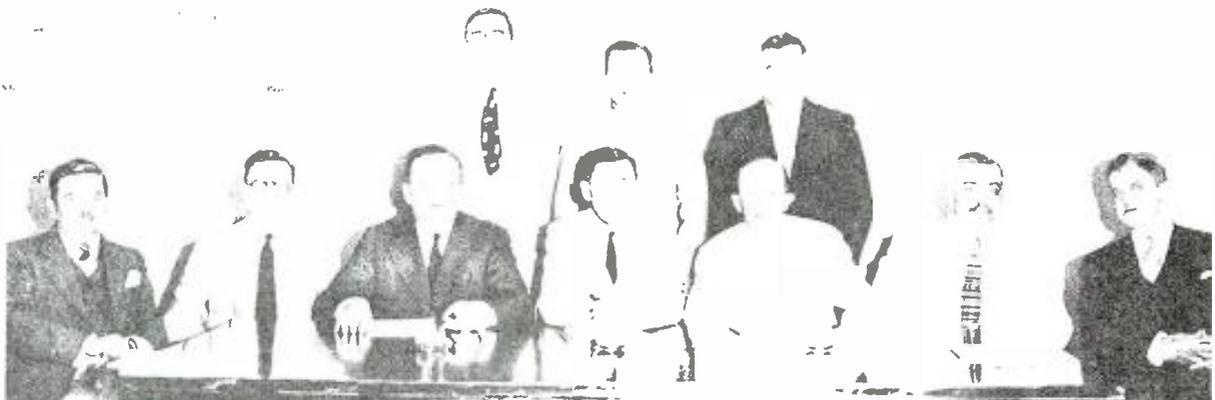
FCC Replaces Radio Commission July 1

President to Make Reces. Appointments to 7-Man Agency.
All Present Commissioners Believed to Have Chances

Highlights of Communications Law

The Communications Act of 1934, which replaces the Federal Radio Commission with the Federal Communications Commission, was signed by President Roosevelt on July 1. The new commission will have seven members, three of whom will be appointed by the President and four by the Senate. The act also provides for the reappointment of the present commissioners of the Federal Radio Commission, who are believed to have a good chance of being reappointed to the new commission.

Founding fathers. Key to enactment of the Communications Act of 1934 were Senator Clarence C. Dill (D-Wash.), Representative Sam Rayburn (D-Tex.) and Walter M.W. Splawn (D-Ill.)—who had co-authored (with Wallace H. White Jr.) the Radio Act of 1927—introduced the Senate version of legislation to supplant the Federal Radio Commission with the Federal Communications Commission. Rayburn offered the House version, and Splawn—former special counsel to the Rayburn committee on transportation and communications, wrote a 331-page report analyzing communications companies and recommending provisions for the Rayburn bill. BROADCASTING announced the new FCC in its June 15 issue, and later ran a picture (below) of the new FCC at its first meeting on July 11 (l to r): seated—Commissioners George Henry Payne (R), Irvin Stewart (D), Thad Brown (R), Eugene O. Sykes (D-chairman), Paul A. Walker (D), Norman S. Case (R) and Hampson Gary (D); standing—General Counsel Paul D.P. Spearman, Secretary Herbert I. Pettey and Chief Engineer C.B. Jolliffe. Salary for each commissioner: \$10,000 annually.



news before 9:30 a.m. or its evening news before 9 p.m.

Many independent stations disagreed with this suppression of news and curtailment of advertising. When the Press-Radio Bureau began in March, it faced competition from cooperative radio news-gathering services for independent stations: these stations allowed their news to be sponsored. Instead of accord, the Biltmore agreement had created antagonism.

KFI Los Angeles established its own news service with plans for exchanges of news with other stations. So did John

Shepard III, president of the Yankee Network in New England. He refused to curtail services, saying: "It seems to me that any station which had been broadcasting a greater amount of news through the cooperation with local newspapers than is to be allowed under the [Biltmore] plan is definitely agreeing to curtail its service to the public. . . . making agreements not in the public interest, convenience and necessity. . . ."

Harry R. Daniel formed the Continental Radio News Service Inc., headquartered in Washington. Stanley Hubbard of KSTP St. Paul organized the Radio News Associ-

ation of Washington. Arnold Kruckman headed a new American Radio News Service, also based in Washington. Herbert Moore began the Transradio Press Service, based in New York.

M. H. Aylesworth, NBC president and an orchestrator of the Biltmore plan, defended the intent of the agreement. He told the American Newspaper Publishers Association that the networks "did not desire to enter into the collection of news unless forced to do so. . . . Mr. Paley [William S., head of CBS], Mr. McCosker [Alfred J., head of Mutual] and I were in no position to bind the radio stations of

this country nor were the representatives of the press associations and the publishers in a position to bind the newspapers or the press associations of the country. We endeavored to arrive at an understanding . . . to experiment together with a cooperative program which would take nothing from the radio listener in the way of public service . . . or deprive the newspapers of their chosen field in collection and dissemination of news. I think we accomplished this purpose."

Senator Dill, a long-time supporter of broadcasting, criticized the Biltmore treaty. He predicted noncompliance by radio stations and suggested to the news-gathering associations "that they cannot do more to popularize their own newspapers than to allow a larger use of their services than five minutes twice a day. . . . I believe they are in a position to combine with the news-gathering agencies of America and the world to give to the American people the greatest news service ever known to the human family. No suppression of this kind can long keep the people from securing the service from the radio stations which those stations are able to give."

Moved by the potential of broadcaster competition, the Press-Radio Bureau by April included in its releases news other than that culled from the morning and evening papers in order to satisfy the approximately 125 NBC and CBS stations using the service. Despite the improvement, critics and commentators, including CBS's H. V. Kaltenborn, pronounced the bureau a failure.

Even so, the war of news worlds continued. In October, BROADCASTING editorialized: "Somewhere there is an answer to the news-by-radio problem. With some 100 radio stations owned and operated by newspapers, with many more stations already having satisfactory tie-ups with newspapers, and with most radio managers still unwilling to risk an open break with the American press, the problem presents so many sides that the National Association of Broadcasters committee to be formed to recommend on it faces trouble no matter which way it turns."

As it turned out, the independent news organizations grew in importance and eventually eclipsed the Press-Radio Bureau.

In 1934, the broadcasting industry moved out of the slump of the Depression. For the first quarter of 1934, RCA had a net profit of \$1,235,725 as compared with a loss of \$478,164 in the same period in 1933. For the first half of 1934 radio networks chalked up record time sales: CBS grossed \$7,872,000, a 67% increase over the same period of 1933; NBC grossed \$13,599,354, a 35% increase over 1933.

In April a BROADCASTING editorial reminded the public that three out of every five homes in the U.S. had a radio, and noted that "old radio owners spent \$65 million on new sets, while \$50 million more was spent for new tubes in 1933.

This total expenditure was greater than the subscription sales for all national weekly and monthly magazines combined during the same year!"

Such statistics encouraged more third-network ventures despite the 1933 failure of Ed Wynn's Amalgamated Broadcasting System. By March four different third-network plans existed: Broadcasting Stations Corp., headed by George F. McClelland, former vice president and general manager of NBC; WMCA New York, operated by Federal Broadcasting System with John T. Adams, president; a George Storer group that included CKLW Detroit-Windsor, Ont.; WSPD Toledo, Ohio, and WWVA Wheeling, W.Va.; General Broadcasting System, headed by Paul Harron and involving a half-dozen stations from New York to Washington. When Storer became president of Broadcasting Corp., WMCA's efforts at networking were subsumed by the Broadcasting System Corp.

In June, Storer announced the formation of the American Broadcasting System because "(1) other chains have little time left to sell; (2) competition is healthy for business, and (3) present costs are much too high for any but large advertisers. It is for these brief but potent reasons that we are forming, in a sane and sober manner, a third chain of radio stations. . . . The stations selected to form the ABS will cover 50% of the entire audience of the U.S. at a cost far below anything ever before attempted in radio."

On Oct. 14, ABS, with 14 stations from New York to St. Louis, began broadcasts without advertisers. By November ABS had its first commercial sponsor, the Adam Hat Co., and planned expansion.

Using a different strategy of a mutual organization to lure advertising and audiences from the established networks,

WOR New York, WGN Chicago, and WLW Cincinnati in October formed what was the beginning of the Mutual Broadcasting System. It originally was called the Quality Group. WXYZ, Detroit was an optional Quality outlet.

"The name of this network," explained W. E. Macfarlane, of the *Chicago Tribune's* WGN, "clearly describes our plan of operation. Through this new organization we will endeavor to make suitable time arrangements for advertisers seeking to broadcast in important markets through the use of a few stations having high power and a vast listening audience. . . . Each station will remain independent and make its own decision in accepting programs. Each station will receive its card rates for the time less agency commission, making no additional charge to the advertiser for transmission lines. Thus, we believe, we have established a truly mutual arrangement between a group of independently owned stations."

As Storer and Macfarlane realized, radio advertising was reaching an ever-growing audience. Despite the Depression, 16 million listeners were added to the world radio population, making the total at the beginning of 1934 more than 176 million. As 1934 started, there were approximately 45 million receiving sets in use worldwide, compared with 40 million a year earlier.

Within the U.S., national advertisers in 1934 spent \$349,055,000 in newspapers, magazines, network broadcasts, outdoor boards and car cards. Newspapers accounted for 46.7 cents of the advertiser dollar, magazines 32.5 cents, and broadcasting 12.2 cents, up 1.5 cents from 1933. And BROADCASTING in September reported Association of National Advertisers findings that revealed that radio was the best dollar-for-dollar advertising buy.



Under the wings of the Blue Eagle. Ironclad rules to prevent manipulation of radio rates were among subjects discussed at a January 1934 meeting of radio's Code Authority. Seated (l to r): William R. Farnsworth, deputy NRA administrator; John Eimer, wcbm Baltimore; John Shepard III, Yankee Network, chairman of the Code Authority; Harry Shaw, wmt Waterloo, Iowa; Edward W. Nockels, wcfb Chicago, and John Kiernan, wwlw New York. Standing: I. Z. Buckwalter, Mason-Dixon Group; M. R. Runyon, CBS; Frank M. (Scoop) Russell, NBC, and James Baldwin, executive officer of the Code Authority. NAB President Alfred J. McCosker, wor Newark, N.J., and a member of the Code Authority, was not present; when the picture was taken.

In April J. Walter Thompson Co. announced that its accounts increased their expenditures on network radio by 515% between 1929 and 1933.

With the increased revenues came increased concern over profits and profiteering. The National Recovery Administration Code Authority for broadcasting in January outlawed per-inquiry advertising and contingent business. To combat false and misleading advertising, the Federal Trade Commission in June required stations, networks and transcription companies to periodically send copies of all commercials to the FTC to assure that food and drug advertising was truthful. Congress considered the Copeland-Tugwell bill that would have required precise information in ads for food, drugs and cosmetics (see "1933"). However, food and drug manufacturers fought against it. Broadcasters were worried about its impact

boost of nearly \$3 million. That such a load would prove ruinous to a majority of independent stations and wreak untold hardship within the industry is obvious." Even though Clarence Darrow, head of the NRA review board, called for Rosenblatt's removal for such a suggestion, Administrator General Hugh S. Johnson (Rosenblatt's father-in-law) defended Rosenblatt, who maintained his position.

After a four-year campaign, the NAB felt it made progress in its struggle against exorbitant copyright charges. On Aug. 30 the Department of Justice filed a suit asking for the dissolution of ASCAP as an illegal monopoly under the Sherman anti-trust law. The Music Publishers Protective Association and 125 other organizations and individuals were named as defendants in the suit. Broadcasters estimated that during the 1933 fiscal year (Sept. '33-Aug.

the present system of paying ASCAP a percentage. . . ."

Technical developments added to the affirmation of radio's golden era. To accommodate expected high-fidelity broadcast transmissions, the broadcast band was widened in January to include three new channels for experimental operation—1530 kc, 1550 kc and 1570 kc. Also in January, WLW Cincinnati tested its new 500 kw transmitter, billboarded as the world's most powerful, and RCA, experimenting with television, tested facsimile transmission in the ultrahigh frequencies.

Philco introduced a new high-fidelity receiver in September. RCA Radiotron Co. in October announced the development of a tiny "acorn" tube for amateur radio's exploration of the short, ultra high frequency, or microwave, reception and transmission. WOR Newark, N.J., in November conducted detailed experiments to determine what effects a high-frequency radio field had on human, animal and vegetable life.

Although the Institute of Radio Engineers predicted that television was five years away, the National Television Corp. experimentally telecast on a six-inch-square screen black-and-white television images that were "visible in a well-lighted room and . . . capable of being seen by a large number of lookers-in at the same time."

Surveys of radio entertainer and program appeal had become increasingly important in the 1930's and were conducted by newspapers, magazines, networks and stations. Some examples:

A survey of farmers in 42 states by *Electricity on the Farms* showed three favorite radio programs: *Amos 'n' Andy*, *Chase and Sanborn's Eddie Cantor*, and *Lowell Thomas* (news).

The *New York World Telegram's* radio editors poll found Bing Crosby and Guy Lombardo maintaining, respectively, first and second positions as the most popular male singers, while Jack Benny, Eddie Cantor and Joe Penner were the three favorite comedians, replacing the previous year's choices of Jack Pearl, Ed Wynn and Gracie Allen.

A four-year CBS study of program types aired between 6 and 10 p.m. revealed the dramatic sketch to be "the real leader among the many types of radio programs," while jazz was found to be losing air time. In 1931 the dramatic sketch occupied 24% of CBS's evening hours, 17% in 1932, 24% in 1933, and 22% in 1934. Jazz orchestras occupied 19% of CBS time in 1931, 10% in 1932, and 13% in 1933 and 1934.

The radio musical comedy became a genre encouraged by many, including M. H. Aylesworth of NBC (Red and Blue Networks) and William S. Paley of CBS.

Sports occupied more air time too. For the first time the World Series was sponsored nationally and carried by three networks plus independents, representing a total of 180 outlets. The Ford Motor Co. paid \$100,000 for these broadcasting rights.



Right type for typewriters. When Time Inc. opted to march away from sponsorship of the *March of Time*, Remington Rand took its first step into the ranks of institutional radio programming. Remington Rand's advertising manager, E.H. Ensinger, wrote a feature article for BROADCASTING in 1934, in which he told how the CBS news feature, still produced by Time Inc., became a radio success story in the sale of typewriters. The feature included this typical scene from a news dramatization. Seated in the right foreground is Don Stouffer, director of the show. Harry Von Zell, then the booming "Voice of Time," is at the mike. Von Zell was preceded in that role for a short time by Ted Husing, later to gain fame as a CBS sports announcer.

on radio. (In July 1934, drugs and toiletries, for the first time, provided more advertising revenue for radio than any other categories of sponsors.)

Throughout 1934, Congress revised into oblivion aspects of the bill objectionable to the drug companies and to the broadcasters.

During 1934 broadcasters revised and debated their own code of behavior, which was under the National Recovery Administration's auspices, to resolve such problems as technicians' wages, artists' and performers' fees, as well as NRA Division Administrator Sol A. Rosenblatt's startling suggestion that the industry adopt a 30-hour week with a 10% wage boost. Such a policy would, BROADCASTING advised, "saddle upon all stations a 25% personnel increase and an annual payroll

'34), with ASCAP royalties at 4% of net fees plus a sustaining fee. ASCAP collected between \$1.75 million and \$2 million in broadcast royalties.

BROADCASTING pointed out that the "third year of the existing extortionate contracts with ASCAP" would become effective on Sept. 1, when ASCAP would demand 5% of net receipts plus a sustaining fee. Calling the Justice suit "a masterful presentation of the facts," BROADCASTING editorialized: "The suit itself provides a remedy. That remedy is for the dissolution of ASCAP as such and for the creation of a free music pool open to all composers, authors and publishers, at whatever price they may fix for their works, and open to all public performers on an equal basis. That means a 'per piece' method of royalty payment, as opposed to

Of great technical and programing interest to the nation were the Byrd Antarctic expedition's weekly broadcasts on CBS (begun Nov. 18, 1933, from sea). Out of every 100 words spoken, 67 were intelligible, according to a contemporary account.

After the frozen Antarctic, radio conquered the air. During a National Geographic Society-Army Air Corps flight in August, two-way radio communication, using an NBC short-wave radio, was almost continuously maintained between a station in South Dakota and a plane that flew to Nebraska.

To create better communication and programing on land, NBC in April entered the transcription field as a recorder of spot programs. The newly created NBC Electrical Transcription Service wanted to make "program talent of network caliber available for local and sectional use. . . . By supplementing NBC coast-to-coast service with high-quality transcription programs, it is felt that a material contribution will be made toward the improvement of associated stations' programs, thus increasing the value of these stations in their respective territories."

Throughout 1934 radio increased its own value as an integral part of the American lifestyle and also as a commercial pursuit. Network broadcasting's gross revenues increased by 35% over 1933 as NBC and CBS received more than \$42,800,000 for the year as compared with \$31,600,000 in 1933, and \$48,100,000 in 1932.

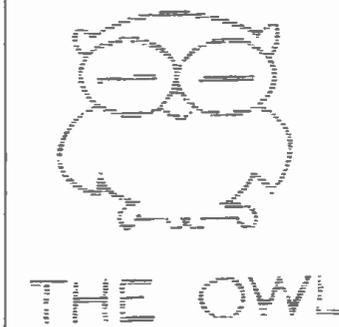
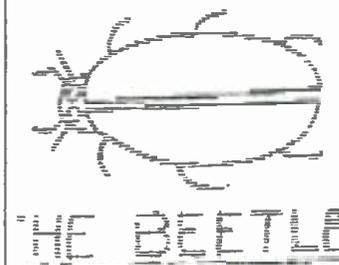
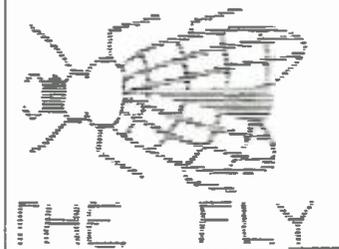
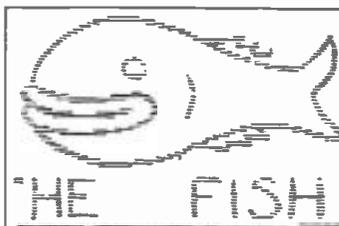
With Armstrong's incipient public demonstrations of FM, television's embryonic development, and world politics' increasingly strident state, broadcasting was on the verge of turning into a business of delight and necessity in a world of increasing complexity of nations and economies.

Stay Tuned

1. What broadcast development, besides FM, was supposed to be more important than television?
2. What news group fed the incorrect verdict in the Lindbergh case?
3. What long-running music show began in 1935?
4. What organization sued for more than \$1 million damages from Associated Press, United Press, International News Service, NBC, CBS and the American Newspaper Publishers Association?
5. What network officially died in 1935, despite the longevity of its name?
6. Who took over the chairmanship of the FCC in 1935?

The answers
in "1935."

Newspaper Station Broadcasts Facsimiles



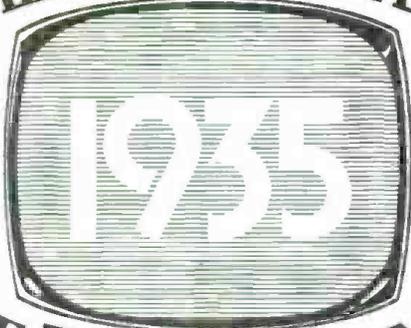
FIND
YOUR
FAVORITE
COMIC
CHARACTERS
IN THE
MILWAUKEE
JOURNAL

RADIO FACSIMILES—Above is the radio pen reproducer demonstrated by John V. L. Hogan, inventor, standing beside a table model radio receiver from which it operates. The 1-foot rule shows the relative heights. Shown also are samples of comic strips received on this reproducer during demonstration April 9 of transmitting and receiving apparatus ordered by WTMJ, Milwaukee.

A DEMONSTRATION of a new high speed facsimile radio system was given April 9 at the St. Moritz Hotel, New York, before members of the Radio Commission, radio engineers and representatives of the New York and technical press.

The demonstration was presented by John V. L. Hogan, New York consulting engineer and inventor. It consisted of an hour's program during which a coordinated facsimile and sound program was received in the hotel from experimental stations W2XBR and W2XAR on the 1550 and 1594 kc. channels.

THE FIRST 50 YEARS



1935

OF BROADCASTING

A significant court victory for broadcasters in the last days of 1934 presaged a year in which they made considerable gains in the press-radio war. But on the music copyright front, radio made little progress in 1935, despite a move by the Justice Department to crack down on the American Society of Composers, Authors and Publishers.

Among other significant events of 1935, the FCC, under a new chairman, began to clean house in communications. On the technical side, RCA took television out of the laboratory for a \$1-million field testing program. And facsimile threatened to nudge FM into the background.

An insight into the status of TV was offered by Dr. O. H. Caldwell, a former member of the Federal Radio Commission and then editor of *Electronics* magazine. He reasoned that the only thing retarding the development of television in the U.S. in 1935 was the money "to finance the construction and equipment of image transmitters. To provide television programs throughout the country would require an initial investment estimated at \$50 million to \$200 million or more."

Caldwell suggested that the government finance such a project in the public interest. He said: "Television transmitters really have a sounder claim to government financing, in the present unemployment situation, than do other enterprises that have received generous federal aid. Each television transmitter built will be the means of initiating the manufacture of thousands of television receivers, involving new factories, restoring employment and injecting new impetus into the machine of national business."

His plea went unanswered: No federal seed money appeared for television in the U.S. The British Broadcasting Corp., however, announced in February the allocation of between \$875,000 and \$1 million to build a TV station in London with a signal radius of up to 30 miles. It was to start in the fall.

Television in the U.S. got its big boost in May when RCA's David Sarnoff announced a \$1-million, three-point program to establish an experimental transmitting station, to manufacture a limited number of receivers and to develop a format for



The Social Security Act of 1935 was signed, and the Works Progress Administration (WPA) was created. Labor strife grew as bushy-browed John L. Lewis became principal architect of the Committee for Industrial Organization, a CIO that was to have conflicts with the American Federation of Labor (AFL) before their eventual merger. Half-empty movie houses offered giveaway dishes and other attendance lures; those who did attend saw Victor McLaglen become a surprise Oscar winner for his role in "The Informer." A new reference tool for radio, the first BROADCASTING YEARBOOK, appeared in February. Will Rogers and Wiley Post perished in an Alaska plane crash on Aug. 15. Less than a month later Huey (Kingfish) Long (D-La.) was assassinated in Baton Rouge. Dutch Reagan was the top sportscaster at WHO Des Moines, Iowa, and 11-year-old Jimmy Carter was attending the Plains, Ga., public schools. And in

BROADCASTING

television programs. But he cautioned the public that, "as a system of sight transmission and reception, comparable in coverage and service to the present nationwide system of sound broadcasting, television is not here nor around the corner." By mid-July, the RCA president-NBC chairman advised that "all that can be done with television short of actual and studied experience with it in the field, has been done." As opposed to the 30-line picture of a few years previous with a frequency of 12 per second, RCA engineers produced a 343-line picture with a frequency of 60 per second. Small images and a signal range of not more than 25 miles remained problems, as were the shadows on TV screens caused by airplanes overhead and the static caused by passing automobiles' igni-

tions as well as other disruptive electrical factors.

Harry Boyd Brown, national merchandise manager of the Philco Radio and Television Corp., said that Philco could begin production of a "perfected" TV set retailing at \$275 within 30 days. He added, however, that the market wasn't ready. "The sets would all be turned back to dealers within a week because the proper type of program has not been developed," he said.

With no short-range prospect for television development, other venturers searched for the next breakthrough in broadcasting. The hunt was on for a means to capitalize on the established radio audience in 21,455,799 U.S. homes, 69.4% of the nation's households (nearly 2.3 million of those homes having two or more sets). To that total could be added the 1.8 million car radios in 1935.

Some venturers placed their bets on facsimile, the transmission of fixed images to treated paper on facsimile receivers in the home and elsewhere.

The Radio Manufacturers Association in January formed a special committee to coordinate facsimile research and to consider its service possibilities as well as its "romantic appeal." William G. H. Finch, assistant chief engineer of the FCC, received patents for a facsimile receiver weighing only 14 pounds and capable of reproducing half-tones as well as black



Call to Prall. The resignation of FCC Commissioner Hampton Gary in December of 1934 enabled President Roosevelt in early 1935 to call on a close personal friend, former Representative Anning S. Prall (D-N.Y.), to finish Gary's term. Here Prall takes the oath of office, administered by FCC Secretary Herbert Petley, on Jan. 19, 1935. Later in the year, Prall was reappointed to a full term and named commission chairman

and white images.

In a Jan. 1 editorial, BROADCASTING, with more certitude than prescience, hailed facsimile as "a medium of practical picture broadcasting—a phase of the visual art that is destined to develop far ahead of the over-ballyhooed television. . . . To the advertiser, facsimile will provide a means whereby he can show his merchandise visually to all within the living room. There will be sound accompaniment too, so he can describe his wares while his audience views them." BROADCASTING also warned that the "broadcasters of today, naturally, should be the facsimile broadcasters of 1937 and 1938. . . . But there will be plenty of others who will try to elbow into this field, jealous of the progress of sound radio and the opportunities many of them muffed a decade ago."

There were several problems to be worked out in facsimile transmission, but its proponents were undeterred. Facsimile had been used to transmit weather maps to ships at sea. RCA, while investing heavily in television, hedged its bets by announcing in its annual report that it would plan a high-speed, ultra-short-wave facsimile circuit between New York and Philadelphia by the end of the year.

Broadcasters speculated about the day when entire newspapers could be delivered to readers by "radio-photography." In fact, in October RCA executives discussed that possibility with the managers of New York newspapers such as the *Herald-Tribune*, *World-Telegram* and *American*. With the entry of the Scripps-Howard newspaper

organization into the broadcast field in September, observers felt that the facsimile reproduction of newspapers was imminent. On Dec. 3 the FCC authorized two experimental facsimile stations: WOR Newark, N.J., and the Yankee Network, Boston. At the same time, RCA's Sarnoff blessed the technology with the assertion that "facsimile broadcasting into people's homes will be the next important development in radio. . . . In a relatively short time, facsimile transmission will be in practical use."

With all the attention to TV and facsimile, Dr. Edwin H. Armstrong felt FM was being elbowed aside. Just before Sarnoff announced his TV plans in April, he asked Armstrong to remove his FM equipment from RCA space on top of the Empire State building. With RCA heavily invested in television and in AM, the company lost interest in the perfection of FM.

To promote the capability of his invention, Armstrong staged a public demonstration of FM before a November 1935 meeting of the Institute of Radio Engineers. In a 17-mile transmission from Yonkers, N.Y., to the meeting in New York City, engineers heard, as Lawrence Lessing, Armstrong's biographer, described, "a life-like clarity never heard on even the best clear-channel stations in the regular broadcast band. . . . A glass of water being poured before the microphone in Yonkers sounded like a glass of water being poured and not, as in the 'sound effects' on ordinary radio, like a waterfall. A paper was crumpled and torn; it

sounded like paper and not like a crackling forest fire. . . . The secret lay in the achievement of a signal-to-noise ratio of 100-to-1 or better, as against 30-to-1 on the best AM stations."

As anticipated by Sarnoff, experimental FM radio and television soon began to fight for the same space in the broadcast band. In the fall of 1935 Armstrong won from the FCC space for 13 of his 200 khz channels but only five were suitable for existing transmission and the 13 channels were in three widely separated places in the spectrum.

The press-radio war in 1935 was characterized by a growing broadcaster offensive and some concession by newspaper groups. The position of the Press-Radio Bureau, the organization foisted on broadcasters in late 1933 as a so-called truce move, was weakened in late 1934 when Federal District Judge John C. Bowen in Seattle ruled that once news had been printed in newspapers, it could be broadcast without restriction. The Dec. 17 ruling dismissed an Associated Press suit against KVOZ Bellingham, Wash., in which it was alleged that the station "pirated" news from AP members.

Despite some liberalization of Press-Radio Bureau rules, competing independent news services, particularly Herbert Moore's Transradio Press, continued to challenge the truce. In February, Transradio almost doubled its foreign news service by acquiring rights to news of Reuters, the British service. In addition, Transradio enhanced its journalistic image considerably by accurately reporting the verdict in the Lindbergh case when the Associated Press, through the Press-Radio Bureau, fed stations an incorrect verdict. The bureau incorrectly said the jury had appended a recommendation for mercy to its finding that Bruno Richard Hauptmann was guilty.

Radio's journalistic role continued to grow. By April Transradio received a significant number of offers to sponsor news. In May United Press and International News Service offered their news to stations. And the Associated Press relented and allowed its member papers to provide news for local, but unsponsored, broadcasts. In October, Esso signed to sponsor UP news on NBC owned-and-operated stations, but AP reaffirmed its ban against the use of its news on sponsored broadcasts.

With broadcast news being aired, one analyst, Gilbert Cant, reported that "the confusion was worse than ever before, and . . . the whole maneuver was dictated by jealousy of Transradio [which] had almost a monopoly on profit-making distribution of news to stations. . . ." To compete with Transradio, Malcolm Strauss announced plans to start Inter-Continental Communications Inc., an independent service based in New York. Also, to compete with the Press-Radio Bureau, Frank Wright announced plans to start the American Broadcasters' News Association in San Francisco as a news service exclusively for radio. And sportscaster Clem McCarthy in

A Thousand Dollars a Minute



No biz like radio biz. When KFWB Los Angeles celebrated its 10th anniversary in 1935, owner Warner Bros. dipped into its stable of movie stars to participate in "the highest-priced program ever broadcast." In a BROADCASTING ad, it showed part of its star-studded line-up (l-r): Mr and Mrs Pat O'Brien, Dick Powell, Joan Blondell, Phil Regan, Maxine Doyle (rear), Frank McHugh and Lyle Talbot.

May organized Air-Sports Inc. of New York to supply radio stations with a daily sports bulletin service.

Transradio captured attention May 21 when it filed a \$1-million damage suit against the three major press associations, NBC, CBS, and the American Newspaper Publishers Association, claiming they violated the Sherman and Clayton Acts and the Communications Act in their press-radio actions of 1934. In answers filed in September, NBC and CBS denied a contention in the suit that between them they controlled almost half of the 40 clear channels. They also denied that the press-radio program committed them to a policy of not gathering their own news.

Over on the sales side, broadcasting in general, and the networks in particular, had record profits in 1935 despite the demise in April of Storer's American Broadcasting System (but not its stations). Together NBC and CBS had time sales of \$48,786,735 in 1935 as compared with \$42,659,461 in 1934. Mutual Broadcasting System grossed an average of about \$165,000 each month for October, November, and December and between \$58,000 and \$75,000 for July, August and September. Radio's total gross time sales equalled \$87,523,848, a 20% increase over the preceding year. Nationwide network advertising amounted to \$50,067,686, a 13% gain over 1934, while regional network advertising experienced the heaviest gains with a gross volume of \$1,110,739, a

54.7% increase over 1934. Local advertising increased by 20% over the 1934 figures. Compared to radio's 20% yearly gain, newspaper advertising revenues rose by 5.8%, and magazine advertising by 5.9% over 1934 figures.

With rising interest in broadcast advertising, broadcasters, advertisers and advertising agencies recognized the need for more accurate audience counts. Representatives of the National Association of Broadcasters, Association of National Advertisers and American Association of Advertising Agencies began work on an independent audit bureau. One of the first in-depth listener studies appeared in 1935 when the Yankee Network funded an experimental survey of program popularity in the Boston area. It was devised by Robert F. Elder and L. F. Woodruff of the Massachusetts Institute of Technology, and utilized meters attached to radios in 1,000 sample homes.

The Washington shadow lengthened over broadcasting in 1935 with more regulatory moves by the FCC, Federal Trade Commission and Congress.

Anning S. Prall, a personal friend of President Roosevelt, was named to the FCC in January. He succeeded Hampson Gary, who resigned. Following Prall's elevation to the chairmanship in March, the commission started to clean house. Citations were sent to 20 stations for broadcasting certain personal medical care products. There was a conference with net-

work heads on good taste in advertising. There was a call for a national meeting to work out better cooperation between broadcasters and networks.

On the advertising front, there was almost immediate effect: NBC and CBS, as well as a number of independent stations, refused to renew laxative accounts.

On Capitol Hill, further attempts were made to pass the Tugwell-Copeland bill that covered claims made in advertising but they stalled.

In October and November the FCC, which had permitted Crosley to experimentally operate its wLW Cincinnati with 500 kw, proposed a study of the feasibility of allowing 25 more superstations. The inquiry was to go on intermittently for years. High power was never authorized, and Crosley lost a fight to keep its superpower.

In other important federal rulings, a 0.5% tax on gross income imposed by the state of Washington on radio stations was declared unconstitutional, and in June the U.S. Supreme Court ruled the National Recovery Administration to be unconstitutional. With that, the NAB's embattled Code Authority disappeared, though James W. Baldwin, the Code Authority's executive officer, urged "all members of the radio broadcasting industry [to] . . . retain the status quo. . . . Otherwise, only chaos can result."

As in earlier years, chaos and charges were rampant in the copyright situation. New groups appeared regularly in 1935 to

THE SOUL OF RADIO

FOLLOWING is the address of James M. Cox, former governor of Ohio, 1920 Democratic presidential nominee, and now publisher of newspapers in Ohio and Florida on the occasion of the dedication of WHIO, affiliated with his *Dayton Daily News*, on Feb. 9:



Gov. Cox

"The voice of radio as we hear it this evening takes its flight through the heavens in an historic setting. The antennas of the new station rise imperiously between the banks of the Great Miami and Mad rivers. Here it was that Tecumseh, the greatest Indian of all time—statesman, orator, warrior—followed the pursuits of peace and combat. Within sight are the fields now historic where Wilbur and Orville Wright gave to man the wings of the air that have carried him around the planet.

"In this inspirational scene we build a giant structure of steel and wires and insulators and all the magic devices of this scientific age. And now it takes the tongue of man and the melodies of poetry and music.

"Birth is always a solemn thing and our emotions are deeply stirred as WHIO is announced as a new thing of life. May I express this christening sentiment—that the voice of this Miami Valley empire will always be an instrument of dignity, culture and practical service; that it will carry the light of joy to places that are dark; that it will build a love for goodness and beauty; that it will plant in the hearts of men a philosophy that will help them to see Divinity in sunshine and shadow; that it will sense its obligations to the more than a million people who are by common interest to be our immediate radio fireside. In brief, may WHIO in its long watches of the night and in its endless days be conscious ever of its duty to God and humanity."

Blending Fourth and Fifth Estates. When Governor James Cox dedicated WHIO(AM) Dayton, Ohio, affiliated with his *Dayton Daily News*, it was another step forward into the media world for the Cox company, better known in earlier days for its newspaper holdings.

claim "rewards" from broadcasting's golden age. In March the American Society of Recording Artists, reputedly headed by Al Jolson, argued that since broadcasters played 25 million hours of phonograph music, the society should receive fees from 5 cents to 30 cents for each use of a record. This would have meant a total royalty of between \$5 million and \$8 million as opposed to ASCAP's \$2 million.

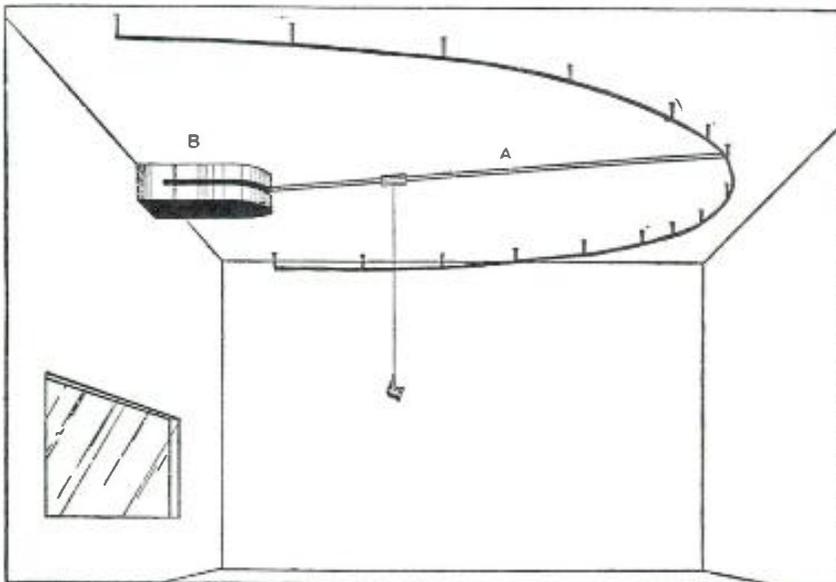
Angered, but not unduly worried, broadcasters felt reasonably secure in the knowledge that there was "no legal right for such collections," especially since they already were paying ASCAP for the right to use its music whether live or on disk. Meanwhile, Fred Waring and a group of 100 radio artists established the National Association of Performing Artists to stop the broadcasting of their records without their permission.

On June 11 the federal antitrust suit against ASCAP went to trial. In July, the state of Washington issued an injunction against ASCAP to prevent the collection of royalties within the state on the grounds that ASCAP was a monopoly in violation of state law. But just when some broadcasters thought ASCAP was being brought into line, NBC and CBS buoyed ASCAP and embittered other broadcasters by signing a five-year extension of contracts under then existing ASCAP rates.

Warner Brothers added more music confusion when it announced in July that it would withdraw five of its music publishing firms, contributing 25%-40% of ASCAP's catalogue, from ASCAP as of Jan. 1, 1936. Broadcasters feared the need to choose between the Warner and ASCAP catalogue or that they might not have access to either. In a Dec. 1 editorial, *BROADCASTING* declared that "the worst has happened on copyright ... and little short of chaos prevails in Tin Pan Alley. ... It is impossible to foretell what the outcome of the music turmoil will be. It may mean the breaking of ASCAP. New litigation to test the validity of the Warner Bros. houses attempting to license music without the consent of its authors and writers, who happen to be ASCAP members, is a foregone conclusion. It seems anybody's guess now what will ultimately happen."

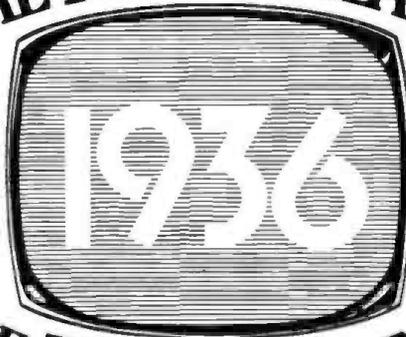
What continued to happen in other programming was the predictable repetition of the popular. News broadcasts increased, and radio maintained its prominence as a purveyor of political speeches. Besides President Roosevelt and his cabinet members, the Rev. Charles Coughlin and Senator Huey Long (D-La.) continued to reach America through radio. In March Coughlin claimed that eight million people had joined his League of Social Justice since its inception in late 1934 and by mid-1935 Long counted 8,000 Share-Our-Wealth clubs throughout the U.S.

Besides political content, 1935 had interesting developments in programming. As a result of the big band popularity, *Your Hit Parade* began in 1935 a run that eventually took it into TV with live perfor-



An end to rigid mikes. Greater flexibility in positioning microphones was the result of a development described by Dramin D. Jones, chief engineer of WAAT Jersey City, N.J., in *BROADCASTING* Feb. 15, 1935. An accompanying diagram showed that repositioning could be accomplished by pushing buttons that would activate the turret assembly (B) which could move a mike either to the front or rear on a boom (A). For sideways movement, the boom could be turned 180 degrees on the semicircular ceiling fixture.

THE FIRST 50 YEARS



OF BROADCASTING

It was the best yet of broadcast times. Broadcasters, at the start of 1936, looked back at the just-completed year when radio time sales totaled \$87.5 million, and looked forward to billings of at least \$100 million in the current year. To add to their contentment, the market was growing: There were 22,869,000 radio homes in the U.S.; three out of every four families owned a receiving set.

As a growing business in an otherwise depressed economy, broadcasting was attracting more entrepreneurs and increasing attention from the FCC.

In a realignment of forces in 1935, some newspaper groups changed from critics of broadcasters into station owners with such rapidity as to alarm Senator Burton K. Wheeler (D-Mont.), the new chairman of the Senate Interstate Commerce Committee.

On the technical side, the prospect of growing demands in the spectrum moved the FCC to order allocations hearings to accommodate existing and new services. In the beginning, there had been just AM radio. Now there was the prospect of television, facsimile or FM.

The first need, the FCC and some broadcasters felt, was to remove the restrictions on new radio stations created by the Davis Amendment to the Communications Act. The FCC in February asked Congress to repeal the Davis Amendment, which required the allocation of stations equally among five radio zones under a "quota system" of distribution. With the law's repeal on June 5, the FCC was empowered to license stations according to technical feasibility rather than population.

FCC Chairman Anning S. Prall declared: "The new law does give the FCC greater freedom in considering applications for increased facilities, and it will do its utmost to improve service in the public interest, convenience and necessity." Some broadcasters remained skeptical as they feared governmental interference under the guise of "public interest" and worried about territorial encroachment.

BROADCASTING's editorial on the Davis repeal prefaced its views by accepting Prall's statement that the FCC would not abuse the new law, but admonished: "We know that inevitably



The Chinese had welcomed in the Year of the Rat, but not the invading forces that touched off their war with Japan. America also turned uneasy eyes to the other side of the world where Germany occupied the Rhineland, the Italians annexed Ethiopia and the Spanish Civil War began. At home, FDR was re-elected in a landslide victory over Kansas Governor Alf Landon. Disaster struck the Southeast U.S. when 22 tornadoes in a two-day period killed 498 people and caused \$21.8 million in property losses. It was the year in which the Boulder Dam was completed; Rudy Vallee made a national hit of "The Whiffenpoof Song" by performing it on his NBC network show, and Margaret Mitchell's "Gone With The Wind" was published. But the real-life romance of 1936 came when Edward VIII abdicated his throne for an American, Wallis Warfield Simpson, and explained his decision to the world via radio. And elsewhere in

BROADCASTING ...

there will be pressure, political and otherwise, to ignore technical limitations and sound economics for the licensing of additional stations. Only by turning deaf ears to these entreaties can any great good come from the new law. If improperly administered, repeal of the provision can easily become a Frankenstein monster that will turn upon broadcasting and reduce it to an impotent, interference-ridden industry."

The FCC's allocations hearings stirred uneasiness among some broadcasters. To many, heavily invested in AM radio, FM loomed as an investment-devouring prospect of monstrous proportions.

Prior to the hearings, the FCC in May adopted new rules and regulations for experimental bands. These rulings of July 1 affected approx-

imately 275 licensed stations. In that group were 21 visual broadcast stations that included experimental television and facsimile broadcasting, 56 broadcast pick-up stations, 12 relay or international stations, 17 special experimental stations and 167 general experimental stations. Among the changes, the FCC established provisions for the future commercial use of these services, for the extension of the licensing period from six months to one year, and for the reservation of frequencies on the spectrum for "apex" (ultra-high-frequency) broadcasting.

In July BROADCASTING's headline on the conferences read: "Opening of New Radio Frontiers Portrayed, Billion Dollar Industries Seen in New Broadcast Fields By Industry Leaders at FCC Ultra-Shortwave Hearing." Such monetary projections brought out the territorial protectiveness and homesteading instincts of established broadcasters who felt that they deserved most, if not all, of the priority space in the new spectrum because of their past public service, their ready investment capital, and their readier sense of a good business deal.

The propagation of superpower clear-channel stations, such as the 500 kw WLW Cincinnati, experimental authorization, remained another source of contention at these hearings. For example, CBS President William S. Paley testified for tight

controls or elimination of superstations because they make "the big fellow stronger," and the "little fellow weaker" while "the increased card rate necessary to a 500 kw station will tend to make it a prohibitive medium for local advertisers." Unchecked, it was felt by many, superstations might eventually weaken network clout.

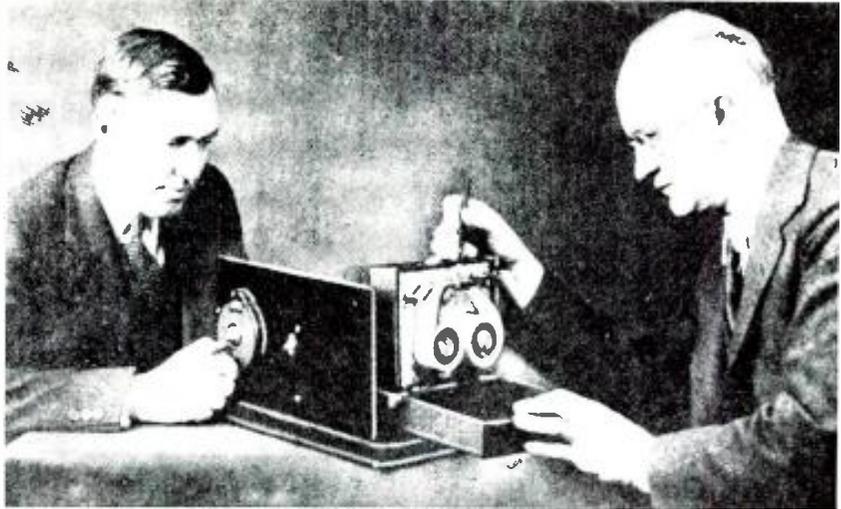
Regional stations opposed superpowers because of their possible competition for the best advertising dollars. Paul D. P. Spearman, chief counsel for the National Association of Regional Broadcast Stations, predicted the "financial ruin" of local stations because of superstations. Spearman argued that "since regional stations constitute close to half of all the stations in the country; do half the combined business; serve the social and economic needs of local trade areas, and cater to the cultural and business needs of these communities," the regionals should have their power increased.

In fact, radio in 1936 was "still a large town or city service" since 43% of all stations were in markets of 100,000 people or more, as were 60% of the regional and 90% of the clear-channel operations. Local stations, usually of 100-250 watts, served smaller communities, 75% of which had populations under 10,000.

While the FCC did not produce new policy in 1936, the rumors circulated for eventual "evolutionary" and not "revolutionary" changes.

In a third push that year, the FCC began a three-year inquiry into AT&T's rate structure. All stations were sent a four-page questionnaire on every aspect of telephone line services. In January, WCOA Pensacola, Fla., in the first formal complaint ever filed about charges for broadcast lines, asked the FCC to force AT&T to reduce its rates. AT&T subsequently voluntarily lowered its rates by eliminating back-haul charges.

The 1936 political campaign enabled



Logging the listeners. The quest for more accurate audience measurements in 1936 prompted A.C. Nielsen Co. to offer counts via the Audimeter. The meter device, which attached to radio receivers, had been developed at the Massachusetts Institute of Technology by Professors Robert F. Elder (left) and L.F. Woodruff.

radio to add to its journalistic stature, while chalking up substantial time sales. The Democrats, Republicans and minor parties spent an estimated \$2 million for their 1936 radio campaigns. The political spending in October, just before the elections, helped boost combined gross receipts for CBS, NBC and Mutual to \$6,722,926, the largest monthly total in network radio's 10-year history. This was a substantial contribution to the over-all radio times sales of \$11,514,505 in October, another record.

The radio networks in 1936 required the parties to pay much of their money in advance since the Democratic National Committee had taken until February 1936 to pay CBS \$47,000 and NBC \$54,000 due from its 1932 campaigns.

Besides generating revenues, the paid political commercials produced several in-

teresting situations for broadcasters. For example, the Republicans, instead of buying air time merely for speeches, invented *Liberty at the Cross-Roads*, a series of sketches designed to portray political issues through dramatic techniques. The networks initially refused the series. They reiterated their policy of selling time only after the conventions to announced political candidates for debates and speeches, but not before the conventions and not for drama. "To accept such dramatic programs," Lenox R. Lohr, who succeeded M.H. Aylesworth as president of NBC in 1936, explained, "would place the discussion of vital political and national issues on the basis of dramatic license rather than upon a basis of responsibly stated fact or opinion." WGN Chicago, however, aired the program in January and other stations followed shortly, thereby nullifying the networks' edict, and adding show business techniques to the field of political oratory.

Using another technique, Republican Senator Arthur Vandenberg of Michigan in October caused a minor furor when he "debated" recorded excerpts of President Roosevelt's speeches. At first, CBS canceled the program as a violation of its no-transcription rule, but then allowed the program to be aired. The broadcast and the resultant confusion created news headlines and charges of deception from all sides.

Placing the Vandenberg incident in perspective, BROADCASTING editorialized: "The Republicans got a tremendous publicity break for themselves—and we rather suspect that's exactly what they wanted. As for radio itself, it will weather this political storm. . . . Any congressional investigation will do no more than kick radio about a little more, and any such investigation will also prove that radio definitely intends to maintain its status as a nonpartisan and independent medium."

At times radio delivered on that ideal in



The new life of Riley. NBC's new president, Lenox Riley Lohr (left), accompanied by RCA President-NBC Chairman David Sarnoff, went to Washington Jan. 4, 1936, to meet government officials and attend an informal party with Washington newspapermen and radio editors as well as members of the radio legal fraternity.

advance of the public's readiness for such unbiased air treatment. When Earl Browder, Communist party head, in March broadcast a speech over CBS, the network ran into a storm. There were pickets in New York, refusals by the Yankee Network and other affiliates to carry the speech, and vituperative condemnations from many quarters. The Hearst papers were in the vanguard of the attack. One Hearst editorial argued: "Perhaps it is truly about time that the U.S. government took over the broadcasting systems of the nation in order to protect itself and the public against subversive misuse of them." Apparently in the spirit of further reprimand, the Hearst chain also temporarily dropped all radio news, except for paid radio logs, from its papers, and reassigned its radio editors to other departments.

Despite public interest in such "vital issues," broadcasters were aware that listeners still had a relatively low tolerance for the disruption or delay of their favorite programs. Considering the added demands for time by yet another political party, the Rev. Charles Coughlin's National Union for Social Justice, BROADCASTING wrote: "Though we hate to see regular program schedules so greatly disrupted by political demands for time ... the stations and networks will be obliged to make favorable periods available for these candidates and their spokesmen on an equal basis. ... And we hope the party leaders don't overlook the fundamental fact of radio—that what the American people want first of all is entertainment via the loudspeaker and that the less they disturb regular schedules the less resentment they arouse."

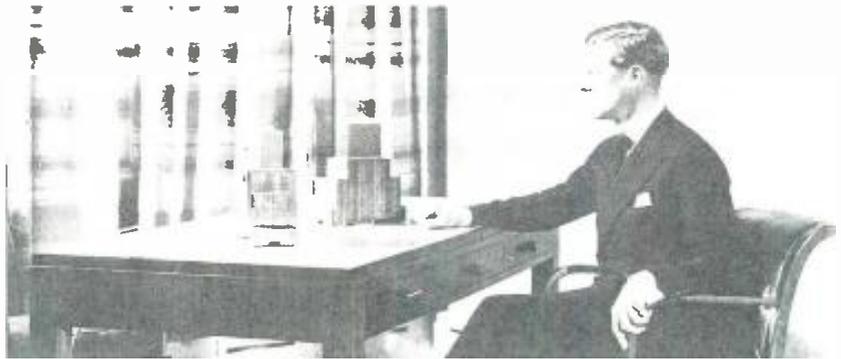
Those regular schedules included radio stars Eddie Cantor for Pebecco toothpaste, Ed Wynn for Plymouth-Chrysler, Kate Smith for A&P and an expanding schedule of soap operas. Also, there was more focus on other domestic and international news events, much of it because of concern about the increasingly tense state of European politics.

Radio's reporting potential, however, had received a setback in December of 1935, when Judge William Denman of the U.S. Circuit Court of Appeals reversed the ruling in the Associated Press case against KVOs Bellingham, Wash. Judge Denman held that the pirating of newspaper news by radio "may damage the complainant's papers' business of procuring or maintaining their subscriptions and advertising." For those reasons, Denman ruled that broadcast news taken from newspapers constituted unfair competition (see 1935).

Late in 1936 KVOs attorney William H. Pemberton took the case before the the U.S. Supreme Court, arguing that a radio station does not compete with a newspaper and that the fundamental issue remained "whether a news item published in a newspaper has been dedicated to the public and whether a radio station can give excerpts of a news item to the public." AP countered by claiming that KVOs's

"unlawful piracy ... constituted unfair competition and improper use of another's property." On Dec. 14, the Supreme Court threw out the AP suit against KVOs, saying that AP had failed to show damages of more than \$3,000, the minimum needed for federal jurisdiction. The high court did say that it looked with disfavor on the KVOs method of buying newspapers and reading items on the air.

Meanwhile, Transradio, United Press and the International News Service continued to sell news to radio stations. In July 1936, UP became the first news service to transmit copy that was especially written and edited for radio delivery. Radio news moved more and more into an expected share of broadcasting's time. At times, it was to create scheduling problems. One example was when CBS's H.V. Kaltenborn traveled to the French-Spanish border to report on an actual battle in progress in the Spanish civil war. However, mindful of listeners' unrest and advertiser disruption, CBS refused to broadcast Kaltenborn's report until after all the scheduled sponsored programs had been aired, thus causing Kaltenborn to wait behind a haystack in a live battlefield for an unsponsored slot.



From London's Broadcasting House. The former Prince of Wales made this first address as England's new King Edward VIII, to his subjects "all over the world." His later address in 1936, explaining his abdication, was one more vividly recorded in radio annals

considered a liability." Despite such deference to the prearranged, often the greatest leaps in creativity and profits were made at CBS. Aside from its foreign reports, the network drew accolades for its prestige drama series, *The Columbia Workshop*, and the presentation of New York Philharmonic concerts. These and other innovative programs paid off in added listeners and revenues. CBS gross billings reached a record \$2 million in March, more than NBC's monthly gross.

In the mid to late 1930's, stations increased their sports coverage, produced more quiz shows, aired radio versions of King Features Syndicate's comic strips and columns and listened more to the rest of the world. For example, on its first Atlantic crossing, the German zeppelin Hindenburg originated broadcasts to the U.S. and Germany. And, in what may have been the largest world audience to that date to listen to a speech, King Edward VIII broadcast his abdication address to Europe and the

U.S. via the BBC and the empire shortwave system.

In August the Olympics in Berlin were broadcast by an elaborate shortwave system involving 40 countries.

The innovations in programing, however, did not entirely defuse the advocates of educational radio. In late December of 1935, the FCC Broadcast Division played midwife to yet another educational radio group, the Federal Radio Education Committee, made up of 40 representatives who were, as BROADCASTING wrote, "some of the best minds in the fields of education, broadcasting, religion and social welfare. ..."

With 38 AM educational stations on the air in 1936, and with the new FCC-fostered educational committee, commercial broadcasters hoped that they and educators could turn their sometimes disparaging remarks into profitable and mutually satisfying programing, but the battles continued throughout 1936. Educators wanted the FCC to allot fixed times for educational broadcasts, and the National Association of Broadcasters refused to be pinned to such dictates because "a program which does not pay dividends to the station or to a sponsor is

considered a liability."

What was profitable was profitable. Exceeding earlier expectations, broadcasting accumulated a record of total gross time sales in excess of \$117,000,000. With broadcast advertising growing into a major force, broadcasting and advertising executives formed a Joint Committee on Radio Research to do for radio data what the Audit Bureau of Circulations did for newspaper data: collate and authenticate. To refine ratings, A.C. Nielsen proposed attaching an audimeter to a sample of radio sets. Rights to the device, developed at the Massachusetts Institute of Technology, had been acquired by Nielsen.

In radio music the copyright battles continued. Warner Brothers had withdrawn its musical catalogue from ASCAP to offer it directly to stations in late 1935. When the networks rejected Warner's offer, Warner Brothers, by mid-March, filed 97 infringement suits against CBS, NBC, and several independent stations for more than \$3

million. By May the number of suits rose to 180 and the damages asked to \$4 million. ASCAP claimed the right to more than 350 numbers published by Warner Brothers and began assisting stations with their defense. With the confusion mounting, WMX Boston became the first station to receive a blanket insurance policy from Lloyd's of London to cover the station in case of any copyright infringements.

However, Warner in June withdrew 40 suits and by August returned to ASCAP, dropping all its suits. The return to the fold seemed due to, as BROADCASTING reported, "the relatively inconsequential revenues the big motion picture concern has been able to realize from those stations signing its proffered contracts; to the enormous expense of collecting, checking and suing; to the fear that many of its infringement suits might not hold up in court . . ." Despite this prodigal's return, the NAB reiterated the need for broadcasting's own music catalogue and organized an 800-hour library of public domain music, expected to be ready Jan. 1, 1937.

Speaking for the medium, BROADCASTING argued for change when it editorialized: "The copyright owners, principally ASCAP, are still possessed of the same arbitrary powers over broadcasters and other users of music. They are the dictators in the field of American music performance, with all of the arbitrary powers that dictatorship connotes."

With Warner's return to ASCAP, broadcasters had to pay just one major copyright fee, but they had to pay ASCAP what it demanded—five-year contracts for 5% of gross receipts.

And those receipts continued to grow because there were more radio sets and more listeners than ever before. The Mutual Broadcasting System grew into a larger national system when, in August, MBS acquired five Midwestern affiliates—KWK St. Louis; KSO Des Moines, Iowa; WMI Cedar Rapids, Iowa; KOH, Omaha, Neb., and KFOR Lincoln, Neb. When the Don Lee Broadcasting System affiliated with MBS in December, the combined system stretched from coast to coast. This

relatively young network ended the year with a gross of \$1,987,572, a gain of 53.7% over 1935.

Other groups tried new structures to challenge the existing networks. Samuel Insull, Midwest utility executive (who later was disgraced in the collapse of his empire), opened the Affiliated Broadcasting Co., headquartered in Chicago, in April with a 20-station, four-state hook-up broadcasting 15-1/2 hours a day, seven days a week. Remington-Rand Inc. underwrote in June what BROADCASTING called "the biggest hook-up of regional networks and stations in radio history" when it sponsored a dramatized new program, *The News Comes to Life*, on 51 stations.

Network expansion took another step forward when CBS purchased KNX Hollywood for \$1.3 million, the biggest station sale to date, and designated it as its clear-channel key in Los Angeles. CBS expanded its affiliations to end 1936 with 97 outlets and a whopping \$23,168,148 in gross receipts, with NBC Red boasting of \$22,645,527, and NBC Blue, \$11,878,423.

[Then—prior to restraints on more than one affiliation in a market, NBC operated two networks, with two outlets in many communities. NBC Red affiliates usually had better facilities and commanded prime rates, while NBC Blue affiliates served as a supplementary service.]

Such time sales figures commanded attention. In the mid-thirties newspaper groups changed their stance on broadcasting and became station owners. The *Washington Post*, Scripps-Howard, and Hearst, among others, acquired broadcasting stations, and grudgingly terminated the press-radio feud of the early thirties.

Heralding the April convention of the American Newspaper Publishers Association in New York, BROADCASTING headlined, "Press Drops Cudgels, Ends Radio Feud, Decides Newspapers and Broadcasters Are Allied." BROADCASTING editorialized: "The publishers have come to the viewpoint that most of us in radio have held and preached for years—that there is room in the news and advertising fields for both; that radio must be maintained as free as the press."

By October, Hearst Radio Inc. had transformed itself into the third largest owner of broadcast stations with most of its purchases in 1935 and 1936. NBC owned or managed under lease 15 stations, with CBS and Hearst owning or managing 10 stations each.

AND THEY CALL BROADCASTING A MAN'S GAME!



FEMININE SIDE OF RADIO—Among women radio station managers are: Top row (left to right) Mrs. Edythe Fern Melrose, WJAY, Cleveland; Mrs. Jessie Jacobson, KFBB, Great Falls, Mont.; Miss Bernice Judis, WNEW, Newark; lower row, Lillian E. Kiefer, WMBQ, Brooklyn; Marie W. Vandergrift, WPAY, Portsmouth, O.; Joy True, KOH, Reno, Nev.; Mrs. R. W. Britton, KGBU, Ketchikan, Alaska.

DEADLIER than the male may be the female of the species—but they do make good radio station managers, we are told on competent authority. A survey by BROADCASTING discloses that among the 630-odd stations in the United States there are about a dozen women managers, who in several cases are also station owners. Most of them are married, and happily, according to our reports.

Modesty may have accounted for the failure of some of them to respond to our request for photographs, but the best list we could compile of women top executives of American stations, besides those pictured above, is as follows:

Mrs. Margaret Haymond, KMO, Tacoma, owned by Kari Haymond; Mrs. W. J. Virgin, owner and man-

ager of KMED, Medford, Ore.; Mona J. Pape, WHBL, Sheboygan, Wis.; Bertha Jackson, WCAX, Burlington, Vt.; Mrs. M. J. Milborne, WCWV, Brooklyn; Mary E. Boehler, KGEK, Sterling, Col. There may be a few others we haven't heard about, but if they are they have been appointed since our 1936 Year Book was published.

There are, of course, quite a few women commercial managers—and mighty good sales executives they are, too, we are told. And there are even more women program directors, but only a handful of regular announcers are females for the peculiar reason that, except for specialty programs, they don't seem to click with the

American audiences as they do in Europe.

It was with regret that BROADCASTING learned of the retirement of Mrs. J. L. Bush from the active management of WJZ, Tuscola, Ill., one of the oldest broadcasting stations in the United States, which recently was sold to a new corporation headed by Edgar Bill, operator of WMBD, Peoria, with Clair Hull, of WMBD, as the new manager. Mr. and Mrs. Bush, however, retain a 25% interest in the station.

Also, we learned that Elsie L. Budd is no longer manager of WLNH, Laconia, N. H., a post she held when the former manager died suddenly last year. Miss Budd, however, continues with the station as its assistant treasurer.

The Mason-Dixon Group (Steinman newspapers) formed the next largest newspaper-broadcasting organization with stations in Lancaster, York, Hazleton and Easton, all Pennsylvania, and in Wilmington, Del. The McClatchy newspapers of California followed with stations in Sacramento, Bakersfield, Fresno and Stockton, all California, and Reno. Next came the Gannett newspapers which owned WHTH Hartford, Conn., and held partial interests in stations in Rochester, Albany and Olean, all New York. By October 1936, approximately 185 stations were affiliated in ownership with newspaper publishing groups.

This pleased some. But the trend alarmed Senator Wheeler, chairman of the Senate Interstate Commerce Committee. Late in the year, he called for guidelines that would prevent the "monopoly of public opinion and advertising." Wheeler declared that "it is against public policy for newspapers and broadcasting stations to be controlled by the same outfit. It tends to give newspapers a monopoly not only of public opinion but of advertising, and that, in my opinion, constitutes unfair competition in interstate commerce."

No such restrictive legislation materialized in the 1936 Congress. BROADCASTING spoke for a large segment of radio when it wrote that Wheeler "is on the wrong track . . . If there should develop situations wherein stations, by virtue of newspaper ownership, plead only one political cause or shut off competing advertisers, we believe the law provides redress either to the courts or to the FCC." Nevertheless, the issue was to be resurrected in future years and continued to today.

Wheeler proclaimed concern about another issue: the growth of network power. Wheeler saw a threat in network alliances with clear-channel stations. "It is nonsense," he preached, "for networks to say they should have them [clear channels] to perform service to listeners. I think they should have a few key stations for the purpose of furnishing programs from important talent centers. Otherwise, if the present trend continues, they are going to have a complete monopoly of radio broadcasting in this country. The time to stop is now, for their own good as well as the good of the public and of the industry."

BROADCASTING concurred, saying: "There is no doubt that if network acquisitions of stations continue at the pace they have in the past, there will be repercussions of a serious nature. It is unhealthy in this day to concentrate ownership of too many important stations in the hands of individual groups."

NBC, the biggest of those hands, applauded itself in 1936 for its 10 years of existence by hosting "the biggest radio gathering in radio history" on Nov. 9. It broadcast the opening ceremonies over the NBC-Blue network. David Sarnoff, RCA president and NBC chairman, spoke well of broadcasting's past and augured more



POPPELE'S LATEST—Jack Poppele, WOR chief engineer, recently elected to the board of directors as well as secretary of Bamberger Broadcasting Service, devised this midget microphone preamplifier for the Democratic convention. It weighs less than three pounds, measures less than 5 inches the longest way, has a net gain of 90 db, provides a linear response from 20 to 20,000 cycles and combes a two-circuit mixer with a three-stage, audiofrequency amplifier. It incorporates new AmerTran midget audio transformers and RCA acorn tubes.

good in the future, declaring that "anniversaries are unimportant if they serve only to commemorate past achievement. They must contain the promise of new and greater things. . . . We now begin the second decade of this new art by dedicating it to the achievement of television, the broadcasting of sight. It is the only prophecy I shall indulge in tonight—that during the next 10 years the millions who now listen in their homes to this celebration will be able to see as well as hear by radio."

Sarnoff knew first hand about the potential of the visual electronics medium and had devoted \$1 million of RCA money to the development of television. The race was on. In June the Don Lee Broadcasting System upstaged NBC by airing the first public demonstration of cathode ray television in the U.S., a projection of 300-line images at 24 frames per second. By July RCA field tested its television system by broadcasting from New York's Empire State building. In August the Philco Corp. demonstrated its system of television, a 345-line image on a 9.5-by-7.5-inch screen broadcast over a seven-mile area; that same month Philco also sought an injunction to restrain RCA in its effort to get trade data.

However, Europeans seemed ahead of the Americans. To test the EMI and Baird

receivers, the British Television Advisory Committee authorized twice daily television broadcasts within an experimental area in London. The Germans' ambitious attempts to televise the 1936 Olympics met with less success as they used a definition of 180 lines with 25 frames a second.

The age of television seemed almost possible. With model television sets existing, with experimental broadcasts, and with the successful field tests in December of AT&T's coaxial cable between New York and Philadelphia, "sight radio" seemed indeed in sight. Predictions varied. Some like Dr. Alfred N. Goldsmith, consulting engineer and former chief engineer of RCA, said television would be a "commercial fact" by 1938.

To work, television, as David Sarnoff knew, needed more than technical success. "There is television," he reasoned, ". . . preparing to deliver its programs with the speed of light into the center of every home. Perfect distribution! But television's problem of program production is a different matter. It is still unsolved. . . . Television broadcasting will constantly demand more and better writers, musicians, actors and scenic designers—new thoughts, new words, new songs, new faces, new backgrounds."

After all the year's public demonstrations of the art's new toy, BROADCASTING in its Dec. 15 editorial cautioned that ". . . television, like fate, is certain to come. . . . But how and under what conditions remained to be ascertained. Even at this late date engineers are almost daily learning new things about the quirks and intricacies of ultra-high frequencies. . . ."

Television was to be the next dimension in broadcasting by the American plan of sponsorship. With RCA, Philco, and others aligning themselves by Christmas of 1936 to protect their present and inherited interests, broadcasters rested on a good year.

Stay Tuned

1. Who succeeded Anning Prall as the new FCC chairman?
2. Who on Capitol Hill pressed for a study of newspaper ownership in broadcasting?
3. How many stations existed, and how many of these were associated with newspaper interests?
4. What disaster occurred in Lakehurst, N.J., and who made the memorable broadcast recording of the happening?
5. What important Archibald MacLeish work aired in March, and for what was the play noted?
6. What character debuted on the *Jack Benny Program*?

The answers
in "1937."

THE FIRST 50 YEARS



OF BROADCASTING

As part of radio's golden age, 1937 provided its fair share towards the bonanza. There were increased profits, better programming, technical improvements that included advances for the new media and a more orderly rearranging of the spectrum.

The year was also known for periodic outcries for probes or reform of broadcasting, none of which had materialized by the end of 1937. It was also a time when organized labor made substantial gains in organizing broadcast personnel. And James C. Petrillo, then head of a Chicago musician's union, sounded notes of warning to broadcasters that were subsequently to become a cacophony of demands.

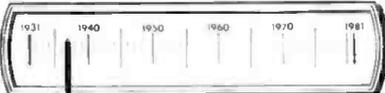
As part of the golden age, the cycle of more and better seemed unstoppable. By Jan. 1, 1937, four out of every five U.S. homes had radios, creating a total of 24.5 million radio homes. In addition, there were 4.5 million auto radios. By the end of the year, those totals had increased to 26,666,500 radio homes and five million auto radios. Total radio sets in use in that one year increased from 33 million to 37.6 million.

To set manufacturers, it meant that in 1937 the public bought 8,064,780 radios for \$450 million, 91 million radio tubes for \$85 million, and 1.75 million car radios for \$87.5 million.

Advertising grew with the audience and increasing program popularity. Radio in 1937 collected in excess of \$140 million in advertising revenue, a 19% increase over 1936 sales.

Broadcasting's improving financial position, coupled with the expansion of the labor movement everywhere, inevitably led to the creation of broadcasting's first year of the union.

Employees, clearly aware of the Wagner Act (1935), organized in increasing numbers. When the American Guild of Radio Announcers and Producers, headed by Roy S. Langham, was established at CBS, BROADCASTING recorded in its April 15 issue, "Organized Labor Movements Make First Inroads on Radio." By May 4 other unions attempted to organize workers. Just as the American Radio Telegraphists Association (CIO), International Brotherhood of Electrical Workers



FDR was foiled in his attempt to "pack" the Supreme Court. That court itself (a) upheld the Wagner Act, strengthening the position of labor and spurring unionization that sometimes erupted in violence, and (b) ruled that the Social Security Act was constitutional. (Workers began paying a maximum of \$30 a year under a plan that envisioned maximum monthly payments of \$41.20 to retirees in 1940.) Aviatrice Amelia Earhart and navigator Fred Noonan disappeared on a flight over the Pacific, stirring speculation about possible Japanese involvement that continues to this day. Relations with that country worsened in December when the Japanese sank the U.S. gunboat, Panay, in China's Yangtze River. But America was even more concerned by the growing dominance of Adolf Hitler in Europe. At home, Gardner Cowles Jr., president of Iowa Broadcasting Co., published a new monthly pictorial news magazine, LOOK. It cost a dime. And in BROADCASTING ...

(AFL), Actors Equity Association (AFL) and the Newspaper Guild (claimed by both AFL and CIO) began drives. NBC and CBS countered by agreeing to a 40-hour week for their engineers. NBC also instituted a five-day week for all announcers, production and sound-effects personnel.

Unions proliferated and often overlapped. ARTA, which had threatened to strike at WHN New York, sought all station employes between clerical and executive status. According to Merwyn Rathborne, president of the union, ARTA's goal would "not be achieved until every station is staffed with completely unionized personnel."

IBEW, spirited by the slogan "Where electricity goes, so goes the union," sought radio technicians. The Actor's Equity Association

claimed all radio performers including announcers. (It excluded musicians, who had their own union.) In August, Actors Equity suspended its efforts in radio in deference to the Associated Actors and Artists of America, which in turn chartered the American Federation of Radio Artists (AFL), a group for all radio performers except musicians. By December AFRA claimed to have signed 70%-90% of the radio artists in key cities.

While the American Newspaper Guild accepted radio news editors and commentators as members, it made no attempts at active recruitment because, as Morgan Hull, guild organizer, reasoned, their numbers were too small. The American Advertising Guild came into existence to represent members of agency radio departments not included in other unions.

Jurisdictional disputes were rife. For example, throughout July, August and September, WHN New York was caught in a struggle between the International Alliance of Theatrical and Stage Employees (AFL) and Motion Picture Machine Operators (AFL) which threatened to strike if station employes joined the CIO-affiliated American Radio Telegraphists Association. The struggle abated only when, in late August, the National Labor Relations Board intervened to certify ARTA as WHN's exclusive bargaining agent.

The Chicago Federation of Musicians, then headed by

James C. Petrillo (later to head the national union of musicians), in October established a union to compete with AFRA to enlist Chicago announcers, producers and sound-effects personnel. It succeeded in obtaining a 20% pay increase for members at CBS-affiliated WBBM Chicago. The Chicago Federation of Musicians, also in November, threatened to strike if a new contract with NBC and Mutual there was not negotiated by Jan. 15, 1938.

Meanwhile, the American Federation of Musicians, under Joseph N. Weber, threatened to strike nationally if stations failed to increase their employment of live musicians. A compromise was reached late in September when network affiliates agreed to spend an additional \$1.5 million on staff musicians.

The FCC, in 1937, realigned itself and took steps towards realignments in the spectrum. That included adjustments to permit American broadcasters to technically co-exist better with radio operators in other North American countries.

Internally the commission abolished the three separate divisions (broadcast, telephone and telegraph). Allocations proceedings were opened for television and proved highly complex. Initial actions looked toward TV on 19 channels, each 6000 kc in width. Seven were to be used experimentally. In addition, the FCC set aside 75 channels in the band from 41,020 kc-43,980 kc for aural or "apex" broadcasting, though Edwin H. Armstrong's FM was not specifically mentioned. These decisions, BROADCASTING wrote, established "radio history" because "In staking off the range from 30,000 to 300,000 kc ... the FCC removed these bands from a nonclassified category and assigned them to services, both regular and experimental ... In so doing, the FCC gives impetus to experimentation in future broadcasting, both aural and visual. ... The ultra-high allocations constitute another tribute to the United States as the nation in the forefront of radio development and research."

These new allocations were supported by a new FCC chairman, Frank R. McNinch, who was named to that post following the death on July 23 of Chairman Anning S. Prall. McNinch took office in October and promptly abolished the FCC's three-division structure; now, the seven member board would regroup as a single decision-making body. McNinch reasoned that "experience has shown that to subdivide a small commission has a divisive effect and tends away from cooperation and mutual understanding."

Presenting another unified front, the delegates to the North American Radio Conference in Havana agreed at their March conference on the technical principle of broadcast allocations among nations to minimize interference, thereby enabling allocations agreements to be created at the December Inter-American Radio Conference. BROADCASTING applauded the December agreements: "Adopting a drastic plan of allocation, which, in the main, safeguards the position of the U.S.

from the standpoint of station assignments available to it, the conference ... agreed to a project which requires a reshuffling of portions of the band to make possible designation of exclusive and semi-exclusive facilities to Canada, Mexico and Cuba, as well as shared facilities with Haiti, the Dominican Republic and Newfoundland—all parties to the agree-

ment."

The major networks' size and revenues continued upward in 1937, even though Ed Wynn's suspended Amalgamated Broadcasting System was revived in March as the cooperatively organized Midwest Broadcasting Co., only to fall by the wayside again.

MBS, which added 10 more outlets in

"NOW HE BELONGS TO THE AGES"



GUGLIELMO MARCONI

ALL OVER the civilized world, and especially among radiomen young and old in his native Italy and in the lands of his greatest achievements, England and America, heads were bowed with grief as the magic medium of his own creation—Radio—on July 20 flashed the news of the passing of Guglielmo Marconi. He died of a heart attack that morning in Rome at the age of 63 after an illness of only a few hours, and just after he had sent a telegram to his youngest daughter Ellerta who was celebrating her seventh birthday.

Few great inventors have lived to see such great results of their first modest efforts and fewer yet have been honored in life and death as Marconi was honored. American radio spontaneously expressed its mourning in silent periods and in programs narrating his achievements. Premier Mussolini knelt 15 minutes before his bier as the body lay in state before being borne away for burial in his home city of Bologna, Italy. Kings and queens, presidents and dictators, industrialists and artists, expressed their great grief at the passing of one of the truly great men of our time.

Guglielmo Marconi always bore himself with the simplicity of greatness. Even in 1895, when he first felt he had conquered space his unaffected announcement simply read: "I have discovered how to telegraph without wires." Four years later he was demonstrating his wireless in this country for the first time from a vessel chartered by a New York newspaper to follow the America's Cup Races. The demonstration was so convincing that within a year two vessels of the American Navy were equipped with wireless, the beginning of American radio. Perhaps it is significant that, where he sent his stories by code from a vessel to a land station, the America's Cup Races of 1937, scheduled to start off Newport July 31, are being covered by announcers and engineers in similar vessels and in airplanes—but their voices go directly into the homes of the nation and the world.

Marconi was the true pioneer of the radio as we know it today, and even to his dying day was pioneering the new vistas of television and the ultrashort waves. His "firsts" would fill a bookshelf. It was given to others to refine his methods—and American inventors like DeForest developed code wireless into voice broadcasting—but it was Guglielmo Marconi who really was responsible for the beginnings of the world's great communications and broadcasting services of today.

The American broadcasting industry mourns his passing and repeats, with heartfelt conviction, the eulogy expressed for one of America's own great men: "Now he belongs to the ages."

March-April for a total of 51, ended the year with gross revenues of \$1,949,654, an increase of 2% over 1936.

CBS, which added KIRO Seattle, WMAZ Macon, Ga., and WCOC Meridian, Miss., as affiliates in March, had 105 stations by August and plans for a Pacific Coast network and a \$2-million Hollywood studio. With the coronation of King George VI on May 12, CBS began daily service from its international shortwave bureau, powered by a 40 kw transmitter. The newly augmented CBS grossed \$28,722,118 in time sales for 1937, up 24% from 1936 despite the lack of political time sales that it enjoyed in the 1936 presidential election year.

NBC had 126 stations by June, including six signed to take the NBC Blue into the South and Southwest. NBC Blue grossed \$11,479,321, down 3.4% from 1936, but NBC Red grossed \$27,171,965, up 20% from 1936.

In addition, the Don Lee Broadcasting System, the MBS Pacific Coast segment, added 13 affiliates on the West Coast in September, becoming the largest regional network in the U.S.

Several members of Congress became interested in network activity. Representative William P. Connery Jr. (D-Mass.) in January introduced a resolution calling for an investigation of network broadcasting because he felt the networks were "grabbing up" stations so that "independents hardly count any longer." Representative Richard Wigglesworth (R-Mass.) in February vehemently denounced the networks as monopolies and accused the FCC of permitting trafficking in licenses. Senator Wallace White (R-Me.) in July asked that the Senate Interstate Commerce Committee "make a thorough and complete investigation of the broadcasting industry . . . and of the acts, rules, regulations, and policies of the FCC. . . ." Among the issues he cited were alleged political actions by the FCC, the extent and effect of newspaper ownership of broadcasting stations, and the extent and effect of chain operations. By August BROADCASTING headlined, "Thorough Senate Probe Seen Certain." The Senate Committee on Audit and Control blocked a \$25,000 initial appropriation but Senators White and Burton Wheeler (D-Mont.) vowed to pursue the inquiry in the next session of Congress.

Meanwhile, several legislators joined forces to support an inquiry in the 1937 Congress into newspaper ownership. Senator Wheeler, Representative Wigglesworth, and Representative John Dingell (D-Mich.) [late father of Representative John Dingell (D-Mich.), slated to be chairman of the Commerce Committee in the next Congress] requested the FCC to supply them with data on the sale of stations and on networks and newspaper ownership of stations. Representative Otha D. Wearin (D-Iowa) in February introduced a bill to prevent newspaper ownership of stations, and Senator Wheeler, also in February, drafted his own

measure to divorce stations from newspaper ownership in order to prevent "monopolies in public opinion."

Neither passed. Because radio had proved its impartiality in the 1936 election, the motives for the newspaper ownership ban were questioned. BROADCASTING called it "political," since the move appeared governed "by an overpowering desire to prevent publishers from dominating the editorial policies of radio stations as they do those of their newspapers." Most broadcasters concurred with those goals, but felt that the apparatus already existed to insure station impartiality without severing stations from newspapers. By May, records showed that of the 700 licensed radio stations, newspapers held interests in 209, of which 25 were minority interests. Whether Congress had the authority to sever newspapers and radio stations, and whether the two should be separated, continued to occupy Congress throughout 1937.

Transradio, in June, settled out of court and for an undisclosed sum, the 1935 \$1.5-million suit that it had initiated against Associated Press, United Press, International News Service, American Newspaper Publishers Association, NBC and CBS for conspiracy in restraint of trade. The settlement led to Transradio's expansion into facsimile and recorded features. First new feature was "Meet the Headliners," a series of recordings of newsmakers along with commentaries. To facilitate use by small radio stations, Hearst's International News Service began transmitting broadcasts by shortwave.

Such services exemplified the increasing importance of broadcast news. Enticed by radio's headline summations, and impressed by radio's spontaneous coverage of political events, the public wanted more. With Europe embroiled in war, CBS aired broadcasts by H. V. Kaltenborn and Edward R. Murrow, and hired William L. Shirer. Radio reporting of spot news events grew.

News writers formed their own group, the Association of Radio News Writers, to encourage high standards.

BROADCASTING theorized that for Roosevelt's inaugural on Jan. 20 the networks and stations assigned more radio equipment and personnel than had ever before been assembled to cover one event. NBC used 97 engineers and announcers and more than 150 pieces of equipment, while CBS set up 26 pickup points and had H. V. Kaltenborn and Boake Carter riding around in shortwave-equipped automobiles.

To cover the devastating Ohio river floods of 1937, stations went to 24-hour service, which, as BROADCASTING wrote, proved "the unselfishness of broadcasters when put to trial, for they are casting aside all thoughts of business and self in their magnificent efforts to aid in the rescue and relief work, to raise funds for the Red Cross, to help one another in picking up and relaying messages and reports from the danger fields."

SCREEN TREAT



"DUTCH" REAGAN

QUITTING the air for the films is an unusual departure from routine, especially for a radio announcer. One of the first announcers to land a movie contract and "go Hollywood" is Ronald (Dutch) Reagan, 26, sports announcer of WHO, Des Moines. He leaves June 1 to join the Warner Brothers artist staff in Hollywood.

Handsome young Mr. Reagan's contract, calling for an initial six-month salary of more than \$200 per week, came as a result of a screen test taken in an unguarded moment while he was in California in March on his annual tour of the Chicago baseball clubs' spring training camps to gather broadcast material. He is a former Eureka (Ill.) College football and track athlete, unmarried, 6 feet tall and looks a bit like Dick Powell.

—Broadcasting, April 15

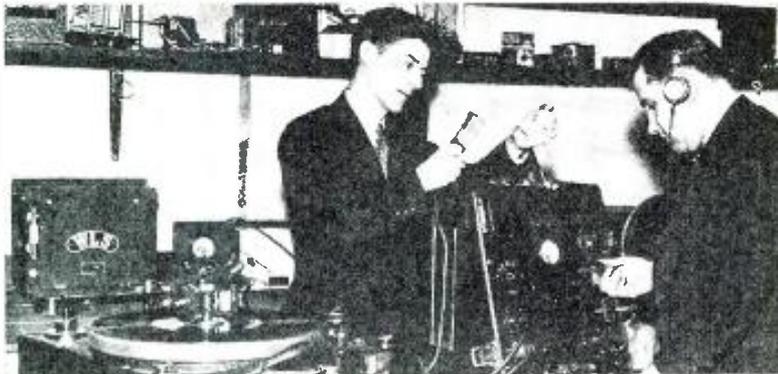
King George's coronation in London proved to be one of the clearest international broadcasts, but the early morning hour, due to the time differential, lessened the potential audience for the more than 400 North American stations that reported the proceedings.

With the force of eyewitness reporting, the crash of the German dirigible Hindenburg as it was about to land at Lakehurst, N.J., added to radio's image as a powerful spot news medium. The most remembered account of the crash belonged to Herb Morrison of WLS Chicago, who was on routine assignment to make a recording of the dirigible's landing. NBC aired the broadcast, thereby breaking its then ban on use of recordings.

But radio suffered the loss of coverage of court trials. Provoked by the journalistic tumult occasioned by the Bruno Hauptmann trial for the kidnapping of the

WLS SCOOPS THE WORLD

Dramatic On-the-Scene Transcription of Lakehurst Dirigible Blast Makes Radio History



TRAGEDY RECORDED—Herb Morrison, announcer, and Charles Nehlsen, engineer, show equipment they used to record the *Hindenburg* disaster May 6 for WLS at the scene of the dirigible crash.

—Broadcasting, May 15

Lindbergh baby, the American Bar Association invoked Canon 35, which barred microphones and photographers from courtrooms.

There were programing innovations. WJL Detroit announced a method to provide "balanced programing" by planned variety in an evening's schedule and the retention of programs in assigned slots whether sponsored or not. W. J. Scripps, general manager of WJL, said "the radio industry stands today at the parting of the ways—on the threshold of a glorious listener satisfaction or on the abyss of listener boredom and indifference."

Listener satisfaction was the aim of a CBS and NBC Shakespearean rivalry. When CBS announced a Shakespeare series to include Burgess Meredith as Hamlet, Edward G. Robinson as Petruchio in *Taming of the Shrew*, and Walter Huston as Henry IV, among other notables, NBC announced its own Shakespearean series to star John Barrymore. When CBS scheduled its program on 93 stations—the largest line-up ever for a sustaining series—at 9 p.m. on Mondays, NBC Blue scheduled its series at 9:30 p.m. on Mondays.

Serious drama continued to thrive in the rivalry between the major networks. NBC produced four Eugene O'Neill plays. CBS continued the *Columbia Workshop*. Archibald MacLeish's "The Fall of the City" proved to be one of *Columbia Workshop's* more important offerings for 1937. Aired March 4 from the Seventh Regiment Armory in New York, the program involved innovations in sound effects and production, and introduced a young Orson Welles as a new, powerful voice in radio.

The network rivalry produced other windfalls. Because CBS broadcast the New York Philharmonic, NBC sought Arturo

Toscanini for its house symphony. Because CBS aired *American School of the Air*, NBC created *University of the Air*. And to compete in poetry programing, NBC sup-

plied listeners with Alfred Kreyborg's *Fables in Verse*.

Other programing highlights of 1937 included the addition of Eddie (Rochester) Anderson to the *Jack Benny Program*, the sustaining broadcast of the World Series for lack of a sponsor, the first appearance of Benny Goodman on the networks, the controversy that surrounded an NBC broadcast by General Hugh Johnson discussing venereal disease, and a broadcast of lessons by Chicago stations after an epidemic of infantile paralysis closed the schools.

Continued problems centered on copyrights, and other continued promises focused on facsimile and television. Definitive solutions to all of these were still coming. In a test case brought by the National Association of Performing Artists, a Pennsylvania appellate court ruled that artists had a property right in their recorded performances.

ASCAP escalated what many broadcasters labeled its "extortionate" fees by hinting at a 70% increase. In an attempt to contain ASCAP, the states of Montana and Washington passed bills making "per use" payment of music mandatory, and industry forces urged the revitalization of the government's antitrust suit against ASCAP.

BROADCASTING encapsulated the music



BUFFER WARNS ACTORS—Microphone crowding and backing away by actors appearing in the NBC Shakespearean cycle has brought the inventive genius of John Swallow, Hollywood studio manager, into full play. He has designed a "square-fence" called a "microphone buffer" built by NBC, which is so arranged as to keep actors at correct distance from the microphone during the broadcast. By this means the voice is pitched correctly and it assists those appearing in the cast to keep in the correct dramatic mood, with the shoving around at instigation of control room manipulators eliminated. Buffer is made of iron pipe and so successful has it proven that NBC at its Hollywood studios will use it for all dramatic presentations. Photo shows the microphone buffer in use during a recent Shakespearean broadcast. Pictured are (left to right), William Farnum, Elaine Barrie, John Barrymore, Henry Hunter and Mary Forbes.

—Broadcasting, July 15



1937-38 NAB OFFICERS AND BOARD—Seated, left to right: Harold V. Hough, WBAP, Fort Worth, re-elected treasurer; John Elmer, WCBM, Baltimore, president; John J. Gillin Jr., WOW, Omaha, first vice-president. Standing, left to right: T. W. Symons Jr., KXL, Portland, Ore.; Theodore C. Streibert, WOR-Mutual; Gene O'Fallon, KFEL, Denver; Gene Dyer, WGES, Chicago; Arthur B. Church, KMBC, Kansas City; L. B. Wilson, WCKY, Cincinnati; Ralph R. Brunton, KJBS, San Francisco; C. W. Myers, KOIN-KALE, Portland, Ore. (retiring president); F. M. Russell, NBC, Washington; Joseph O. Maland, WHIO, Des Moines, Herb Hollister, KANS, Wichita; John F. Patt, WGAR, Cleveland; Harry C. Butcher, CBS, Washington; Edwin W. Craig, WSM, Nashville. Missing are William J. Scripps, WWJ, Detroit, second vice-president, and Edward A. Allen, WLVA, Lynchburg.

—Broadcasting, July 1

situation this way: "At this time radio is being raided from all sides. ASCAP isn't alone in demanding its pound of flesh, organizations having been formed to exact from radio more tribute on performance of phonograph records on the ground that the performer has an 'artistic right'. And . . . unionized musicians are on a rampage for a guaranteed return of 10% of the collection of all stations for local musicians. . . . Uncle Sam may be wrong in its anti-ASCAP suit. The only way to get the answer is to procure a final adjudication. . . . Only in that way can equity and justice prevail in the music field, and the onslaughts of other groups with itching palms inspired by ASCAP's scintillating

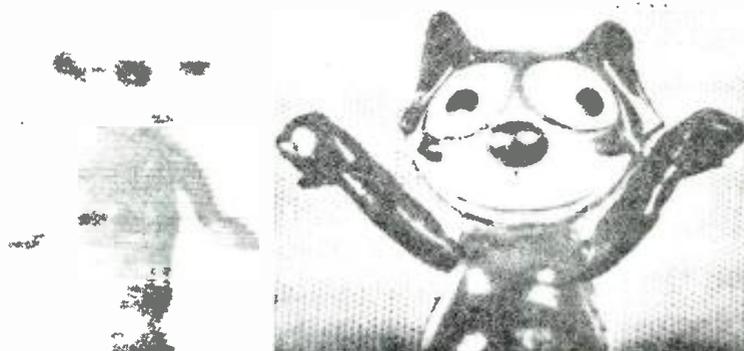
success, be thwarted." But no decision was made in 1937 and the copyright problems continued—as did technological developments.

The FCC, in October, authorized WGH(AM) Newport News, Va., and WHO(AM) Des Moines, Iowa, to experiment with facsimile broadcasts from midnight to 6 a.m.

Significant developments in television included the testing of 441-line images by RCA-NBC, the adoption of a 441-line standard by the Radio Manufacturers Association, the demonstration of projection television by RCA, with images enlarged to 8 by 10 feet, the request for an experimental video station in New York by CBS,

and the demonstration by Bell Laboratories of television transmission over a 90-mile coaxial cable connecting New York and Philadelphia.

To the enlightened, television was seen as the new dimension and the new battleground. As BROADCASTING reminded those who peered too longingly at the house that radio built: "Engineers engaged in this visual research are radio engineers . . . The companies footing the research bills likewise are in the aural broadcasting . . . The broadcasters themselves are nurturing this development, properly preparing to take over the obligation of television broadcasting when the time arrives."



TELEVISION PROGRESS—From 60 lines to 441 are indicated by these photos of the projected images of Felix the Cat as broadcast over the RCA-NBC experimental station atop the Empire State Bldg. in New York. Photo at left shows how the image, projected off film into the Iconoscope, looked on the Kinescope cathode-ray screen when built up at the rate of 60 lines per frame, now an antiquated process. The other picture shows the same shot built up at 441 lines, the RMA standard which is expected to be the way the public will first see television. RCA-NBC are now engaged in test broadcasts of 441-line images but only a few have been permitted to see the results.

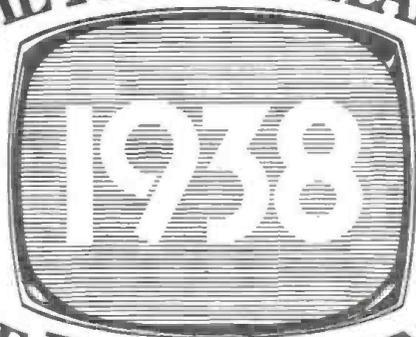
—Broadcasting, April 1

Stay Tuned

1. Who instituted the technique of positioning reporters in four or five countries and connecting them by short-wave to comment on one another's news reports?
2. Orson Welles's "War of the Worlds" was part of what show?
3. What landmark FCC investigation began in 1938?
4. What percent of urban homes contained at least one radio by Jan. 1, 1938?
5. The passage of the Wheeler-Lea Act in 1938 stripped what government department of its jurisdiction over food, drug and cosmetic advertising?

The answers
in "1938."

THE FIRST 50 YEARS



OF BROADCASTING

Charlie McCarthy sassed Edgar Bergen and made the *Chase and Sanborn Hour* the most popular radio show in 1938. But the irrepressible dummy's exchanges with Mae West didn't make it a popular show with FCC Chairman Frank McNinch. The government official warmed a cold day in January 1938 with a blistering rebuke to NBC for a McCarthy-West "Adam and Eve" skit several weeks before.

Aside from that, broadcasting in that year succeeded in frightening America with fictional and factual news reporting.

One involved Orson Welles's too-realistic simulations on a *Mercury Theater of the Air* drama. It panicked some CBS listeners into believing Martians had landed in New Jersey.

The others were real-world network reports of Adolf Hitler's annexation of Austria and part of Czechoslovakia.

Radio, the voice of dialed fantasy and far-away fact, brought this and more to 82% of U.S. homes. Less apparent to the American public were Washington events that dealt with the business of broadcasting. Those included an FCC order for an investigation of the networks for purported monopolistic practices. Congress, however, rejected the resolution of Representative William P. Connery Jr. (D-Mass.) who had sought a probe of the networks (see "1937"). Capitol Hill did pass the Wheeler-Lea Act which gave jurisdiction of certain advertising claims to the Federal Trade Commission.

What was more apparent in early 1938 to the American public was that Europe was giving ground to a restless Hitler and that it needed radio's quick bulletins. When Hitler took over Austria in March, CBS, NBC and Mutual shot the news to Americans by shortwave, with the German chancellor himself screaming to the world. From March 11 to March 15, CBS carried 12 trans-Atlantic broadcasts and NBC nine. Paul White of CBS, who in later years was to be honored as one of the fathers of broadcast journalism, instituted the technique of positioning reporters in different countries where the war flames were breaking out and connecting the correspondents by shortwave to comment on their own and others' news reports.

When Hitler took over part of Czechoslovakia in September,



Alabama opened the New Year by losing 13-0 to California in the Rose Bowl. It set the tone for 1938 defeats. FDR was set back when he tried to intervene in the congressional primaries to defeat conservative Democrats who were drifting from the New Deal to the Republicans. Paramount Pictures and seven companies were losers when the government threw an antitrust suit at them. Things didn't even go right for Wrong Way Corrigan who wound up in Ireland—and eventually Hollywood—on the strength of his misdirected trans-Atlantic flight. One of 1938's few winners came out of a Broadway show, when Mary Martin (J.R.'s real-life mother) shed her ermine wrap and sang "My Heart Belongs to Daddy." And in BROADCASTING

CBS broadcast 151 pick-ups, NBC 147 and MBS a lesser number in the 18 days preceding the Munich pact. (Under the agreement, England and France agreed to the take-over in exchange for Hitler's promise of peace.)

Many in the world were grateful for what they thought was a lasting peace, and in America the feeling was that radio had contributed to that effort. BROADCASTING, in an October editorial wrote: "Radio, so the saying went in Washington circles, 'and Roosevelt stopped Hitler,' as the news of resumed peace negotiations after the President's second message to Hitler heightened the world's

hope there would be no war."

Neville Miller, president of the National Association of Broadcasters, declared that "Radio was really putting into effect what was the basis of the League of Nations—getting people around the table to talk things over. The speed with which we could get all the people around the table was a big factor in bringing about a peaceful settlement."

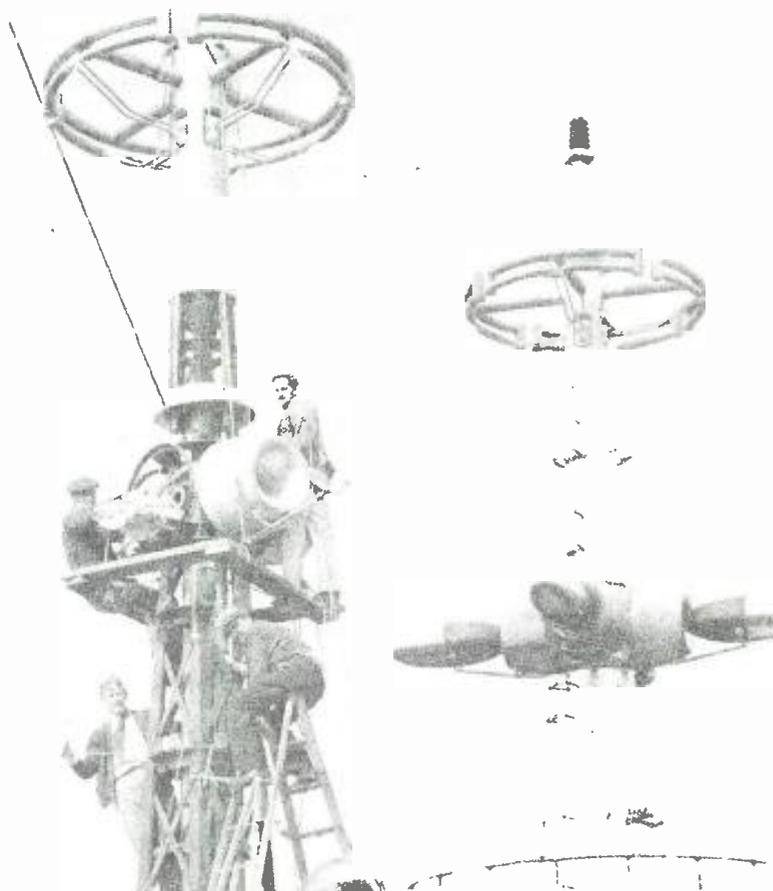
But if war came, the view prevailed that there would be little, if any, immediate effect upon broadcasting operations in the U.S. Although under war conditions the President possessed the authority to suspend or amend regulations "in order to preserve the neutrality of the United States," insiders assumed no change to be the rule of the future since America and its radio shared neutrality. In praise of that, BROADCASTING pointed out: "Any American listener who heard the propaganda-saturated 'news' reports from the government-owned radio stations abroad, particularly from the dictator countries, must upon reflection thank his lucky stars not only that he lives in a country far away from the strife and turmoil but that America maintains a democratic radio along with a free press."

If Americans felt secure in their distance from the turmoil broadcast to them from European eyewitness reports, many stateside listeners accepted the creatively contrived tale of a Martian invasion told in October by Orson Welles in a *Mercury Theater of the Air's* production of H. G. Wells's "War of the Worlds." Duped by the clever verisimilitude of the *Mercury Theater's* appropriation of the words and rhythms of news reporting, many listeners panicked about poison gas and Martian fires, called radio stations and the authorities. Some even



BEFORE the monitor panel at a demonstration by Midland Television Inc. at KMBC, Kansas City, Arthur B. Church (left), president of KMBC and a principal stockholder of Midland, J. R. Duncan, chief television engineer, and G. L. Taylor, president of the company, study the 111-line television image of Caroline Ellis, who begins *Caroline's Golden Store* for General Mills, Minneapolis, on WHO, Des Moines, Aug. 15.

—Broadcasting, Aug. 15



NEW TELEVISION antenna being built for operation by RCA-NBC atop the Empire State Bldg., New York. Left photo shows antenna being erected for test at the RCA Communications laboratories at Rocky Point, Long Island. Right photo shows how it will appear when installed.

—Broadcasting, Dec. 1

fled the "threatened" New Jersey area.

This happened despite CBS's warnings before, during, and after the Oct. 30 broadcast that the attack was fantasy. Afterward, W. B. Lewis, CBS vice president, expressed the network's regrets and assured listeners and the FCC that "in order that this may not happen again, the program department hereafter will not use the technique of a simulated news broadcast within a dramatization when the circumstances of the broadcast could cause immediate alarm to numbers of listeners."

Going even further, FCC Chairman McNinch called a meeting with NBC President Lenox R. Lohr, CBS President William S. Paley, and Alfred J. McCosker, chairman of the board of MBS, at which the networks agreed to limit the use of attention-getting terms like "flash" and "bulletin" in fictional situations.

Such tactics persuaded some broadcasters that the networks were appeasing the FCC and that the FCC was invading the area of private enterprise. In February the FCC set aside 25 channels (each 40 kc wide) in the 40-42 mc band for the exclusive use of noncommercial educational stations.

Next, the FCC, on March 18, issued "Order No. 37," opening a study of network broadcasting and the contractual relationships with affiliates. On March 25, the FCC adopted "Order No. 38," a request for complete fiscal information from all stations. And then, the FCC scheduled hearings on reallocations.

FCC investigations in 1938 probed the basics: the allotments for educators, the effects of superpower, the room for independents, the dealings of the networks, and the financial and programing freedoms of their affiliates.

The networks were a dominant force in broadcasting. By the end of 1938, the national networks had affiliations with 50 of 52 clear-channel stations, and ties with half the regional stations.

While the National Association of Regional Broadcast Stations and the National Independent Broadcasters fought superpower (500 kw) because of fears of economic ruin and technical interference for smaller stations, the clear-channel group argued for more than 50 kw power. The Senate precluded a lengthy battle between those forces when it adopted Senator Burton K. Wheeler's (D-Mont) "sense of the Senate" resolution that "... the operation of radio broadcast stations in the standard broadcast band with power in excess of 50 kw is definitely against the public interest, in that such operation would tend to concentrate political, social and economic power and influence in the hands of a very small group ... [and has] injurious economic effects on other stations operating with less power. ..." This statement was a resolution and not a law; while the FCC granted WLW Cincinnati the usual six-month license-renewal in August, the FCC superpower committee in October recommended that WLW's license for its high

power not be renewed.

With the superpower issue laid momentarily to rest, the FCC moved ahead with its "chain-monopoly" investigation. The data provided by "Order No. 38" would be of benefit "to all concerned in the progressive development of broadcasting," assured FCC Commissioner T. A. M. Craven, "particularly in the social and economic phases of the application of this relatively new invention to the service of the public."

The authority and effectiveness of a possible congressional or FCC investigation in the chain-monopoly inquiry were hotly disputed in Congress, until the House, in June, rejected by a 234-to-110 vote a resolution that called for a congress-

sional investigation of radio monopolies. The task rested with the FCC despite charges of bias by several representatives.

The FCC delved into all phases of network operation, station contracts, program contents and network control. The FCC wondered, as Chairman McNinch put it, whether independent broadcasters have any "liberty left to them for local expression."

A look at the networks' reports showed that NBC's gross time sales in 1938 amounted to \$41,462,679, a 7.3% increase over 1937. CBS's gross time sales were \$27,345,397, a 4.8% decrease from 1937, and MBS's \$2,920,324, a 30.4% increase over the preceding year. The gross total sales for the industry climbed to a record

\$150,118,400, but the figure represented the smallest annual gain, 4%, of any year since dependable records had been kept.

The chain-monopoly inquiry changed into a full-scale investigation of all broadcasting, or what BROADCASTING called "a penetrating inquisition" because "How is it possible to survey the status of the networks without inquiry into affiliated stations, which really *are* the networks? But the notice goes far beyond that. The whole field of transcriptions is included. So are the fiscal relations of stations with networks, with advertisers, with their representatives, with agencies—and in fact every piece of the jigsaw that makes up broadcasting by the American plan."

Such scrutiny required months, and so

Names that made news in BROADCASTING's coverage of the NAB convention in Washington



LATEST STORY—Being recounted to Barry Bingham, WHAS, Louisville (center) and George Norton, WAVE, Louisville (right) by John J. Gillin Jr., WOW, Omaha.



A POSEY FOR ELLIOTT—The son of the President of the United States, Elliott Roosevelt, now chief of all Hearst Radio enterprises, is snapped in a happy mood as Mutual's pretty flower girl pins a carnation on his lapel.

—Broadcasting, Feb. 15



NEW NAB BOARD—Just prior to the first meeting of the new board of directors of the reorganized NAB Feb. 16, this exclusive photograph was made by BROADCASTING. Left to right (front row): Edwin W. Craig, WSM; W. Walter Tison, WFLA; Harold V. Hough, WBAP; John Shepard, 3d, Yankee Network; Walter J. Damm, WTMJ; Mark Ethridge, WHAS; John Elmer, WCBM. Middle row: C. W. Myers, KOIN-KALE;

Frank M. Russell, NBC; Donald W. Thornburgh, CBS; Elliott Roosevelt, Hearst Radio; Herb Hollister, KANS; Edward A. Allen, WLVA; John E. Fetzer, WKZO; O. L. Taylor, KGNC. Back row: Earl H. Gammons, WCCO (CBS); Harry C. Wilder, WSYR; Clair R. McCollough, WDEL; Lambdin Kay, WSB; John J. Gillin, Jr., WOW; Ralph R. Brunton, KJBS. Absent were John A. Kennedy, WCHS. Gene O'Fallon, KFEL.



CBS Dedicates New Hollywood Center

Functional Needs Are Dominant in Big Radio Plant

By DAVID GLICKMAN

WITH some executives from all parts of the West Coast and many

Union Trans-Lux ticker installed in the lobby of the building. The machine projects magnified messages on a screen.

The new CBS building, meeting the Hollywood environment in beauty, and embodying all the technical improvements that years of

executives and production facilities; and, to the right, directly at the rear of the patio, the Columbia Square Playhouse, an auditorium theatre seating 1,050 persons. Fourth unit houses Columbia Management of California, the network's artists' bureau, and other offices.

also houses executive offices, has been equipped with two small studios intended for addition purposes only. They can also be used for broadcasting, equipment and wiring necessary for such purposes having been installed. CBS also has its own recording studios.

The master control, behind brilliantly lighted, soundproofed shadowless, double glass windows 20 feet high, is located in the foyer

—Broadcasting, May 1

the FCC and the networks, affiliates and independents piled specific data on specific data throughout the remainder of 1938 and into 1939. Meanwhile, the industry, via such voices as the NAB and RCA's David Sarnoff, repeatedly urged self-regulation in an effort to contain FCC and congressional probes. "If it accomplishes nothing else (and the prospects do not appear very bright)," BROADCASTING editorialized in December, "the FCC's network inquiry already has served a useful purpose. It has tended to focus industry attention on self-regulation and the development of voluntary program standards."

As *Fortune* magazine pointed out in a May article, "You cannot criticize the output of radio as a whole without criticizing the taste of the American public." With 91%, or 107,195,600 urban homes containing radios as of Jan. 1, 1938, and 69%, or 9,470,900 rural homes with radios, Americans listened to radio with increasing frequency, especially since 14.8%, or 3,954,041 homes contained two or more radios, and 17.4%, or 4,639,438 automobiles contained radios.

Fortune declared that American listeners got what they wanted: "It may be distressing to be told that the chief entertainment of 129 million people is a ventriloquist's dummy, swing bands, Broadway wise guys, and . . . assorted fluff, gush, and drivel. . . . But there you are. When you challenge the right of the people to like it, you challenge democracy itself. And that it is healthier for a nation to listen to Charlie McCarthy from choice

than to Adolf Hitler or any conceivable American prototype from necessity, few lovers of freedom would deny."

With the European war clouds always on the horizon, Americans turned to radio for news and entertainment. An FCC programming survey revealed that music constituted 53% of radio's program content, talks and dialogue 11%, drama 9%, variety 9%, news 9%, religion 5%, special events 2%, and miscellaneous 2%. During the survey period, 64% of shows were broadcast live, 21% from electrical transcriptions, and 12% from phonograph records.

On other fronts, the Wheeler-Lea Act, signed into law in March and effective in May, gave the FTC, instead of the Department of Agriculture, jurisdiction and new powers in dealing with false or misleading advertising of food, drugs and cosmetics, which remained the largest categories of the network sponsorship. The advertising of drugs and toilet goods in 1938 brought the national networks \$19,413,860, while foods and beverages brought \$21,784,263.

BROADCASTING analyzed the situation in an April 1 editorial: "The new law is strong . . . it affects directly . . . one-third of radio revenue. Broadcasters, along with other media owners, are exempted from liability because of false advertising provided they supply the FTC with information as to the identity and post-office address of the advertiser. . . . Assurances are given by the FTC that it will not embark upon any punitive spree with its newly acquired authority."

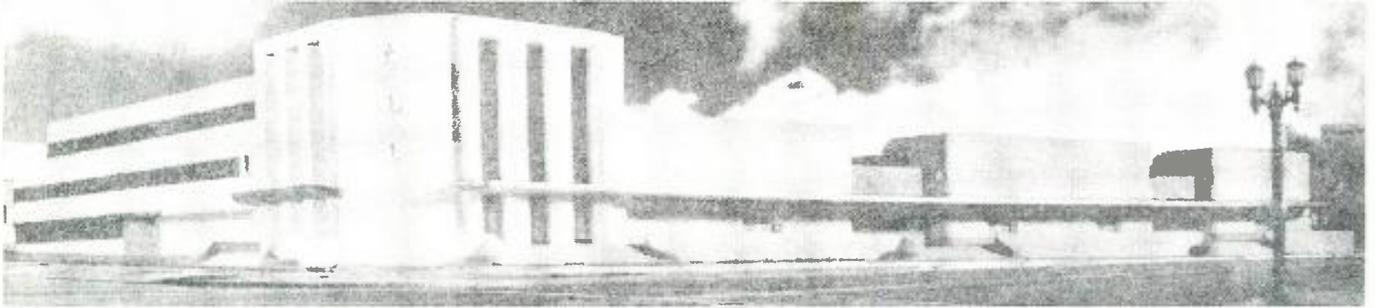
Senator Wheeler, decrying the power of the media and alleging monopoly, had pro-

posed in 1936 and 1937 congressional investigation of the joint ownership of radio stations and newspapers, a suggestion that alternately found favor and dispute.

When the FCC, in March, approved the sale of WIBC Canton, Ohio, to the *Canton Repository*, it in effect meant the FCC had dropped its discrimination against the ownership of radio stations by newspapers. The anti-newspaper ownership crusade was briefly advanced again by Senator Sherman Minton (D-Ind.) in April when he argued that the federal licensing of stations "should be carefully studied in order to see that the 33-1/3% of the stations which are now owned by newspapers are cleaned up and the newspapers are put out of the radio business." However, with the FCC conducting a major inquiry of its own into radio, no congressional action materialized.

Despite the lessening of the old antipathy between newspapers and radio induced by shared ownership and profits, past stresses occasionally surfaced. According to a BROADCASTING editorial, the uproar produced by Orson Welles's "War of the Worlds" provided an interesting example: ". . . It is now apparent that most of the hysteria allegedly promoted by the 'Martian invasion' was actually headline-bred. First, the story 'broke' on a dull Sunday night in the newspaper shops. From the feature standpoint, it was a natural. . . . But in addition to that, it gave newspaper publishers a chance to give radio another swift kick. Even though many publishers now accept radio as a contemporary advertising medium, they almost unanimously

NBC's MAGNIFICENT NEW HOLLYWOOD RADIO CITY



Canada Complete

RADIO COLLEGE OF CANADA Toronto, starts a 15-minute transcription show about Nov. 1, which will gradually be placed on practically all Canadian stations, according to R. C. Smith & Son, Toronto, recently appointed advertising agency for the school, which formerly placed its advertising through Norris-Patterson, Toronto.

BROADCASTING facilities are incorporated in the Earl Carroll Theatre Restaurant, being erected in Hollywood. Acoustical treatment similar to radio studios has been drawn into plans. A master control and an 80-foot revolving stage are included. Carroll is negotiating with both NBC and the FCC.

Hollywood Radio City Ideal Plant

(Continued from Page 22)

purse all unnecessary sound, insuring perfect broadcasting conditions. Studio walls have been built with "Vd" surfaces—a series of flat triangles which scatter sound and eliminate what is technically known as "discreet reflections". Studio ceilings have also been built with "Vd" surfaces which serve ingeniously as valances for lights and air-conditioning outlets.

All parallel surfaces which remain flat for acoustical efficiency were treated with a heavy layer

are being sent. Visitors are able to "see" the sound waves of programs being transmitted. Shamel Electric Co., Los Angeles, installed all RCA broadcasting equipment and sound wiring for the studios.

Final note will be a mural, 25 feet high and 40 feet wide. It will cover a curved wall of the main foyer's interior. The dominant painting, executed by Ed Trumbull, Connecticut artist, portrays the far-flung activities of radio. It is

the gasoline generator is ready to take over the job.

Although there was no formal opening, it is expected that after the building is entirely completed NBC will hold open house for the trade, as great interest is being shown by Pacific Coast agency and radio executives in the many innovations incorporated. For the general public, NBC in late November will inaugurate a 40-cent tour of Hollywood Radio City.

Executive personnel in the new structure, besides Mr. Gilman include Lew Frost, assistant to the vice-president; Sydney Dixon, sales manager; John Swallow, program

—Broadcasting, Nov. 1

resent it as a news competitor. So the swifter the kick, the better, from their point of view."

On the labor front in 1938, the American Federation of Radio Artists worked throughout the year on contracts for radio talent. The American Federation of Musicians negotiated a pact with the networks in February requiring double their staffs of musicians, and with independents in October providing higher salaries for musicians but giving stations the right to use recorded music without reprisals. Meanwhile, Bureau of Labor statistics revealed that radio's average weekly paycheck of \$45.12 was the highest of all U.S. industries.

That old nemesis, the American Society of Composers, Authors and Publishers, remained on the minds of broadcasters, although the battles occupied fewer headlines since ASCAP contracts were in effect for two more years.

Even though the government's antitrust suit against ASCAP was still to be resolved (see "1935"), broadcasters sought to bring more pressure to bear. Neville Miller, who had become the first paid NAB president, asked the Senate Monopoly Committee to investigate the entire music copyright business, especially ASCAP. At a broadcasters' meeting in October, Miller argued for a united policy and "proper dealings" with organized labor. ASCAP and other copyright groups because, "... radio stations underestimate their great value. These stations are the most potent factor in the world today for good or evil, and the owners of our radio

stations must fight for the right to do their job in the way it should be done."

Television in 1938 moved farther out of the laboratory. By June the Television Corp. of America and the Allen B. Dumont Laboratories were selling television sets to the public. By October, RCA announced its adoption of a standard—441 lines, 30 frames per second—and its near readiness to sell television sets to the public.

And in December, a patent for the iconoscope-kinescope tubes, the basis for electronic TV, was granted to Dr. Vladimir Zworykin after 15 years of litigation.

With the age of television still awaited, many felt that facsimile's time had come. BROADCASTING warned in February: "Facsimile has been pioneered by broadcasters. If it proves entirely feasible it will be an auxiliary broadcasting service. Broadcasters should protect their future interests as well as their present ones."

Facsimile stations organized into a group, BROADCASTING, in February, published the first facsimile newspaper for the NAB convention in Washington. Who Des Moines, Iowa, started facsimile broadcasting on a regular basis in February. KSD St. Louis and the *St. Louis Post-Dispatch* in December inaugurated a collaborative publishing of a facsimile newspaper every afternoon.

While television and facsimile were capturing the fancy of some broadcasters, frequency modulation appealed to a few others as more imminent. Edward Armstrong received help for his invention from John Shepard III, president of the

Yankee Network, who, in January, began construction of a \$250,000, 50 kw FM station on Mount Wachusett in Princeton, Mass. Armstrong built his own 50 kw station at Alpine, N.J., and began low power tests in April. However, Armstrong remained relatively alone in the development of FM, which a good many AM broadcasters saw as an unwelcome competitor.

In 1938, as the age of innocence drew toward a close, *The Lone Ranger* and *The Green Hornet* appeared on the same air with H. V. Kaltenborn and Edward R. Murrow broadcasting stories of Hitler's secret police confiscating Jewish property. But the Martian fires still seemed more real than Hitler's threats. "Radio and Roosevelt" had stopped Hitler once. Surely they could do it again.

Stay Tuned

1. What provision in the NAB code created some problems with the Rev. Charles E. Coughlin and Elliott Roosevelt, among others?
2. Who replaced Frank R. McNinch as FCC chairman?
3. How many radio stations were on the air at the end of December 1939?
4. What regional network was attracted to Armstrong's FM system?
5. How many FM applications did the FCC have by fall?

The answers
in "1939."

THE FIRST 50 YEARS



OF BROADCASTING

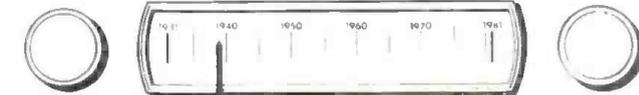
To the public, radio's big story in 1939 centered on its around-the-clock reporting as World War II broke out in Europe in late summer.

To the broadcasters, the big stories at home focused on the creation of Broadcast Music Inc. as the copyright war intensified and the establishment of a self-imposed code of behavior by broadcasters keeping a wary eye on the FCC.

The war brought the frequent news commentary of H.V. Kaltenborn, Edward R. Murrow and William L. Shirer for CBS; Fulton Lewis Jr. and John Steele for MBS; and Max Jordan, Fred Bate, Howard Marshall and Earl Godwin for NBC.

All the international leaders offered their agendas to the world via radio prior to the outbreak. Dr. Edward Benes, former president of Czechoslovakia, answered questions on March 19 for NBC. Benito Mussolini's speech before the Fascist Grand Council in Rome on March 20 received air time, a translation and a summary from all three networks. French Premier Daladier's response to Il Duce's demands on March 29 received similar treatment, as well as a special analysis by H. V. Kaltenborn for CBS. Chancellor Adolf Hitler's speech to the German Reichstag in which he answered Roosevelt's suggestions for world peace came on at 6 a.m. (EST), direct from the Kroll Opera House in Berlin, with running translations and foreign and domestic commentaries.

With the world so much in turmoil, the networks agreed to adapt their coverage "... to avoid horror, suspense and undue excitement [and] ... descriptions of hypothetical horrors which have not actually occurred. ... Broadcasters will, at all times, try to distinguish between fact, official statement, news obtained from responsible official or unofficial sources, rumor, and matter taken from or contained in the foreign press. ... If broadcasts become available from scenes of battle, bombed areas, air-raid shelters, refugee camps ... broadcasters ... will use taste and judgment to prevent such broadcasts from being unduly harrowing." Caution, temperance and neutrality were the watchwords.



Gasoline sold at 14 cents a gallon. Sounds of an approaching world war were somewhat muted by the cheers when Joe Louis knocked out four aspirants to his heavyweight title. Other crowns in the news: Great Britain's King George VI and Queen Elizabeth visited the U.S., and Eugenio Cardinal Pacelli was coronated as Pope Pius XII in a Vatican ceremony broadcast to the world. There was no Nobel prize for peace in 1939, the year in which Hitler finally provoked World War II by invading Poland and annexing the free city of Danzig. FDR reacted by calling a special session of Congress to revise the Neutrality Act to permit munition sales to Great Britain and France. An NBC eyewitness report from Uruguay in December chronicled one of the first setbacks to the Nazis: the scuttling of the Admiral Graf Spee, on Hitler's order, after the German pocket battleship had been cornered by British warships in Montevideo harbor. And in BROADCASTING ...

After Hitler's August annexation of Czechoslovakia, a BROADCASTING headline read: "Crisis Will Not Upset American Broadcasts." The editors reported that "While certain regulatory steps will be taken to preserve the neutrality of the United States, there is no present disposition on the part of the U.S. government to molest normal commercial operations of most stations. On the contrary, the government attitude appears to be that of maintaining a 'hands-off' policy, realizing that broadcasting will serve a singularly useful purpose in informing and maintaining the morale of the people. ... Because of the vastly increased numbers of news broadcasts, direct from the theater of operations abroad, government officials themselves, as well as the citizenry

and large, are relying upon radio reports for first-hand information."

In fact, some like Dr. Lee DeForest, inventor of the audion radio tube, predicted that "the magic might of radio" would put the world back together again since "... sufficient millions of radio receivers are scattered throughout the hamlets and rural districts of Europe. ... The masses of the warring people are thus acquiring hourly ... knowledge of how the battle is going on all fronts. ... In 1914 and in 1918 millions of listeners could not hear, as today ... the hourly news bulletins, the emphatic words of their national chiefs."

With the world situation intensifying America's demand for news, BROADCASTING reported a "young boom" in spot business from advertisers "grabbing up" news time. The Associated Press in February began supplying news to NBC without charge and for sustaining use only, once NBC stopped using the Press Radio Bureau. By June AP's board authorized the sale of AP news for sponsored broadcasts.

The war and the trade boom pushed radio's gross time sales to more than \$171 million, a 14% gain over 1938, with net time sales of \$131 million, a 12% gain over 1938.

Partly because of the war, and partly because of FCC scrutiny, the NAB created a code (effective Oct. 1), one tenet of which proclaimed that there shall be "no sale of time for

New NAB Code Would Limit Commercials

New York Meeting Makes Marked Progress

By BRUCE ROBERTSON

A LIMITATION on length of commercials employed in all programs will be a likely key conclusion in the projected new Code of Ethics being drafted by the NAB, under preliminary plans discussed by the NAB Committee on Self-Regulation during a three-day session at the Hotel Ambassador, New York, March 23-25.

Conversation centered around a proposal which would put a time limitation on 15-minute program units, with a differential between day and night offerings. While a completed code was not produced and conversation was only general, there was considerable support for something in the nature of a 15% limitation on commercials daytime and 10% at night, with an overlap of an additional 30 or 35 seconds for contest offers.

NBC's projected program standards [see article on this page] may be held up until the NAB committee completes its work, contemplated for the convention at Atlantic City July 10. NBC's



LOOKING UP from a hard tussle with the problems of setting up program policies for the entire broadcasting industry are (standing, l to r): Theodore C. Streibert, MBS; Edward M. Kirby, NAB; E. B. Craney, KGIR; Edwin M. Spence, NAB; Gilson B. Gray, CBS; Earl J. Glade, KSL; Edwin M. Craig, WSM; Edgar L. Bill, WJBD. Seated: Gomer Bath, NAB; Karl O. Wyler, KTSM; Walter J. Damm, WTMJ; Neville Miller, NAB; Samuel R. Rosenbaum, WFIL; Herb Hollister, KANS; Paul W. Morency, WTIC. Not present when the picture was taken were Niles Trammell, NBC; William S. Hodges, NBC; Edward Klauber, CBS.

and of every class and type of station, there was a unanimous agreement on the fundamental point that the broadcaster must accept the task of presenting the news of the day and impartial discussions of the many issues that come out of

the committee was in full agreement is the differences that exist between communities of varying sizes and in various geographical locations. A program that is entirely acceptable in a large city

served for the announcement of special news bulletins exclusively.

False and misleading statements and all other forms of misrepresentation must be avoided.

Pointing out...

—Broadcasting, April 1

controversial issues." Almost immediately, two skirmishes resulted. One involved the Rev. Charles E. Coughlin, a controversial Detroit cleric, who broadcast on a 44-station independent network. The other concerned FDR's son, Elliott Roosevelt, president of the Texas State Network.

Coughlin had begun his social commentary on radio in 1930 by attacking such items as Hoover's presidency, bankers and "unregulated capitalism," while praising Franklin Roosevelt, silver and a responsible state. By the mid-thirties, Coughlin turned on Roosevelt, the World Court and Jews, while praising his right-wing National Union for Social Justice, which embodied many Nazi principles.

When the NAB Code Compliance Committee ruled that Father Coughlin's program should not be renewed for sponsorship after its expiration at the end of October, many stations pledged to follow the ruling while almost as many pledged to ignore it. The ruling was based on the code provision that banned sponsorship of programs that dealt with controversial issues. John Shepard III of the Yankee Network, the most formidable opponent of the edict against Father Coughlin, finally acquiesced in November. Shepard said he would not air Coughlin on a sponsored basis, but would only accept revenue sufficient to defray actual line and overhead costs. However, some other stations dropped Coughlin altogether.

Elliott Roosevelt violated the code by continuing to present his personal opinion on the arms embargo in his thrice-weekly

commentaries over MBS. Not only would he not compromise, but Roosevelt protested by withdrawing four Hearst-owned Texas State Network stations from the NAB.

While most of the industry supported the code, Elliott Roosevelt was not alone in labeling it blatant censorship. Some like John F. Patt, vice president of WGAR Cleveland, WJR Detroit and KMPC Los Angeles, and David Lawrence, editor of the *United States News* and noted Washington commentator, felt that the code moved radio, in Patt's words, "a step in the direction of censorship and abridgment of free speech. . . . It [the code] goes beyond mere self-regulation into the realm of strangulation, stagnation and censorship." Nevertheless, the code prevailed.

Along Washington's Pennsylvania Avenue the FCC collected controversy, data, new members, decisions and some reversals. An FCC shake-up attempt, rumored in late 1938, surfaced in 1939 in a request by President Roosevelt and a proposal by Senator Burton K. Wheeler (D-Mont.) to replace the seven-member FCC with a three-member Federal Communications and Radio Commission. FCC Chairman Frank R. McNinch, tired of a seven-member team whose "ultimate result is likely to be a breakdown of regulation, playing into the hands of the industries to be regulated and leaving the public interest unprotected," campaigned for the Wheeler bill, which ultimately met defeat, but not before it conjured a good deal of anti-FCC sentiment, and a counterproposal by Senator Wallace White Jr. (R-

Me.) for an 11-member FCC.

Typical of the prevalent anger aimed at the FCC was BROADCASTING's Feb. 1 editorial, "The FCC's Chickens Come Home To Roost." "After its magnificent four-year buildup of internal turmoil, inventive and plain old-fashioned squabbling," wrote the editors, "President Roosevelt finally had to blow the lid off the FCC. His call for a new commission and for a new law setting forth policies is the inevitable result of the disquiet and the quarreling within the commission and its resultant widespread disrepute."

Nevertheless, the FCC accomplished some of its goals. The chain monopoly inquiry, begun in November 1938, culminated in May 1939 with a wealth of acquired data ready for sifting. Among the interesting facts, CBS revealed that its lifetime profits (from its inception in 1927 to 1938) totaled \$22.5 million. NBC listed its net profits for a 12-year period as \$22 million. In other actions, the FCC increased station license terms from six months to one year, although the Communications Act provided that licenses could be issued for up to three years. And the commission rescinded the special 500 kw authorization for midnight-6 p.m. operation of WLW Cincinnati.

However, the FCC encountered some reversals:

■ When the FCC allowed the sponsorship of international, short-wave broadcasts as long as the programs "culturally represented" the U.S., the cries of censorship forced a deletion of the caveat that allowed only programs "which promote

international good will, understanding and cooperation." When the FCC Television Committee in May praised the Radio Manufacturers Association-RCA television standards without adopting them, the same committee in November succumbed to pressure and accepted RCA's 441-line, 30-picture-per-second specifications as the standard.

■ When the appellate court ruled in August that economic considerations must be weighed in issuing station licenses, a formidable FCC theory crumbled. Previously, the FCC acted on the theory that a broadcasting license was never meant to provide the licensee with "an immunity from unlimited competition" since the same economic principles that govern the "butcher, the baker or the candlestickmaker" govern the broadcaster.

While the FCC called this ruling "a body blow to the American system of broadcasting," BROADCASTING placed the issues in perspective by focusing on the possible new powers of the FCC: "There can be no question that the court intended and delivered a knockout punch on the FCC's pet philosophy . . . it is hard to conclude whether the industry wins or whether the FCC now is armed with new and broad powers which forebode more stringent regulation, delving more deeply into income, rates and programs . . . the court . . . apparently assigns to the FCC broader powers than it has ever exercised or even asked."

Two new faces appeared on the FCC in 1939. When Commissioner Eugene O. Sykes retired in April, Frederick I. Thompson, publisher of the *Montgomery (Ala.) Journal*, replaced him. When

Chairman McNinch retired in September, James Lawrence Fly, general counsel of the Tennessee Valley Authority, was FDR's choice to replace him.

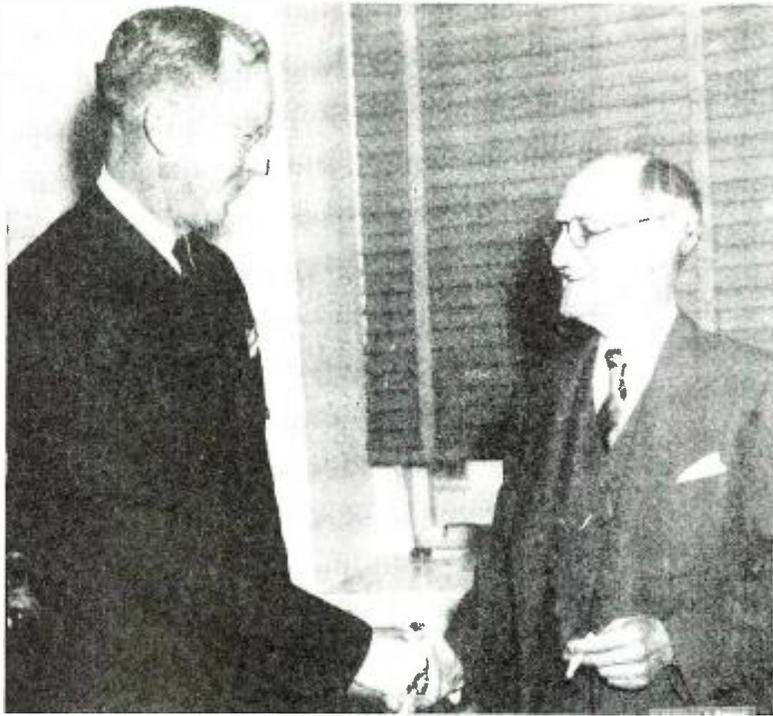
In 1939 the FCC approved 50 stations,

bringing the total at the end of December to 814. NBC, for the year, garnered \$45,244,354 in gross monthly time sales, a gain of 9.1% over 1938, CBS \$34,539,665, a gain of 26.3%, and MBS \$3,329,782, a gain of 14%. Such figures spurred more network competition; Elliott Roosevelt announced the formation of The Transcontinental Broadcasting System, a new national network to begin in January of 1940.

Broadcast journalism made an important stride when radio gained gallery privileges in May for both the House and the Senate, largely through the efforts of Fulton Lewis Jr., the MBS news commentator, who organized the Radio Correspondents Association and pushed for the appropriate legislation to establish it.

Such privileges, along with new laws and new visions, formed the signposts of radio growth and responsibility. Much to the relief of broadcasters, the Supreme Court of Pennsylvania overruled a lower court in September and held that a station is not liable for ad libbed remarks by a radio artist. Al Jolson's interjection about the Summit hotel in Pennsylvania—"That's a rotten hotel"—would have cost NBC \$15,000 under the lower court ruling in February. But with the new decision, such remarks just cost the station embarrassment without cash.

Another legal decision did cost the stations cash, and as might be expected, the controversy centered on music copyrights, although ASCAP was not the culprit.



CHANGE in command of the FCC took place Sept. 1 when James Lawrence Fly (left) took over the chairmanship from Frank R. McNinch. The angular Texan visited his diminutive predecessor Aug. 30, at which time this picture was made. Upon suggestion of an obstreperous reporter, Mr. McNinch went through the motions of handing to his successor a miniature, lapel-model eight-ball, not discernible here.

—Broadcasting, Sept. 1

Will Grace 'Radio Press Galleries'



RADIO REPORTERS who become charter members of the newly formed Radio Correspondents Association, with full Congressional gallery privileges are these three well-known ex-newspapermen. Al Warner (left) is the new CBS reporter-commentator. Fulton Lewis Jr. (center) is the MBS man who was instrumental in driving through the gallery recognition. H. R. (Buck) Baukhage is NBC's full-time air-journalist.

—Broadcasting, May 1



DAVID SARNOFF delivers the dedicatory address of the RCA Building at the Fair. His words are picked up by the microphones, heard in homes across the country. His image is captured by the television camera, seen by scores of onlookers seated before television receivers in Radio City, eight miles away. Handling the pickup are NBC's Richard Pickard, at the camera, Thomas Riley, at the right, while Sid Desfor of the network's photo staff (kneeling in the center background) prepares to make an angle shot of the dedicatory ceremonies. At right is image as seen on the Kinescope receivers.



—Broadcasting, Mar. 1

When the federal district court in New York issued a permanent injunction against WNEW New York in favor of RCA Victor, the ruling in effect held that without special provisions the performance rights on records belong to the recording company and not the artist. RCA Victor, therefore, announced plans to make its records available to stations for "a reasonable fee," which turned out to be between \$100 and \$300 a month.

Meanwhile, the broadcasting industry's war with ASCAP continued. NAB President Neville Miller called a special copyright convention in September, at which time the NAB established a \$1.5-million fund to create its own music supply. It marked the beginning of Broadcast Music Inc. BROADCASTING warned in April that in the next licensing negotiations ASCAP would ask for more than its present royalty "take" of between \$3.4 and \$5 million a year. As ever, the issue centered on, as BROADCASTING put it, the "payment of royalties . . . under conditions which do not entail duress and under circumstances which would involve payment only for what they [the broadcasters] use—not what ASCAP dictates as a 'privilege tax.'" Speaking for broadcasters, BROADCASTING argued that "The real issue is the salvation of the industry itself against tribute seekers of every ilk. ASCAP was the first to discover radio as an easy mark. . . ."

ASCAP shifted some of its focus to television in May. It announced that the society "unquestionably holds" the television rights of its members.

Throughout 1939 several state legislatures appeared to have perceived

monopolistic practices in ASCAP's procedures. Accordingly, they passed laws limiting the collection of music royalties to the actual music used, causing ASCAP to form legislative contingents for combat on a state-to-state basis. This led BROADCASTING to declare: "War is hell, whether its purpose is to preserve democracy in Europe against a madcap dictator or to preserve it in radio against an arbitrary totalitarian ASCAP!"

On the technical side in 1939, facsimile, FM and television provided some provocative new territory for investors. Powel Crosley began marketing the Finch home facsimile unit, the "Reado," for \$79.50, which, according to BROADCASTING, "pushed facsimile out into full view of the public eye and, in presenting a new form of entertainment to the public, he has also presented to the broadcasters the task of making facsimile interesting enough to keep the public entertained. . . ." W2XBF New York, an experimental facsimile station, began regular programming for three hours a day in March.

When Edwin Armstrong's FM system made its debut on the Yankee Network in July with a 16-hour daily schedule, a new part of the industry appeared to have begun. By the fall when Armstrong's own 50 kw FM station, W2XMN Alpine, N.J., had reached full power, the FCC had 150 applications for FM stations, including one by CBS. Because of the successful experiments, the Yankee Network in October asked the FCC for a license for a regular 50 kw FM station in New York. General Electric as well as Bell Laboratories announced intentions to manufacture FM equipment.

When RCA-NBC telecast the opening of the New York World's Fair in April David Sarnoff used the occasion to inaugurate the television era. *Fortune* magazine estimated that visual broadcasting had cost \$13 million in research and development, with RCA's contribution estimated at between \$5 and \$10 million, CBS's at \$2 million, Philo T. Farnsworth's at \$1 million, and General Electric's at \$2 million. Besides RCA, CBS, DuMont and Zenith were also involved in experimental telecasts or in advanced stages of planning. British engineers developed the augetron, a new type of electronic multiplier which was heralded as the successor to the vacuum tube. There was enough activity in television to warrant BROADCASTING's inauguration of a "Television News Notes" as a new feature. All the activity led to the expression of territorial prerogatives, and a sense of manifest destiny.

BROADCASTING sounded the call: "A new industry is being born—a blood relation to broadcasting, reared and nurtured in the same laboratories that produced sound broadcasting. Realizing that television is their natural heritage, a number of far-sighted broadcasters have pitched into the new art. . . . The broadcasting industry must realize that it cannot afford to sit back. . . . The broadcasters, who can now buy television equipment if they can get transmission licenses, are in a strategic position to benefit from the errors of sound radio as they adopt techniques of video."

As 1939 closed out, radio learned that some of its technical problems were to be solved: Word came Dec. 29 that Mexico had ratified the Havana treaty of two years before. Mexico was the last of the North American countries to formally agree to a reordering of allocations to eliminate international interference and border station problems. It also set the stage for moving days in early 1941 when assignment shifts would be made for almost 800 U.S. AM stations.

Stay Tuned

1. What two network newsmen reported Hitler's revenge tactics at the peace-treaty signing near Compiègne, France?
2. A dummy, a tightwad and a keeper of a cluttered closet led the evening ratings. Name them or their network shows.
3. What presidential candidate drew the highest rating for a political speech in 10 years of CAB research?
4. Why did the FCC pull back on commercial TV?
5. In what music case did the U.S. Circuit Court of Appeals reverse an earlier decision that had gone against broadcasters' rights?

The answers
in "1940."

THE FIRST 50 YEARS



OF BROADCASTING

The sounds of radio in 1940 were those of Hitler's blitzkriegs and bombings, Willkie's and Roosevelt's campaign promises and platforms. *Blondie's* and *The Aldrich Family's* domestic misadventures, *The Light of the World's* melodrama and biblical stories. *Kraft Music Hall's* songs and patter and the *Pot O'Gold's* music and money.

This mixture of international war and domestic politics, comedy and melodrama, music and quiz shows drew the attention of the 28.5-million radio households (81.1% of all households) in the U.S.

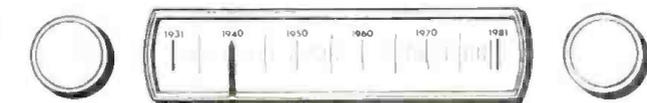
Technological advances in FM and television promised more diversity in broadcast services.

The FCC's chain monopoly inquiry produced some quick rebuttals, quixotic explanations and many long questionnaires.

More war brought more news and news specials along with an increasing dependence on radio's immediacy. During 1940, the networks' typical weekly schedules contained 56 quarter-hours of news during the evenings and 10 quarter hours during the day as opposed to only 33 in evening programming in 1939 and none during daytime hours. Edward R. Murrow, H.V. Kaltenborn and William Shirer, among others, broadcast from the European war zones to an apprehensive American nation. Raymond Gram Swing analyzed the war twice weekly for Americans on a 16-station MBS hookup and weekly from New York for the BBC, a program that gained Swing an audience of 30.7% of the adult population of Great Britain.

Kaltenborn, who had a large following after 10 years of foreign news reporting for CBS, switched on March 30 to NBC, partly to the relief of CBS executives who had pressured Kaltenborn to be just an analyst who reported and not a commentator who argued for his opinion. A memorable phrase was created when Edward R. Murrow began opening his CBS broadcasts from England with "This [pause] is London."

France's darkest hour provided an opportunity for CBS's William L. Shirer and NBC's William Kierker to report a dramatic insight on the vengeful bent of Adolf Hitler. Stationed near Compiègne, France, the broadcast newsmen described in



Russia seized the Baltic nations of Estonia, Latvia and Lithuania. Italy joined the war against France and England, and the Nazis overran Paris, forcing a hard treaty on the conquered French. In May, Winston Churchill succeeded Neville Chamberlin as British prime minister. In June, British expeditionary forces and Allied soldiers were evacuated from Dunkirk in a brilliantly executed military-civilian naval maneuver. In October, in the United States, the drawing of number 58 signified the beginning of this country's first peacetime draft. Another precedent was set the next month: President Roosevelt was voted a third consecutive term. Broadcaster-manufacturer Powel Crosley Jr. unveiled a new minicar that got up to 60 miles per gallon and sold for \$350. But it had only limited appeal to Americans concerned about luxury-sized autos and unconcerned about gas prices.

And in BROADCASTING ...

detail the dictator's ritualized treaty signing in 1940 after all France other than the Free French had been subdued. It was the story of Hitler's obsession that the railway coach in which a defeated Germany signed the armistice after World War I be returned to the same site for Hitler's World War II moment of victory.

Starting with Germany's invasion of Scandinavia in April, radio coverage increased. In addition to an 18-hour-a-day, European listening post on Long Island, CBS set up a receiver on its New York building designed to listen to Berlin radio 24 hours a day.

At home, American correspondents abided by an industry-created war coverage code

that sought to avoid horror and to rely on dependable sources. Abroad they submitted broadcast scripts to officials of the warring nations. Max Jordan, NBC central European representative, for example, reported that in Berlin a broadcast manuscript had to survive the scrutiny of three censors: the propaganda office, the foreign office and the military office. Despite those obstacles, FCC Chairman James Lawrence Fly termed radio's war coverage a "balanced perspective ... an intelligent and fair sort of job," as he reassured broadcasters that "any idea that the government contemplates taking over of broadcast operations generally can only be labeled sheer fantasy." Nevertheless, such rumors persisted and were only fed when, in late September, the government created a Defense Communications Board, headed by FCC Chairman Fly.

The board was to design a plan for communications in a national emergency. As envisioned, the DCB could not censor radio or take over its facilities, and it received BROADCASTING's editorial endorsement as a "necessary development" that would let broadcasters "carry on, business as usual." Still the DCB generated a concern from some broadcasters who worried about censorship, procedure and property.

Broadcasters endured another period of anxiety when the War Department in October announced plans for a separate radio section to coordinate and use radio communication for the military. Even though the radio section busied itself primarily with the coordination of wire line and radio com-

munications rather than the broadcasting industry, some broadcasters remained fearful of future government intervention.

While the bombs dropped in Europe and governments toppled, a worried America sought moments of escape in comedy that dominated stateside radio entertainment. For the third consecutive year, Edgar Bergen's Charlie McCarthy won the title "Champion of Champions" in the *Motion Picture Daily's* poll of 700 radio editors and columnists. Jack Benny gained the title of "Outstanding Artist of the Year" and his show the "Best Program" from the *New York World-Telegram* poll.

Quiz shows were gaining in popularity. One, *Pot O' Gold*, not only achieved a significant audience but also intensive FCC scrutiny. *Pot O' Gold* had debuted on NBC on Sept. 26, 1939, and presented music by Horace Heidt and His Musical Knights and featured a phone call from host Ben Grauer to a number chosen from directories. A person at home who answered received \$1,000; those not answering were

sent \$100 by mail.

Despite the 80-million-to-one odds against being called by Grauer, *Pot O' Gold* lured so many from movie houses that some theater owners offered \$1,000 prizes to anyone who was called while attending the movies.

Because of complaints from members of Congress, theater owners and others over the growth of quiz shows and *Pot O' Gold* in particular, the FCC, in February, asked the Department of Justice to investigate *Pot O' Gold* and *Fine Bread Mystery Woman*, (a local program in Texas with a slightly different awards format) to see if they violated lottery laws. The Justice Department declined to prosecute.

Sports and politics also attracted growing numbers of radio listeners. Joe Louis's fight with Arturo Godoy on June 20 captured a rating of 37.9. Baseball broadcasts increased in popularity. The 1940 World Series between the Detroit Tigers and the Cincinnati Reds, broadcast on MBS, received an average rating of 25.2 as compared with 21.3 for the 1939 series bet-

ween the New York Yankees and Cincinnati.

The presidential race between Republican Wendell Willkie and President Roosevelt drew large radio audiences.

After the election, BROADCASTING estimated that national and local political time sales had come to more than \$2.2 million. The major radio networks subsequently reported that they had billed \$1,638,190 in the election year.

NBC's Red and Blue networks accounted for \$809,605. Largest placements were by the Democratic National Committee (\$260,109) and the Republican National Committee (\$158,924).

CBS had \$523,406 in political billings with the biggest buys by the Democratic National Committee (\$140,757) and the Republican National Committee (\$142,537).

MBS's total was \$293,898 and it gave no breakdown of sponsors.

Willkie's nomination acceptance, broadcast from Elwood, Ind., on all nationwide networks, attained a 37.8, the

Five Commissioners Hear Major Armstrong's Testimony



AS MAJ. ARMSTRONG unfolded the story of FM development, five of the seven FCC members listened in rapt attention. On the bench (l to r) T. A. M. Craven, Thad H. Brown, Chairman James Lawrence Fly, Paul A. Walker and F. I. Thompson sat throughout the hearings which began March 18 and lasted two weeks.



FOSTERERS of FM during the FCC proceedings were (l to r) J. R. Poppele, chief engineer of WOR and chairman of the FM Broadcasters Inc., engineering committee; Paul W. Morency, WTIC, Hartford; Walter J. Damm, WTMJ, Milwaukee; Dr. Franklin Doolittle, WDRC, Hartford; John Shepard 3d, president of FM Broadcasters Inc.; Dr. C. M. Jansky Jr., consulting engineer; John V. L. Hogan, consulting engineer; Paul A. deMars, technical director of the Yankee Network, which already has an FM station in operation.

—Broadcasting, April 1

New Color Television System Developed Secretly by CBS

Chairman Fly Sees Goldmark Method Demonstrated; Simplicity, Faithful Color Are Claimed

AFTER six months of secret research, CBS on Aug. 29 announced development of what was described as a simple system of sending and receiving television images in full color. The announcement was made following a laboratory demonstration of the new process in New York to FCC Chairman James Lawrence Fly. The initial demonstrations also marked the first time CBS actually had broadcast anything but television test patterns.

According to the announcement of Paul W. Kesten, CBS vice-president, the color television pictures demonstrated used the same 6 mc. frequency band required for ordinary black-and-white telecasting. He also indicated that the apparatus developed in conjunction with the new color technique was comparatively simple, and that ordinary television receivers, with very little adaptation and addition of a color attachment, could receive the signals.



DR. PETER C. GOLDMARK

'They're 'Real Colors'

Another factor cited as unique was the fact that the same signal could be received either by standard television models or those equipped with the color attachment, with a clear black and white picture screening on the former and a full color view on the latter.

CBS color television method. In addition to the more pleasing life-like and dramatic quality of the pictures, it has been found that the use of color actually increases the apparent definition of the picture and makes small objects easier to recognize, particularly when this

—Broadcasting, Sept. 1

highest rating for a political speech in the 10 years of the Cooperative Analysis of Broadcasting's research. (CAB pointed out that two other speeches received higher ratings: Roosevelt's June 10 speech in Charlottesville, Va., received a 45.5 and King Edward VIII's abdication speech in December, 1939, received a 45). Many considered Willkie a flop as a radio orator because of his slurring of words, his tendency to say "flosophy," "b'lieve," "opp'site." As an editorial in the Scripps-Howard newspapers put it, "Wendell Willkie's speech was much better to read than to hear . . . When it comes to vote-getting in this day of radio and audience by the millions, teamwork among the organs of speech is vital . . . An Adam's apple may win the election and determine the destiny of nations." Others, such as Dr. Henry Lee Smith, speech expert and radio personality, felt Willkie's regionalism to be to his advantage in developing the persona of an earthy, warm Midwesterner. In either case, everybody acknowledged radio's ability as a kingmaker.

Noticeable, but not enough to make a political difference, television for the first time covered the political conventions and the election returns. Phileo broadcast the Philadelphia Republican convention to that area on its experimental W3XE Philadelphia, while NBC used coaxial cable to relay its pickup to New York and W2XBS there on the Empire State building. From there it was also relayed to Schenectady, N.Y., for use on GE's experimental facilities there. For the Chicago Democratic convention in August, NBC shot newsreel film and sent it by plane to New York for broadcast twice during the following day.

The FCC in November 1939 had accepted RCA's television system as a standard, but its decision was questioned. In a compromise, the FCC in February 1940 rescinded its approval of specifications, but authorized limited commercial television to become effective Sept. 1. The FCC said that its purpose was to allow experimental TV stations to get revenues to take care of their operating costs.

RCA seized the opportunity to announce a price cut in television sets in an effort to increase the number of TV homes within range of the NBC transmitter from 1,250 to 25,000. RCA reduced the price of its best model, a 12-inch video screen, from \$600 to \$395.

But the FCC had second thoughts. On March 23, it suspended the authorization for "limited commercial" television, and rebuked RCA for its sales drive, which the FCC feared might freeze standards at the present level. And by June, the FCC had put television back to an experimental status.

Speaking for many in the industry, BROADCASTING felt that the FCC commissioners strayed "far out of bounds in basing their suspension order on RCA's promotional activities, properly a subject for [Federal] Trade Commission scrutiny . . . The whole episode seems to have been

born of pique and nurtured by truculence. . . it is apparent that some sort of check and balance over commissions and commissioners with prejudices and predilections is needed. . . ."

Many in the field accused the FCC of much more than pique after the commissioner's chain monopoly report appeared in June. BROADCASTING headlined: "Monopoly Report Seen Industry Threat; Entire Network System Would Be Revamped if Adopted." Among other things, the FCC chain monopoly committee recommended limits on network ownership of stations and on the term of affiliation contracts, the removal of networks from the transcription and talent-bookings businesses, and the requirement that networks serve stations in remote areas whether or not it was profitable.

The response was immediate. BROADCASTING called the report "another example of the [FCC's] 'giant-killer' complex," editorializing that "To us it is manifest that the report represents an outcropping of deep-seated yet unstudied prejudices . . . it is apparently written as a reply to what the more vocal congressional business-baiters want rather than what the

facts show."

The chain monopoly report generated so much negative reaction that it affected Commissioner Thad H. Brown's confirmation for another seven-year FCC term. His term expired in June of 1940. The Senate Interstate Commerce Committee, continuing an indirect attack on the policies and personnel of the FCC, refused to act on Brown's renomination until after the election. Senator Charles Tobey (R-N.H.) was particularly emphatic in delving into the personal and public life of the FCC commissioner. In October, FDR withdrew Brown's nomination at the request of the commissioner, who died the following February.

By November, NBC, CBS, and the Independent Radio Network Affiliates, in BROADCASTING's words, "raked the FCC committee's report of last June 12 with a brand of legalistic fire seldom before loosed against a governmental agency. . . ." Only MBS supported the basic conclusions of the committee's findings that networks be licensed, that exclusive network-affiliate contracts be banned, and that the FCC supervise the dealings of stations and networks. MBS said its concern was over the



EDWARD B. MARKS, president of Edw. B. Marks Music Corp., signs the contract transferring the performing rights to more than 15,000 songs from ASCAP to BMI on Jan. 1. Looking on are (l to r) Merritt E. Tompkins, vice-president and general manager of BMI (seated); Sydney Kaye, BMI general counsel; Max Marks (brother); Herbert Marks (son).

—Broadcasting, Dec. 15

“basic issue of liberty of expression” involved in NBC and CBS control of “the most desirable broadcasting time of the more important stations in the larger cities.”

Some credence to MBS’s contention appeared in the financial report that showed gross time sales for 1940 exceeded \$208 million. By 1940 MBS had increased its affiliations from less than one-half of 1% of all stations in 1935 to 19% of all stations; however, many of these stations had primary affiliations with NBC or CBS and mostly used MBS programs on a secondary basis. While MBS’s gross time sales increased, NBC and CBS still held a considerable lead: MBS grossed \$4,767,054 in 1940; CBS, \$41,025,549; NBC Blue, \$10,707,678, and NBC Red \$39,955,322.

In licensing, the FCC received support for one of its policies when the Supreme Court on March 25 upheld the commission’s position that it had the power to license new stations regardless of the effect of the competition on existing stations. The so-called Sanders case involved KDTM Dubuque, Iowa, and permittee *Dubuque Telegraph-Herald*. Despite the increased anxiety this brought to many station owners, BROADCASTING pointed out that the Supreme Court had stripped the FCC of supervisory control of programs, business management or policy of stations. BROADCASTING called it “a victory for the American system of broadcasting. It means that the FCC itself must mend its ways. The court had ruled that scrutiny of programs, unnecessary snooping into fiscal operations . . . and other operations of stations are no concern of the licensing authority. A good station, well-managed, does not fear legitimate competition. But broadcasters have had ample reason to dread the kind of

regulatory tactics indulged in by the FCC.”

In music, broadcasters gained ground in July when the U.S. Circuit Court of Appeals reversed a lower court ruling in the RCA-Whiteman-WNEW New York case to declare that a broadcaster could put phonograph records on the air without receiving permission from either the recording company or the recording artist.

Broadcasters attempted to strengthen their position by setting up their own Broadcast Music Inc., which had been announced in 1939. They also girded for the expiration of the current American Society of Composers, Authors and Publishers contracts on Dec. 31, 1940. With ASCAP pulling hard on broadcasters’ patience and budgets by demanding a 70% rate boost, broadcasters hoped BMI and the competition it promised to introduce in music licensing would give them a bargaining chip against ASCAP.

In preparation for a possible period of non-ASCAP music, BMI acquired the M. M. Cole catalogue, the Schirmer catalogue and the Edward B. Marks catalogue for a total of over 30,000 numbers under BMI direct control, and 75,000 more available to BMI through non-ASCAP sources.

With the ASCAP deadline approaching, BROADCASTING warned that “War is hell in any language, and there are hellish days ahead for the adversaries in the conflict precipitated by a hitherto arrogant, brass-knuckled ASCAP that now must know it overplayed its hand.”

Broadcasters and music-licensing groups alike got an unwanted Christmas package in late December when the Department of Justice announced new criminal antitrust litigation against ASCAP, NBC, CBS as well as BMI.

In FM development, the medium in 1940 strengthened its position in its con-

tinual race with television. FM Broadcasters Inc. was formed in January to lobby for additional spectrum space. FMBI won points in May when the FCC authorized commercial FM and reallocated the space used for experimental television channel 1 to FM radio. With headlines reading, “1,000 New FM Stations Foreseen,” many AM broadcasters and television proponents worried. When the FCC decided that television should have FM sound, FM seemed more powerful than ever. By September some FM receiver production had begun, and an FM network was projected. By December, General Electric’s W2XOY joined the others as a regularly scheduled FM station.

By its 20th anniversary in 1940, AM radio had spawned FM and television. The number of U.S. broadcasting stations had jumped to 882 with 20,000 regular employes (not counting artists or part-timers), and a \$50-million annual payroll. The average weekly wage of \$45.96 for full-time employes made broadcasting the best paying industry. The number of radio sets in use had grown to 52 million, including 8 million auto radios.

Besides the accolades for radio implied by those numbers, others developed. The Henry W. Grady School of Journalism of the University of Georgia instituted the George Foster Peabody awards, with the first to be given in 1941 for 1940 achievements.

On radio’s 20th birthday, President Roosevelt congratulated the medium for its “outstanding achievements.” He declared: “Today the need is greater than ever that broadcasting should perform its function as a medium of public information.” On Dec. 29, with the U.S. edging closer to war, President Roosevelt chose radio and the forum of another fireside chat to introduce the nation to his concept of “lend-lease.” Radio played midwife to yet another idea and stage in U.S. development.

Stay Tuned

1. World War II brought the government-created OFF What did it stand for, and who headed it?
2. Who were the two commissioners who dissented to the FCC’s chain monopoly report?
3. What government figure said that the NAB reminded him of a “dead mackerel in the moonlight—it both shines and stinks!”?
4. Which network was the first to break from broadcasters’ ranks during the impasse with ASCAP?
5. Who was the naval ensign from KLZ Denver who died in the Pearl Harbor attack?

The answers
in “1941.”

THE FIRST 50 YEARS



OF BROADCASTING

A Dec. 7 radio bulletin from Pearl Harbor told America it was no longer a bystander to World War II. It also told broadcasters their concerns had expanded beyond business and governmental adversaries on the domestic front.

The "day of infamy" came in the twilight of a year when the FCC issued its chain monopoly report and ordered a probe of newspaper holdings in radio as well as multiple ownership of stations. In addition, broadcasters were feeling pressures from non-Washington sources such as the American Society of Composers, Authors and Publishers as well as James Petrillo's American Federation of Musicians.

It was this increased tempo of events in the electronics media that had prompted the publisher of BROADCASTING to shift from twice-monthly to weekly publication, effective with the Jan. 13 issue.

And, 11 months later when the networks interrupted their regular Sunday afternoon programing to report the surprise Japanese bombings in Hawaii, the rest of the world realized what broadcasters already knew: that radio existed at the center and that information came first over the air.

President Roosevelt's Dec. 9 address on all the networks drew a then record radio audience. The Cooperative Analysis of Broadcasting reported 83% of America's radios were tuned in. C.E. Hooper gave the speech a 79 Hooper rating. Among other things, FDR called for truth in reporting news and he touched on censorship and restraint—two key radio concerns in that year.

Reminding radio of its responsibility, Roosevelt declared, "To all newspapers and radio stations—all those who reach the eyes and ears of the American people—I say this: You have a most grave responsibility to the nation now and for the duration of this war. If you feel that our government is not disclosing enough of the truth, you have every right to say so. But—in the absence of all the facts, as revealed by official sources—you have no right in the ethics of patriotism to deal out unconfirmed reports in such a way as to make people believe they are gospel truth."

The mechanics for the proper flow of information had already been set up by broadcasters in 1939, when they adopted a voluntary war coverage standard. And, in 1940, the

Nazi successes continued with conquests in the Balkans, Yugoslavia and Greece. A confident Hitler sent troops across the Russian border; they moved practically at will in the first months of the campaign. In the U.S., jitters grew. Extensive mock maneuvers were held to prepare for the war that finally came to America on Dec. 7. Overnight, isolationism virtually disappeared—and with it disappeared the vocal noninterventionists on Capitol Hill who had charged the movies and radio with war-mongering. It seemed that America moved with assurance only in sports: Eddie Arcaro rode Whirlaway to a Triple Crown, and Ted Williams batted .406 for the Red Sox. And in BROADCASTING ...

government had established the Defense Communications Board, headed by FCC Chairman James Lawrence Fly.

For most of 1941, voluntary censorship was the order of things. But with the formal entry of the U.S. into the war, controls came. In late 1941, the Roosevelt administration created the Office of Facts and Figures (OFF). It was headed by Archibald MacLeish, librarian of Congress, who in turn reported to New York Mayor Fiorello H. LaGuardia, director of the Office of Civil Defense.

OFF was to assure the dissemination of coherent information about the war, but

some broadcasters and newsmen were worried that OFF might attempt to censor. LaGuardia stoutly denied this: "OFF is not a propaganda agency. The OFF is a sort of reservoir with a purification process. It's not a news-sheet, hand-out agency. The people are entitled to the facts, and they're going to get them."

The White House did turn to wartime censorship in December and named Byron Price, executive news editor of the Associated Press, as director of the effort. He selected J. Harold Ryan as assistant director of censorship, responsible for broadcasting. Ryan was executive vice president of Fort Industry Co. (now Storer Broadcasting) and later was to serve as National Association of Broadcasters president.

In one of its security moves, the U.S. Weather Bureau banned broadcasts of weather reports, information that was assumed could help the enemy.

Certain censorship suggestions were interpreted to discriminate against radio to the advantage of the printed press and revived thoughts of the press-radio war of the 30's. In "Concerning War, Radio and Hitting Below the Belt," a Dec. 29 editorial, BROADCASTING wrote that the "indiscreet, opportunistic minority has seized upon war censorship as the vehicle to sock radio." Specifically, BROADCASTING objected to proposals that news broadcasts be delayed for hours after newspaper publication, that news sponsorship be banned, and that newspapers resort to self-regulation while radio censorship be mandatory. BROADCASTING cautioned: "War means revolutionary changes. It will affect newspapers, magazines and billboards along with radio ... Censorship was almost a cuss word just a few weeks ago; today it is accepted as a necessity to help

CONGRATULATIONS FROM PRESIDENT

THE WHITE HOUSE
WASHINGTON

October 8, 1940

My dear Mr. Taishoff:

My hearty congratulations on the steady progress which enables you to mark the beginning of the tenth year of Broadcasting Magazine by making this journal a weekly instead of a semi-monthly publication.

This proposed change emphasizes the importance that radio has attained in every phase of our national life. The rapid growth in radio and in the technique of broadcasting have been truly amazing during the past decade.

In all probability we are still in the infancy of this field of communication. New developments, such as television, are certain to broaden radio's service. Moreover, radio has an increasing obligation to keep the public fully informed. A free radio is just as essential as a free press. In sending my good wishes may I express the hope that your magazine will ever work to promote free, competitive broadcasting.

Very sincerely yours,



Mr. Sol Taishoff,
Editor,
BROADCASTING Magazine,
Washington, D. C.

win the war."

A censorship move that did not involve the war effort came in 1941 when the FCC took its deepest plunge in its seven-year history into program control. It issued a prohibition against editorializing by broadcast licensees, saying, "The broadcaster cannot be an advocate."

The ruling came in a proceeding in which the Mayflower Broadcasting Corp. lost its competing bid for the frequency then occupied by the Yankee Network's WAAB Boston. The rival application had been filed after WAAB had been attacked for broadcasting editorials that aroused criticism. In issuing a restriction on the whole broadcasting system as part of a renewal that the licensee at bar would obviously never appeal, the FCC was not only clever but also successful. No other broadcaster took the FCC to court either, despite the Mayflower ruling's vulnerability to First Amendment attack. The fact was, of course, that most broadcasters didn't care. They had never editorialized anyway.

It was eight years later, in 1949, that the FCC finally undid the Mayflower decision. It issued a report on editorializing that

eliminated the restriction on broadcaster advocacy but imposed new conditions that boiled down to the fairness doctrine.

Congress in 1941 was not immune to the blue-pencil itch. Senator Burton K. Wheeler (D-Mont.), chairman of the Interstate Commerce Committee, and prominent isolationist before Pearl Harbor, requested that all national networks submit copies of commentators' scripts and lists of sponsors so that Wheeler could investigate complaints about editorializing and propagandizing by radio. Nothing ever came of the request.

But, if radio was being questioned by the Wheelers for alleged interventionism, it was being praised by others for its war-time readiness, responsibility and personnel. The networks, experienced by years of reporting from battlefronts around the world, made an accelerated journalistic effort following Pearl Harbor. To an event honoring Edward R. Murrow, Roosevelt sent these congratulatory words: "Ed Murrow has lived in the war since its beginning . . . he has reported the news day by day and, at the same time, has kept faith with the truth-loving peoples of the world by telling the truth when he tells the

news. I doubt whether in all history there has been a time when truth in news—when comprehensive and objective news dispatches—have ever been more needed." In a yearend editorial, BROADCASTING reflected the surge of patriotic fervor that had risen from Pearl Harbor: "Just as it [radio] sells merchandise, service and defense bonds, radio can sell patriotism, loyalty and victory."

While radio was going all-out to support the war effort through news, information, promotion and entertainment, the war began to undermine technological development in broadcasting by diverting materials and personnel to military and governmental needs and posts. The Priorities Division of the Office of Production Management (OPM), up to September of 1941, had classified radio in the next-to-the-lowest bracket for basic material distribution. A shortage of acetate recording blanks developed, and the production of home radio receivers declined. Recording companies switched to the use of glass as a base for transcriptions. The Radio Manufacturers Association professed horror when William L. Batt, deputy OPM chief, announced that aluminum supplies for radio would be cut off in 1942. But in 1941 radio set sales reached 13,100,000, exceeding by two million the sales of the previous year. Some broadcasters thought they would be forced off the air for lack of replacement parts, tubes and transmitters. Later OPM accorded radio manufacturers an upgraded priority rating, for the maintenance and repair for commercial broadcasting.

Even so, parts were in short supply. At RCA, for example, most production facilities worked to near capacity just to fill defense-related orders; other orders went unfilled because of shortages or bans on materials for non-defense projects.

It was full speed ahead for the war. "In material things," BROADCASTING reasoned, "radio is going to be affected. . . . Shutting down of stations on the coasts during imminent air attack or during blackouts means commercial cancellations and rebates. Release of time for war communiques—for government informational broadcasts and for morale purposes—also may cut in on normal schedules." Commercial broadcasting, even with an A10 materials rating, had to make do and sacrifice, as well as reshuffle schedules, commercials, equipment and personnel. Many experienced broadcast employees accepted government or military jobs or were called up for the services.

The first reported radio war casualty occurred on Dec. 7 when Naval Ensign Thomas A. McClelland, who had been chief engineer of KLZ(AM) Denver, was killed in action during the Japanese attack on Pearl Harbor.

Earlier in the year, some broadcasters feared the first casualty of the FCC attack on the radio networks would be the American system of broadcasting. In its full chain-monopoly report in May, the FCC,

in a ruling to be effective on Aug. 1, banned: option time, exclusive affiliations, ownership of more than one station in a market or operation of more than one network by the same interests. MBS gave the report its full support.

BROADCASTING, in an editorial entitled "The Monopoly Report: Five Men Against the Public," feared that "... the best and the freest radio system in the world will begin rotting away. ..." Speaking for many licensees, BROADCASTING concluded that the FCC report incarnated the "blind rage of certain commissioners against the major networks and their directing heads," and manifested a classic case of "divide-and-rule" politics.

CBS President William S. Paley excoriated the chain-monopoly report, predicting that "networks will become mere catch-as-catch-can, fly-by-night sellers of programs. Performance and stability will have departed from the industry and incentive to public service will have been removed. ... Worst of all, the first paralyzing blow will have been struck at freedom of the air. ..."

Niles Trammell, NBC president, warned that the FCC regulations "would ultimately destroy the freedom of the air," and declared that "The questions as to whether NBC should or should not oper-

ate two network services ... are less important than the fundamental position adopted by the majority of the FCC. This appears to be that those who have pioneered in broadcasting, who have created the most efficient facilities, and have developed a program structure considered the best in the world, should be penalized because of the superior services they have created. ..."

Commissioners Norman S. Case and T.A.M. Craven who dissented to the FCC report, agreed with broadcasters like Paley and Trammell, fearing that "the proposals of the majority will result inevitably in impaired efficiency of the existing broadcast organization of the country." MBS, which stood to benefit by any loosening of ties between the other major networks and their affiliates, issued "Mutual's White Paper" that supported the FCC, arguing that "it does not abolish network broadcasting ... it does not do away with the American system of broadcasting, unless the American system has somehow become identified with entrenched monopoly. ... It will not bring chaos into the industry, unless we look upon competition as chaos. ... It does not paralyze freedom of the air but preserves it from private domination by a few individuals."

Other than by invective, the networks

reacted to the FCC rulings by petitioning for relief. Nonetheless, the networks began to comply with what BROADCASTING called "the punitive" monopoly report. Since the report claimed there was conflict inherent in network ownership of talent agencies, CBS sold its Columbia Artists Bureau in May to the Music Corp. of America for \$250,000, while NBC spun off its NBC Artist Bureau to a new agency, National Concerts and Artists. By December, NBC had effected the separation of its Red and Blue Networks. Trammell remained president of the Red. Mark Woods became president and Edgar Kobak executive vice president of the Blue.

In what was seen as another FCC attack, the commission renewed the controversy over newspaper ownership of broadcast stations. With 292 of the country's 893 radio stations having newspaper affiliates as of March, President Roosevelt ordered a study of the newspaper issue, and the FCC ordered public hearings.

Nearly 100 newspaper-owned stations organized, named Mark Ethridge of WLAS Louisville, Ky. (owned by the *Courier Journal* there) chairman and vowed to fight governmental attempts to outlaw newspaper ownership of stations. President Roosevelt later drafted Ethridge to undertake a comprehensive survey of

Fly Blasts Nets, in Reply to Ethridge

Asserts Trade Association Is Dominated by Networks

MINCING no words, FCC Chairman James Lawrence Fly leveled a parting blast at the management of the NAB, NBC and CBS, and pledged his desire to help work out the broadcasting industry's problems of adjustment "constructively and for the common good of all" at a special press conference just before he returned to Washington Thursday noon from the St. Louis convention.

Chairman Fly's statement to the press, read carefully from a prepared draft, climaxed the tense situation arising when he was not given opportunity to respond extemporaneously immediately following Mark Ethridge's indictment of the monopoly report and the FCC majority at the Wednesday luncheon meeting of the NAB convention [see page 15].

Piscatorial Allusion

Chairman Fly repeatedly referred to the NAB as a "so-called association" and charged that the

radio industry was really managed and controlled by a "combination" which shaped both public and political opinion. Speaking of the "too clever" management of the industry's affairs by the combination, he commented that the situation reminded him of "a dead mackerel in the moonlight—it both shines and it stinks".

"I think there is a serious question as to whether the NAB exists as an effective vehicle for the exchange of ideas and the formulation and expression of member stations' opinions", he declared, setting the tone for his later comment.

"Some weeks ago Neville Miller, the NAB president, without meeting with the members—and for that matter, the directors of the so-called association—but after contact with the two big networks, publicly announced the decision of the 'association' as dead set against the Government's decision on network broadcasting.

"That is the way the association appears to function as a matter of day-to-day operation in Washington and New York. Two men run the show. A couple of others do the chores—all, of course, of a

purely non-political nature. The Evers-to-Tinker-to-Chance technique is generally involved.

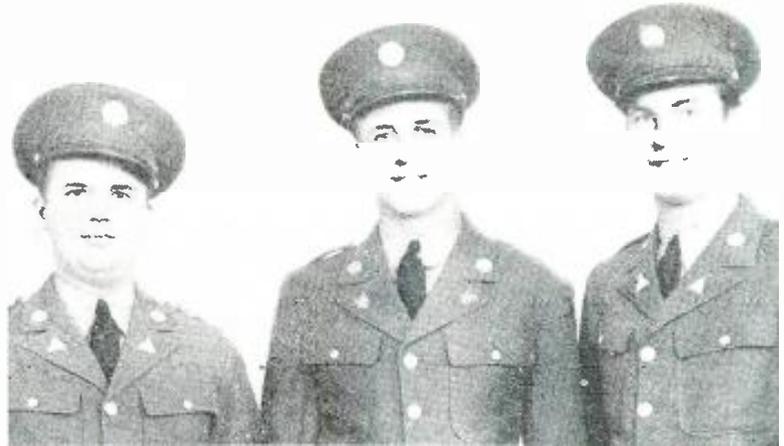
"As a matter of fact, the convention yesterday ringingly declared the exertion of political influence in regard to Commission decisions to be a crime. All of us heartily cheered that pronouncement. So hereafter when the little fellow with ragged pants comes in from the hills and asks his Congressman to help him get a little 100-watt radio station, he is to be slapped into the bastille. But God forbid that anything be done to break up the famous tripletoss combination, with all its beneficent results.

Control of Opinion

"Then, too, the public should never know that the combination which controls the nation's radio coverage measurably controls public and political opinion. The public must accept the basic premise that this combination does not pack a political wallop which is derived from grants from the very Government it seeks to manipulate and control.

"Surely this group is respected

Keep your eye on the man in the middle. Pictured in BROADCASTING'S Jan. 1, 1941, issue was Elton H. Rule future president and chief operating officer of the American Broadcasting Companies Inc. With the onset of World War II, Rule's one-year assignment stretched out to five years and 11 days, during which he served successively as a platoon leader, a battalion adjutant, a company commander who took a machine gun company into Kwajalein and Leyte in the Philippines and, after battlefield promotion to major on Okinawa, a battalion commander in the city of Seoul, where he helped receive the surrender of Japanese forces in Korea. After discharge he returned to Sacramento, but to KFBK(AM), and later moved to Los Angeles and to a position with ABC's KABC-TV, from which he began the upward career march that led to the ABC presidency in 1972.



CALLED to active Army duty for a year starting in January, this trio of staff members of KROY, Sacramento, Cal., are claimed to constitute some sort of service record for the station. Members of the 184th Infantry of the California National Guard, the three have been assigned to Camp San Luis Obispo. They are (1 to r) John E. Ehrhart, KROY salesman; Elton H. Rule, public relations and sales promotion manager, and Robert B. Scott, salesman. As a going-away token the station presented each of the three with a two-week vacation in December, along with a month's advance salary and assurance their positions would be waiting upon their return. While in camp Mr. Rule will use a portable recording setup to transcribe two quarter-hours weekly on KROY—man-on-street interviews with trainees from the Sacramento area, under sponsorship for the year by Sears, Roebuck & Co.

—Broadcasting, Jan. 1

broadcasting, and Harold V. Hough of WBAP Fort Worth (owned by the *Star Telegram*) became chairman of the newspaper-radio group.

The issues in this round of FCC scrutiny of newspaper ownership of radio stations remained the same: freedom of opinion, fair presentation of public issues, undue control over public communication, restriction on news and unfair competition. BROADCASTING said editorially: "If ever an industry cringed in a virtual state of terror, it is broadcasting today under the lash of the FCC. We now behold radio's gestapo, begot by the FCC! It is after the nation's press via the radio route. . . . minions of the FCC's investigation unit are virtually swooping down upon broadcast

stations, networks and press associations . . . ransacking files, personal and otherwise, to sift out the 'dirt.'"

The probe brought out more anger than evidence. "Newspaper Probe Turns Into a Burlesque, Relics of a Past Era Are Dragged In; FCC Exhibits Reek With Inaccuracy," BROADCASTING headlined in September. Unable to unearth any significant differences between newspaper owned stations and non-newspaper owned stations, the FCC adjourned the hearings in early December until early January. Anger, however, lingered on.

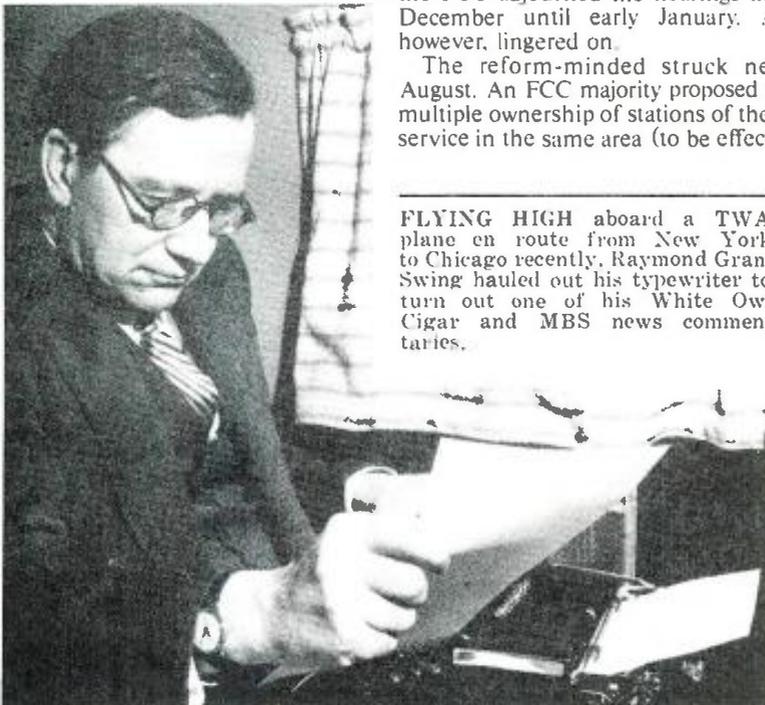
The reform-minded struck next in August. An FCC majority proposed to ban multiple ownership of stations of the same service in the same area (to be effective in

six months), and set the arguments for October. "Whittling Away," BROADCASTING labeled those tactics, saying: "A nick at a time . . . keep 'em off balance, guessing and in a dither . . . never tell why: That's the strategy of the FCC's blitz against broadcasting—a campaign that seems to be studiously calculated to stultify, intimidate and ultimately impoverish the industry so that eventual government ownership will be easy."

There were some FCC rulings that broadcasters endorsed. The agency authorized the full commercial operation of television to begin July 1, fixing standards at 525 lines, 30 frames and with FM sound. And in another significant decision, the FCC extended the license term for standard broadcast stations from one to two years.

But those gains only partially placated broadcasters railing against FCC power tactics. One memorable confrontation came at the National Association of Broadcasters May convention in St. Louis. The delegates voted to fight the monopoly regulations and to seek congressional help. FCC Chairman Fly, in attendance, angrily denounced the association, the networks and the industry. He said the NAB reminded him of "a dead mackerel in the moonlight—it both shines and stinks."

The anti-FCC feeling also permeated Congress. Senator Wallace White (R-Me.) in August introduced a bill to revamp the FCC and limit its power. Clarence F. Lea (D-Calif.) of the House Interstate Commerce Committee, announced in October that he would conduct hearings beginning in January 1942 on the powers and structure of the FCC. The year's last bit of anti-FCC sentiment surfaced in November in



FLYING HIGH aboard a TWA plane en route from New York to Chicago recently, Raymond Gram Swing hauled out his typewriter to turn out one of his White Owl Cigar and MBS news commentaries.

—Broadcasting, Jan. 13

charges by Representative Martin Dies (D-Tex.), chairman of the House Committee Investigating Un-American Activities, that Communist influences existed within the FCC. Fly repudiated those allegations and stated that the accused, Dr. Goodwin Watson, a top official of the Foreign Broadcast Monitoring Service, had no record of pro-Communist activity.

Radio also was the target of 1941 legislation that sought to impose a tax on revenues from time sales. Charges that it would be discriminatory against radio led to the bill's collapse. BROADCASTING editorialized in August: "If a vote were taken today on whether broadcasters regard their business as hexed, bewitched or voodooed, the 'ayes' would win by a landslide. The House Ways and Means Committee action in voting a super-income tax upon broadcast advertising revenue is the last straw. . . . The very fact that a committee of 25 legislators, strong and true, could be taken in by the crew of labor lobbyists who plumped for the discriminatory tax against radio is stupefying."

Broadcasting enjoyed another good business year in 1941, with gross billings in excess of \$237,600,000 and net time sales about \$176,280,000. By the end of the year, 30.3 million U.S. homes, over 80% of all homes, had radios as did 9.5 million autos. Television gained its pioneer sponsors under full commercial authorization, at \$120 per evening hour, when Bulova Watch, Sun Oil, Lever Brothers and Procter & Gamble signed for time on WNBC(TV) New York. FM gained its first network sponsor when the Socony-Vacuum Oil Co. signed for newscasts on the American Network serving New England.

By December, 10,000 to 20,000 television receivers were in use—half in New York and the rest in Philadelphia, Chicago and Los Angeles. Although most television shows consisted of studio-produced discussions, game shows, musical programs and wrestling and boxing matches, CBS's WCBW New York scored a journalistic beat by presenting a 90-minute news documentary on Pearl Harbor just hours after the attack.

The war touched FM too. Edwin Armstrong in March gave the Army free use of his FM patents for purposes of defense. As a result of the lack of parts, priorities and the dearth of engineers, the war would slow the development of television and FM, although how much so was not yet suspected by the year's end. With several new FM stations dedicated, and the start of commercial FM, BROADCASTING wrote in December, "There isn't even any indication that FM development has bogged down, despite defense, priorities and other seeming dislocations which inevitably accompany a war economy . . . FM receiving set production . . . has reached 1,500 per day. . . . There are about 100,000 sets in use. . . . Radio having proved its ability to sell goods, is doing a respectable job of selling 'stateless' radio. . . ."

A great radio accomplishment in 1941 was the strengthening of Broadcast Music Inc. to a position where it successfully challenged the American Society of Composers, Authors and Publishers' music monopoly. ASCAP contracts expired at

Industry Takes Its Place in War Program

Keeps the Country Informed: Some Changes Pend

WAR TOOK on a new meaning for radio last week as the whole industry plunged headlong into national emergency operation and at once entrenched itself as the fourth arm of defense.

As soon as first word was flashed of Japan's surprise attack on Pearl Harbor Dec. 7, radio swung into action, throwing regular schedules overboard to keep the whole nation advised of minute-to-minute developments. By the end of the week, with all networks and most stations operating around the clock, news schedules had been adjusted to least disturb normal functions. But listener interest reached record peaks every hour of the day and night.

Plans All Ready

Following prearranged plans, the Defense Communications Board, headed by FCC Chairman James Lawrence Fly, took over before the emergency was an hour old. The fruits of more than a year of planning promptly were realized, and much confusion and unrest which might have reached the hysteria stage was averted.

The brunt of operation in a war economy was felt on the Pacific Coast, from San Diego to Seattle and as far east as Idaho, because of possible air attack. All stations were silenced, particularly after dusk, in these areas, to prevent use of their carriers as "homing beacons". Blackouts also were ordered



Harris & Ewing photo Tuesday night

"To all newspapers and radio stations—all those who reach the eyes and ears of the American people—I say this:

You have a most grave responsibility to the nation now and for the duration of this war.

If you feel that our Government is not disclosing enough of the truth, you have every right to say so.

But—in the absence of all the facts, as revealed by official sources—you have no right in the ethics of patriotism to deal out unconfirmed reports in such a way as to make people believe they are gospel truth."—President Franklin D. Roosevelt, in an address Dec. 9, 1941, one day following the Declaration of War.

Act. Chairman Fly promptly dispelled fears of drastic action by pointing out that the only sim-

President Roosevelt, admonishing radio and the press to avoid alarm and war and to use caution and

fecting radio and the press. Outgoing communications are being censored, both by the Navy and on international shortwave broadcasts, through the Office of the Coordinator of Information.

Steps are being taken toward formation of a war information bureau, which would have functions which might be classified in the censorship category. This work in a measure now is being carried on under J. Edgar Hoover, director of the Federal Bureau of Investigation, but a permanent head later will be selected.

High Spots of Week

Any forecast of the future, as it pertains to radio, at this writing is practically futile. As the first week of war ended, these developments stood out:

(1) There is no disposition to disturb commercial broadcast operations, save where Interceptor Commands order total blackouts because of imminent air attack or where martial law may be invoked because of contingency.

(2) DCB is established as the supreme radio command, subject to such orders as the Army may give relative to domestic broadcasting.

(3) Orders to stations in each area will come from Interceptor Commands, through FCC liaison, established in some areas and later to be expanded probably to cover all key areas.

(4) Plans are being considered to reduce to a minimum the necessity of

the end of 1940. There was virtually no ASCAP music used on radio in January, only BMI tunes and music in the public domain. By the end of February, both ASCAP and BMI, responding to the government's antitrust suit against them, had worked out consent decrees with the Justice Department. ASCAP was forced to

offer broadcasters both blanket and per-piece licenses, but it still was not getting any takers. In March, the government found ASCAP guilty of antitrust violations and fined the organization \$32,250, but still no ASCAP music was played on the air. Broadcasters rejoiced. BMI had put competition into music licensing and, as

Broadcasting noted, "Terms can't be dictated anymore." But battles do end.

MBS broke the ASCAP standoff in May by signing at 3% of gross receipts for four years, then 3 1/2% until 1950. But the contract needed the approval of MBS affiliates. NBC in August said it would pay ASCAP 2 3/4% of net time sales, with its stations paying 2 1/4%. By November the stations approved the NBC and MBS contracts. ASCAP music came back on the air once again, but a beleaguered radio apparently had won a major music war.

Another music war began to take shape early in the year. James C. Petrillo, president of the American Federation of Musicians, in February made a ruling that was aimed more at the American Guild of Musical Artists than at radio. Petrillo ordered AFM members not to perform with any instrumentalist who was not an AFM member. As time went on, Petrillo was to put different and greater pressures on broadcasters that resulted in congressional legislation in 1946 that curbed certain union practices.

Other developments in 1941 included CBS preparations for a Latin American network of 39 longwave and 25 shortwave stations in 18 countries, and completion of arrangements for a 92-station Pan American Network to rebroadcast NBC programs shortwaved from the U.S. In addition, the Associated Press formed a special subsidiary, Press Association Inc., to handle news for radio. And the first annual George Foster Peabody Radio Awards for "outstanding meritorious public service" in 1940 were given in March to CBS, WLW Cincinnati, WGAR Cleveland and KFRU Columbia, Mo.

An award might also have been in order for the U.S. and its North American neighbors who successfully handled the biggest physical shake-up in radio: the implementation of the Havana treaty on March 29. Under it, more than 800 U.S. radio stations switched frequencies to resolve international interference problems.

BRITISH RADIO CENTER BOMBED



Broadcasting House Bombed, Killing Seven of BBC's Staff

News Announcer Rocked as Bomb Explodes But Sticks to His Mike and Continues With Program

BROADCASTING HOUSE, headquarters of the far-flung British Broadcasting Corp., an originating point of American and Canadian network broadcasts in London, has been struck twice by German bombs since October, it was officially announced Jan. 7. During the second raid Fred Bate, head of the NBC staff in London, was cut by flying glass [BROADCASTING Dec. 15]. At the time Bate was not at Broadcasting House but working in NBC headquarters in the same section of the city.

Seven members of the staff of BBC, it was made known Jan. 7, were killed during the October raid when a bomb failed to explode immediately. As the bomb exploded, Announcer Bruce Belfrage, who has appeared on the stage in the United States, was concluding a news summary. "The postscript tonight . . ." he began. Then there was the sound of an explosion, heard by millions of listeners. A voice came through the open microphone saying, "It's all right," and Belfrage continued with his news.

dent. The injured included B. E. Nicolls, program director.

When this missile came down alongside Broadcasting House, which dominates Portland Place, the BBC's roof spotter grabbed his telephone and shouted down to the control room: "Look out, there's a big one coming." Seconds later the bomb went off in Portland Place with a tremendous blast that blew over the roof spotter. He crawled back to his telephone. Came the comment from the control room: "Butter fingers."

Now Underground

A few minutes after this, Broadcasting House, a London showplace, was showered with fire bombs. Two fires which broke out on the third floor were put out after two hours. Damage was so great that BBC now is operating solely from underground studios—all 20 above ground studios being out of commission. The first bombing cut a heavy gash into the BBC building level with the fifth floor on the Portland Place or west side. The building, constructed of tra-

Stay Tuned

1. Who was the CBS commentator named director of the Office of War Information?
2. Name two popular 1942 war-related songs.
3. What was the wartime problem that faced sportscasters when a baseball game was rained out?
4. Who was the Georgia congressman responsible for the resolution to investigate the FCC, which subsequently passed?
5. What "Caesar" created a storm in broadcasting?

The answers
in "1942."

Broadcasting, Jan. 13

THE FIRST 50 YEARS



1942

OF BROADCASTING

As America entered 1942 as a full-time participant in World War II, broadcasters found themselves both the beneficiaries and victims of the wartime economy. Audience and advertising expanded. But operational problems were created by the war.

Wartime conditions strengthened radio in the media competition. With paper short, restrictions were imposed on newspaper and magazine size, causing newspaper advertising revenues to decrease by about 5% in 1942, while magazine advertising revenues were decreasing 10%. Advertisers who were rejected or limited by the print media turned to radio. Their incentive to advertise was intensified by a 90% tax on excess profits; spending money on tax-deductible promotion made more corporate sense than giving it to the government. Radio set a record for gross billings, \$255 million in 1942.

At the same time, broadcasters donated the equivalent of \$64 million in time to governmental wartime messages: The volunteer Advertising Council, formed by the Association of National Advertisers, the American Association of Advertising Agencies and media organizations, in the first year of the war, produced more than 4,000 advertisements for the government, in addition to portfolios, leaflets, folders and posters. Ad Council Chairman Chester J. LaRoche said one agency alone wrote and produced in seven months more than 2,500 radio shows and spots for the government.

Radio was used to promote such projects as the sale of war bonds, the salvage of scrap metal and the writing of "V-mail" to Americans overseas. Donald M. Nelson, chairman of the War Production Board, exhorted advertisers to "push simplification, because it will enable us to get more goods with less manpower and less material." There were those, however, who were looking to the future. In the midst of wartime austerity, Eugene Carr of WGAR Cleveland proposed that radio advertisers feature the theme of post-war prosperity and the promised cornucopia of consumer goods. The AAAA supported Carr's idea.

But the war stopped radio's physical growth. The diversion of materials and equipment to military use prompted the Defense Communications Board, supported by the FCC and the War Production Board, to order a freeze on the construc-



The war went badly for the Allies in early 1942, but the tide began to turn in the summer and fall. The Japanese were finally stopped in the South Pacific and in Southeast Asia. Rommel's German-Italian desert forces were defeated at el-Alamein, Egypt, and American and British troops invaded North Africa. In the U.S., new car sales were banned and the rationing list included tires, rubber, coffee and sugar. In Cleveland, NAB convention delegates were treated to the world premiere of Disney's "Bambi." In Washington, the FCC spiked rumors that it was moving to another city, by leasing additional space in a building three blocks from its 13th and Pennsylvania Avenue headquarters. And in BROADCASTING ...

tion of new AM, FM and TV stations. The War Production Board ordered manufacturers of radio receivers to convert to a full wartime schedule, and the production of civilian radio sets ceased by April 22. Radio manufacturers had sold 13.1 million home receivers and 2 million auto sets in 1941. In 1942 they sold only 4.4 million sets for homes and 350,000 for autos. The radio audience, however, increased in 1942 as people with two or more sets sold or loaned one set to others.

In April the War Production Board gave broadcasters a higher priority for maintenance, repair and operating

supplies, but the industry continued to experience a scarcity of such vital replacement parts as tubes and transmitter gear. Broadcasters proposed a semiofficial pooling of equipment. The plan gave way to an FCC-sponsored questionnaire designed to locate surplus and salvageable radio parts.

The Selective Service System in July declared broadcasting an essential industry, establishing the criteria for granting of deferments by local draft boards. By September any "key" civilian in broadcasting—executive, head of a major division or subdivision, technical expert—needed a written release from the employer before being allowed to enlist.

The war in its early stages sparked unusual preparations at stations. Blackouts were ordered to thwart enemy attacks, which never materialized. Some broadcasters painted microphones to glow in the dark. Others dipped typewriter ribbons in invisible ink that glowed green when exposed to an ultra violet lamp, to make scripts visible during blackouts.

The FCC placed the entire broadcasting industry on a full war basis on Dec. 1. Among other measures, the FCC required stations to reduce transmitter power by one decibel. After its first year of war, radio had readjusted and readied itself for the crucial year ahead. "Radio entered its first war," BROADCASTING wrote, "with no precedent or experience to guide it ... Radio met the test realistically. From every quarter came paeans of praise for the job done. But radio can't rest on its oars. It becomes more and more a radio war. Right of way must be given government programming to an even greater degree as the war progresses."

This right of way included, besides free time for government messages, adherence to censorship. The Office of Censorship,

THE NAB's FOUNDING FATHERS HAD THEIR TROUBLES, TOO



NINETEEN YEARS AGO these embattled broadcasters got together at the Drake Hotel in Chicago "to break the music monopoly of ASCAP". Out of that meeting on April 23, 1923, the NAB was born. To compete with ASCAP the stations organized a publishing concern called Associated Independent Music Publishers—the forerunner of BMI by 19 years. Announcements were broadcast by the stations, informing listeners of the opportunities for aspiring composers.

The telegrams on the desk are congratulatory wires from Chicago listeners and from station operators all over the country. The *Chicago Tribune* reported that "the broadcasters left the meeting humming new tunes and predicting that new music would soon be floating through the

ether". However, the publishing concern folded within a few months for lack of funds.

In this picture, dug out of the files of Comdr. Eugene F. McDonald Jr., president of Zenith Radio Corp. and first president of the NAB, are a group of notables of the then budding industry, some of whom are still active. They are (l to r): Raymond Walker; C. H. Anderson; Frank W. Elliott, WHO, Des Moines, later an NAB president; Comdr. McDonald, then owner of the old WJAZ, Chicago; Paul Klugh, then manager of WJAZ; William S. Hedges, then radio editor of the *Chicago Daily News*, operating WMAQ; Elliott Jenkins, WDAP, Chicago (now WGN); A. B. Cooper; John Shepard 3rd; Powel Crosley Jr., WLW, Cincinnati.

—Broadcasting, May 11

in January, issued a wartime programing code that banned ad-lib programs, man-on-the-street interviews and other "open-mike" formats. Although compliance with the code remained voluntary, Byron Price, director of censorship, and J. Harold Ryan, assistant director for broadcast media, announced that adherence was "99.9% pure" as they praised patriotic self-censorship. The test for acceptability remained, as Ryan said, "Can the enemy utilize it?" Going beyond its 1941 ban on weather forecasts, the Office of Censorship, in March 1942, forbade even the mention of weather conditions during baseball games; if a game was called because of rain, the reason was not mentioned on the radio.

To further implement wartime operations, President Roosevelt, in June, created the Office of War Information and named Elmer Davis, CBS commentator, as head. The OWI was designed to centralize and coordinate news and the various other war information agencies. Starting in October, all government agencies needed OWI's approval for all radio programs and announcements. As a funnel for information to broadcasters, OWI limited and established priorities for government messages to create attention but avoid saturation.

Two-thirds of OWI's budget was targeted for overseas operations and one-third for domestic, which included the es-

tablishment of a radio bureau for delivering war messages to Americans. When the government took over shortwave stations from private operators near the end of 1942, the OWI became responsible for the programing on those stations that beamed their signals to other countries.

The war directly touched the content of most programing on radio. When sportscaster Red Barber agreed to air the name of anyone purchasing bonds during one Brooklyn Dodgers-New York Giants baseball game, he sold \$100,000 worth of bonds. Kate Smith was everywhere on the dial with pleas for war bond purchases; WABC New York, for example, credited Smith with promoting more than \$2 million in bond sales among its listeners in one day by personally answering phone calls.

The war also surfaced in music, in themes, in the plots and settings of regularly scheduled programs. Variety programs used servicemen or military camps as backgrounds. Musical programs included such popular war-born songs as "Praise the Lord and Pass the Ammunition," and "This is the Army, Mr. Jones." Serials inserted subplots involving characters who had gone to battle. The War Department asked the creators of several daytime serials to insert storylines to help elevate the image of black soldiers in a segregated Army.

The war caused the creation of new formats as well. General Motors, starting in June, sponsored *Cheers From the Camps*, an hour variety series with Army personnel as stars. CBS broadcast the show on 114 stations.

In April, NBC-Red started *The Army Hour*, a Sunday evening show composed mainly of soldiers' accounts of wartime operations. Those eyewitness accounts included a message from Brigadier General Claire Chennault, commander of the Flying Tigers (American volunteers in China), as well as General Jimmy Doolittle's description of the Tokyo bombing that he led. Colonel Ed Kirby, former public relations director of the NAB, created the program.

This is War!, a 13-week series designed "to inspire, to frighten, to inform," emerged in February as a joint effort of the Office of Facts and Figures and the networks. It was aired on more than 700 stations of all four networks. The cast donated its services, and the networks paid for production costs. Maxwell Anderson, Stephen Vincent Benet and Norman Corwin wrote some of the scripts.

Government information and propaganda in more blatant packages formed the core of such government sponsored and produced series as *This is Our Enemy*, which detailed Nazi tactics and tortures, and *You Can't Do Business With Hitler*.

NAB's New Quarters



NEW HOME OF THE NAB in Washington will be occupied within the next few weeks as a result of purchase consummated last week with approval of the board majority, voting by mail on the basis of pictures of various properties offered. It cost \$31,000 cash. The four-story 13-room structure, former home of Columbus University Junior College, is located at 1760 N St. NW, just off Connecticut Ave., about two blocks from the Mayflower Hotel. NAB along with all other tenants has been ordered to vacate the Normandy Bldg. on K Street early in December to make way for the RFC rubber conservation staff.

—Broadcasting, Nov. 30



NBC-RED PLANNERS met last Tuesday at Radio City to perfect organization of their advisory group. Members are (l to r) James D. Shouse, WLW, Cincinnati; Paul W. Morency, WTIC, Hartford; Stanley Hubbard, KSTP, St. Paul; Arden X. Pangborn, KEX, Portland; Ed Yocum, KGHL, Billings, Mont.; O. L. Taylor, KGNC, Amarillo, vice-chairman. Chairman is Harry Stone (seated), WSM, Nashville.

—Broadcasting, Jan. 12



NEW BLUE AND WHITE mike plates of the new Blue Network are examined at the affiliates meeting in Chicago on Jan. 14-15 by members of the network's advisory committee (l to r): Harold Hough, KGKO, Fort Worth; Henry P. Johnston, WSGN, Birmingham; Howard Lane, KFBK, Sacramento, Chairman; Harry Wilder, WSYR, Syracuse; Earl May, KMA, Shenandoah, Ia.; Tracy McCracken, KFBC, Cheyenne.

—Broadcasting, Jan. 19

which recited Nazi Germany's broken promises.

To counter the drawing power of Tokyo Rose and Axis Sally who broadcast propaganda to Allied Forces amid sexual innuendo and some of the best swing music available, the War Department created *Command Performance*, a variety show that honored servicemen's requests for songs and performers.

First aired in the spring of 1942, *Command Performance* was broadcast by 11 shortwave stations, and inherited by OWI when it took over the shortwaves. OWI wanted to concentrate on other tasks, so Tom Lewis, vice president of the Young & Rubicam advertising agency, organized a network of armed forces stations at the re-

quest of the War Department and took over *Command Performance*. Lewis's network was to become the Armed Forces Radio Service.

The war fostered prestige programing. Businesses began to sponsor such moderately popular but eminently praiseworthy events as serious drama and symphony orchestras to keep their names before the public.

A decline in popularity of the soap operas was noted, attributed by some critics to the overwhelming reality of the war. Among the new programs of 1942 were *The Abbott and Costello Show* and *People Are Funny* with Art Baker and Art Linkletter.

News programing was in the ascendancy

between 1940 and 1942 as the networks nearly doubled the air time devoted to news.

On the legal front, the Department of Justice filed antitrust suits against NBC and CBS, seeking, in BROADCASTING's words, "even more drastic alteration of network-station operations than the FCC's punitive regulations." MBS filed its own antitrust suit, also in January, against RCA-NBC and asked for damages of more than \$10.4 million because of RCA-NBC's option time priorities. Meanwhile, RCA, also in January, established the Blue Network as an independent company operating as a wholly owned subsidiary of RCA. In November, a New York federal court dismissed petitions by NBC and CBS for

injunctions that sought to restrain the FCC from implementing its network-monopoly regulations, but the court did stay the effective date of regulation until Feb. 1, 1943.

In other network developments, Dr. Frank Stanton became a CBS vice president in September. Miller McClintock became the first paid president of MBS in November, and General Tire and Rubber Co. in December contracted to buy the Yankee Network for \$1.2 million.

On the newspaper-radio front, the FCC claimed its investigation was germane to the war effort and refused to halt its probe of the effects of the ownership of radio stations by newspapers. The commission continued to draft a newspaper-radio report despite an opinion Jan. 26 from the U.S. Court of Appeals for the District of Columbia that there was nothing in the statute that would allow the FCC to dis-

criminate against newspaper ownership in broadcasting.

The FCC itself became a target of invective and probe during 1942. Clarence F. Lea (D-Calif.), chairman of the House Interstate and Foreign Commerce Committee, questioned the FCC on its licensing and investigative actions while Representative Eugene E. Cox (D-Ga.) introduced a resolution for a full investigation of the FCC. The resolution was adopted in January 1943.

On the music front in 1942, the American Society of Composers, Authors and Publishers sought to live in peace with broadcasters and the rival Broadcast Music Inc. But James C. Petrillo led his American Federation of Musicians in a move against recording companies to protect union members' jobs. Radio felt the effects. Petrillo announced in June that by Aug. 1 all recording and transcribing of

music for public consumption would cease. Petrillo, who considered his battle to be with the recording and transcription companies but not with the broadcasters, argued that musicians face "a situation peculiar to themselves in that they make transcriptions which take their places." He said it was like "the iceman making a mechanical refrigerator that would ruin his trade . . . I know that the policy of recording is suicidal for our people," he said. "The time has come for the federation to take matters into its own hands." Petrillo wanted the networks and the recording companies to pay fees to the union for the playing of recorded music.

As the strike deadline neared, FCC Chairman James Lawrence Fly urged a probe of Petrillo's music edicts even though the FCC jurisdiction was debatable. Once the strike occurred, broadcasters denounced Petrillo as a dictator and frequently referred to him by his middle name, Caesar. The Senate created a special Petrillo-probe subcommittee. The Justice Department attempted to file an antitrust suit against the AFM. After Petrillo in September rescinded permission for members to make commercial transcriptions for one-time air use, the controversy increased. That month the Senate approved Senator D. Worth Clark's (D-Idaho) resolution for a full-scale probe of Petrillo and the AFM, which began in December. The Chicago Federal District Court dismissed a suit filed by the Justice Department against the AFM. The department announced in December that it would appeal to the Supreme Court. Still the AFM held out; the musicians remained silent.

The year ended with battle lines clearly drawn: The AFM fought the record companies, NBC and CBS fought the FCC, MBS fought RCA-NBC, the FCC fought the Senate probe, and radio fought for the victorious end of the war. Outside those arenas, Americans were singing Irving Berlin's Academy Award-winning "White Christmas," intently listening to foreign news broadcasts, practicing blackouts, and hoping for peace.

Broadcasters Victory Council



INDUSTRIAL LIAISON in Washington for the duration is Broadcasters Victory Council, with John Shepard 3d (center), Yankee Network president, as the chairman. The council was formed in late January [BROADCASTING, Feb. 2]. Other members are: George B. Storer (upper left), president of Fort Industry Co. and interim president of NIB; James D. Shouse (upper right), vice-president of WLW-WSAI, for Clear Channel Broadcasting Service; John E. Fetzer (lower left), owner of WKZO, Kalamazoo, and NAB director, for the NAB; Eugene C. Pulliam, president of WIRE, Indianapolis, and president of Network Affiliates Inc.

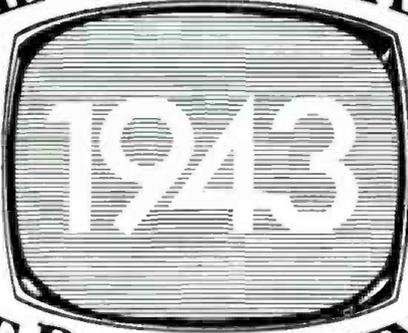
—Broadcasting, Feb. 23

Stay Tuned

1. Who called the FCC the "nastiest nest of rats in this entire country?"
2. Name the Washington publisher who wrote a front-page editorial condemning the House investigators of the FCC.
3. Who bought the Blue network from RCA for \$8 million cash?
4. What was radio's slogan for "Radio Day" of the second and third War Loan Drives?
5. Name at least two of the four residents of "Allen's Alley"?

The answers
in "1943."

THE FIRST 50 YEARS



1943

OF BROADCASTING

With World War II intensifying at the outset of 1943, the nation's attention was concentrated on survival. But the broadcasters' battleground was Washington. For a while it looked as if Congress would come to the broadcasters' rescue from an FCC that had been threatening and imposing harsher and harsher controls.

On the first day of Congress, Representative Edward E. Cox (D-Ga.) strode to the podium, called the FCC a "gestapo," accused it of seeking "terroristic control" of all media, and demanded an investigation. The House approved the Cox resolution and Cox, chairman of the investigation, appointed Eugene L. Garey as chief counsel for the probe.

Garey made no pretense of objectivity. He denounced the FCC as "the nastiest nest of rats in this entire country," and labeled FCC Chairman James Lawrence Fly as the "worst bureaucrat" in Washington. Representative Frederick Bradley (R-Mich.) decried the FCC as a "hotbed of communism" under Fly's leadership.

"Dead cats aplenty will be thrown during the Cox Committee inquiry," BROADCASTING predicted in a January editorial, and then threw some of its own by saying: "The FCC has run a reckless course under the chairmanship of James Lawrence Fly. . . . Now Mr. Fly must face the music, along with his majority colleagues who have rubber-stamped these unrelenting grabs for power."

Congress, like many broadcasters, felt the FCC under Fly had overstepped its jurisdiction. Cited were such actions as the commission's investigation of the networks' power in their dealings with stations as well as the FCC's constant probing into joint ownership of newspapers and broadcast properties. Cox sought to investigate the FCC's "assumption of power in fields never contemplated [for it] by Congress."

Cox and his cohorts demanded not only the minutes of the FCC's executive meetings but also the personal financial records of every FCC commissioner from 1937 on. All complied except Clifford J. Durr who not only refused but also called for Cox's dismissal because of "bias . . . prejudice . . . and personal interest" in the outcome of the investigation. Charges of incompetence and impropriety on both sides grew



FDR, Churchill and Stalin met in Teheran to plan a second front in Europe against the Nazis. Earlier, in February, the German army had withdrawn in defeat from Stalingrad and was driven from Africa in May. Italy deposed Mussolini in July and surrendered in September, as Allied troops invaded the Italian mainland. At home, the President froze prices and wages to combat inflation and Americans were introduced to the withholding tax. The military and civilian war workers were kept on their toes by the Senate Special Committee Investigating the War Effort, chaired by a peppery Democrat from Missouri, Harry S Truman. "Casablanca" won the Oscar for that year and the hearts of Americans in TV replays ever since.
And in BROADCASTING . . .

louder and louder by midyear.

Fly answered the assaults by reminding the House that after he had the "unfortunate duty" of reporting that Cox had received a \$2,500 fee for obtaining a station license for a client, Cox joined the anti-FCC group and called for an investigation. The FCC chairman declared: "Cox immediately joined forces with the radio monopoly and Wall Street interests on the one hand and the military on the other, all moving in for the kill. The aim has obviously been to wreck the commission, the only agency representing the public in this important field, to set up monopolistic control by commercial interests and to estab-

lish actual and coercive surveillance of the nation's most significant mechanism of free speech."

Durr, in September took his allegations of Cox impropriety to Eugene Meyer, editor and publisher of the *Washington Post*. The next day, the *Post* ran a front-page editorial declaring: "In the opinion of no qualified and dispassionate observer has this investigation proven anything but a mockery of basic American traditions of fair play. It has been a star chamber; it has been black with bias; it has sought to terrorize those who exposed the chairman's [Cox] corrupt practices."

With such guns on the other side, Cox resigned his chairmanship of the investigation, which continued into 1944. Cox said he resigned to free the committee of "any possible embarrassment of my personal problems or controversies." It was also understood that Cox made the decision after he received assurances that the probe would continue. Other FCC targets of those House-FCC wars included Commissioner George H. Payne (whose renomination for another seven-year FCC term was precipitously withdrawn by President Roosevelt just 24 hours after it had been submitted) and FCC staffers Dr. Goodwin Watson and Dr. William E. Dodd. Watson and Dodd, who served on the FCC's Foreign Broadcast Intelligence Service, were accused as communist sympathizers by the House UnAmerican Activities Committee headed by Representative Martin Dies (D-Tex.). Fly retained Watson and Dodd at the FCC, despite congressional threats against FBIS funding.

Despite this intra-Washington feuding that some observers called "crippling," the FCC made some constructive moves.

RADIO'S FIRST DSC HERO

BY DIRECTION of President Roosevelt, First Lt. Thomas E. Knode, former Washington news editor of NBC, has been awarded the Distinguished Service Cross for extraordinary heroism in action, the War Dept. announced last Friday.

Now recovering in a military hospital in Australia from wounds received Dec. 5 [BROADCASTING, Dec. 21] Lt. Knode, on recommendation of Gen. MacArthur, has been given the second highest honor this country bestows on its soldiers. It is topped only by the Congressional Medal of Honor.

Radio's First Hero

Thus Lt. Knode, who was called to active duty last March as a reserve second lieutenant, becomes radio's first man to be decorated with the distinguished service cross. The citation follows:

"The Award of the Distinguished Service Cross, by Direction of the President. Thomas E. Knode, 1st Lt., 126th Inf., USA, for extraordinary heroism in action near Buna, New Guinea, on Dec. 5, 1942.

"During an attack on Buna Village, 1st Lt. Knode led his platoon with conspicuous bravery. When wounded in the leg he disregarded the wound and continued to lead his platoon in the attack. When he was again wounded in the foot and was unable to go on, he refused to be evacuated until he had given final instructions to his platoon."

With the citation for heroism, it was disclosed that Lt. Knod



LT. KNODE

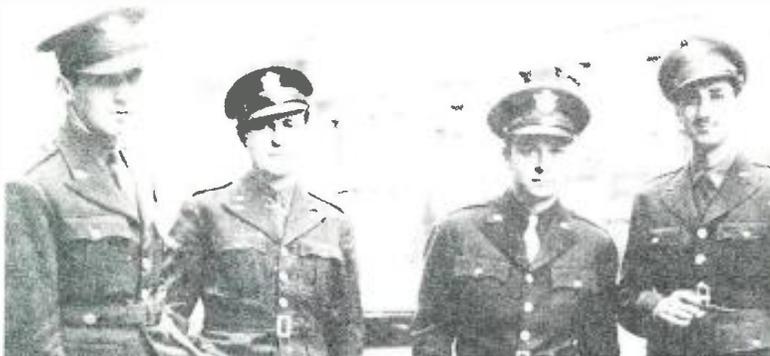
battlefield, not at a desk in Washington."

Later, when he arrived in Australia, Lt. Knode turned down an assignment to the public relations staff of Gen. MacArthur. He preferred to go into battle with his men.

Just two days before the War Dept. notified his wife, Mrs. Catherine Knode, former Washington NBC employe, of the citation, Mrs. Knode received a letter from her husband in Australia. He said nothing about his exploits in action, but told his wife that he had been shot in the right foot. The bullet entered at the ankle and came out through the sole of the

— *Broadcasting*, Jan. 11

Editor's Note. Because of his injuries, Knode was retired from the Army in November 1943 with the rank of captain. He rejoined NBC in Washington, then transferred to New York where he served in several posts, including director of the press department and director of affiliate relations. He left in 1955 to become vice president in charge of television for the Edward Petry & Co. station rep firm but returned to NBC and was vice president in charge of station relations for about 10 years until 1967. Since then he has been a broadcast consultant, based in New York. **Below.** Edward R. Murrow, CBS European news chief, home for a brief visit in New York, brought with him this picture of the London news staff (l to r): Murrow, Paul Manning, John Daly and Robert Trout.



— *Broadcasting*, June 14

They included extension of broadcast license terms to three years, the placement of FM and TV applications in a "pending file" to expedite their processing after the war, and adoption of a plan for the use of four-letter calls for FM stations.

(Although the Radio Act of 1927 and the Communications Act of 1934 had authorized radio licenses up to three years, initially licenses were issued for six months, later for one year, and then, in 1941, for two years.)

However, the FCC created waves in November when it banned multiple ownership of standard broadcast stations in the same area. This surprised an industry that thought the FCC had packed that pistol away. Even though the ruling affected only 40 out of 900 owners, BROADCASTING in an editorial, "Kick in the Teeth for Congress," decried "the FCC's utter disdain of Congress," citing the FCC's lack of warning and lack of precise definition as to what kinds and degrees of multiple ownership were to be outlawed.

The loudest cries of dismay on the Washington frontier, however, came from the networks when the Supreme Court, in a 5-2 decision in May, upheld the right of the FCC to regulate broadcasting policies and to compel compliance with its chain broadcasting rules.

BROADCASTING declared that "American broadcasting has a new business manager—the FCC. . . . It is a neat victory—its greatest—for the FCC majority. We think it constitutes the most dangerous blow yet struck to the freedom of American broadcasting." Niles Trammell, NBC president, called the Supreme Court decision "of grave concern to American broadcasters. . . . [since] the FCC may endeavor to extend its regulations to cover practically every phase of the business relationship between the networks and the stations." CBS President William S. Paley, in a terse statement to the network's affiliates, reaffirmed the belief that "we are more than ever convinced that the commission's areas of authority, and the broadcaster's areas of freedom should be redefined by the Congress in a new radio act." But Miller McClintock, MBS president, praised the ruling: "Finally the radio industry is to have a practical application of the broadcasting rules promulgated by the FCC and confirmed by the Supreme Court. We welcome their application without apprehension. . . . The . . . rules will have no revolutionary effect upon advertising practices, upon the operations of Mutual, nor . . . upon the operations of the other networks."

One result was that the government dropped its antitrust suits against CBS and NBC, and MBS dropped its suit against RCA-NBC.

The other important change in the network business came in August when the Blue Network was sold to Edward J. Noble for \$8 million, a sale for which RCA had been preparing itself for some time. Noble, chairman of the board of Life Savers Corp., agreed to sell his WMCA New York to



LANDLUBBERS were these "beachcombers" at the penthouse party Monday evening at Paul H. Raymer's, in Chicago. Guests of the station representative in this unconventional setting were (l to r): Clair McCollough, Mason-Dixon Group, Edgar Kobak, executive vice-president, Blue;

Black, Joseph Katz Co.; Linnea Nelson, J. Walter Thompson Co., New York; Herbert V. Akerberg, CBS vice-president; Reggie Schuebel, Duane Jones Co., and Margaret Wylie, J. Walter Thompson Co., Chicago.

— *Broadcasting*, May 3

conform with the FCC's feelings about multiple ownership in one community. Blue Network holdings included WJZ New York, WENR Chicago and KPO San Francisco, transfers of which were subject to FCC approval.

Noble then sold WMCA for \$1,225,000 to a company headed by Nathan Straus, former administrator of the U.S. Housing Authority. The transaction was announced as Donald Flamm—who had sold WMCA to Noble in 1940 for \$850,000—sought unsuccessfully to have the 1940 sale rescinded on the grounds that it had been made under duress. Flamm said he was influenced by reports of White House pressure for the sale as well as fear of FCC reprisals for his conduct of the station's operation. The issue resurfaced the next year (1944) in Flamm's testimony to congressional probers of the FCC.

Since the war-born limits on newspaper and magazine size brought new advertisers and added revenues to radio, the industry gained, as *BROADCASTING* wrote, "an opportunity to diversify, so the industry isn't dependent upon the business of only a handful of national accounts and agencies who buy practically wholesale."

The war also created an awareness of the future potential of broadcasting. FCC Commissioner T. A. M. Craven urged planning for the "entirely new radio horizon . . . open to the public. Progress in radio development in World War II has been and will be of tremendous significance. . . . Let us resolve now to coordinate our planning before embarking on a wild scramble of equipment manufacture for the use of new radio channels."

Despite shortages and rationing, the war created record revenues for radio, with \$228.1 million in net time sales in 1943. At the same time, broadcasters continued to donate huge amounts of time, talent

and energy to the war effort. By midyear, the Office of War Information placed the value of broadcast time and talent since the war's inception at more than \$100 million.

Through radio, government also sold psychological warfare, an image of "truth." In October CBS President Paley accepted an overseas assignment from the Office of War Information and became radio chief, psychological warfare, at General Eisenhower's headquarters for the Allied forces. The psychological unit, created by OWI in December 1942, at first consisted of five people with no stations or equipment. One year later the Psychological Warfare Branch operated three broadcasting stations in the U.S., beaming broadcasts overseas, and three in the Mediterranean, and programed five other stations with 15-minute news programs in English, German, French and Italian. Besides delivering those programs, the radio division of the Psychological Warfare Branch transmitted radiophotos, monitored all European foreign broadcasts and published a daily report of these broadcasts in order to "truthfully [inform] the people of the Axis, Axis-occupied and liberated countries, both civilian and military."

Through radio, the government and the networks sought to shore up morale. As always, comedy eased the worry. Chester A. Riley's (William Bendix) "What a revoltin' development this is" regularly drew laughter on *The Life of Riley*, which first appeared on NBC in the summer. Comedian Fred Allen's "Allen's Alley," which first appeared Dec. 6, 1942, gained great popularity in 1943 with its characters, Mrs. Nussbaum, Titus Moody, Ajax Cassidy and Senator Beauregard Claghorn.

Increasingly, the war became the background and theme for shows as divergent

as juvenile adventure, medicine and music. Superheroes asked children to collect and conserve items needed for the war.

Pacific Story, an 11:30 p.m. NBC semi-documentary inaugurated in July, explored, as the episodes' titles indicated, the impact of such events and people as "The Burma Road," "Hirohito," and "Jinnah: Head of the Moslems of India." *For This We Fight*, produced under the guidance of the NBC Inter-American University of the Air, The Twentieth Century Fund, and The Commission to Study the Organization of Peace, discussed, in a 13-week series, the bases for peace.

Music at War, a six-part series under the guidance of the NBC Inter-American University of the Air, presented songs associated with the various branches of the armed forces. As Samuel Chotzinoff, manager of the NBC music division said, "Almost all great music represents the conflict between good and evil and the inevitable triumph of the former. There can, therefore, be no question that music in wartime is one of the most important aids to morale." General Hap Arnold ordered Gene Autry (inducted into the Army over radio in July 1942) to produce a wartime version of his popular *Gene Autry's Melody Ranch*. Autry, promoted to sergeant, broadcast *The Sergeant Gene Autry Show* on Saturday nights over CBS. Autry also produced recruitment material that proved to be especially effective for high school boys.

In 1943 the U.S. Army Morale Service Division greatly enlarged the Armed Forces Radio Service, established in 1942, and created the Armed Forces Network. Both groups had the similar function of broadcasting to Army personnel the radio shows provided for free by the networks. Although the shows were sent overseas to



A NETWORK IS SOLD, and delivered, for the first time in history, with David Sarnoff, president of the Radio Corporation of America, handing to Edward J. Noble, purchaser of the BLUE, a certificate for 1,000 shares—the entire stock—of the BLUE Network Co. Inc. Mr. Sarnoff had previously received \$7,000,000 in cash, which with the \$1,000,000 Mr. Noble paid down, constituted the purchase price. Mark Woods, president of the BLUE, looks on at the right of the picture.

Broadcasting, Oct. 18

remind the soldiers of home, the shows aired without the commercials that would remind the GI's of things they could not have. Low-power transmitters were constructed at bases overseas. By the end of 1943, the AFNS had 306 outlets in 47 countries.

The AFN, which appeared in England in mid-1943, soon included more than 50 low-power stations on bases throughout the United Kingdom. While AFN used AFNS programming to fill its 20-hour day, AFN broadcast announcements, orientation shows, and its own message-oriented commercials about rationing, the conservation of "Jerricans" (gasoline containers) and health. One often repeated slogan was "VDMT: Venereal Disease Means Trouble: For a moment of play, you may have to pay."

Such were the power and hope of government advertising which, along with the hopes of private citizens, came to include the selling of blacks and women as important war contributors. The government needed to change the perception of black soldiers in a segregated army from second-class to heroic, and the government needed to change the perception of women in uniform from unladylike and incompetent to capable. Radio became the vehicle. Special shows focused on black bravery. Norman Corwin wrote several radio plays featuring black heroes. William N. Robson produced and directed the series, *Man Behind the Gun* about the true story of the all-black personnel of a Coast Guard cutter, the U.S.S. Campbell, that sank six enemy submarines. The Navy produced *Men O' War*, an all-black musical, from its Great Lakes training center in Illinois, which became a weekly feature on CBS by the war's end. Mutual

broadcast *Fighting Men* in which black servicemen related their war experiences. Black war correspondents, to commemorate the 116th anniversary of the black press, reported, for the first time over shortwave, from war zones in Europe and North Africa.

To encourage women to enlist, the government turned to radio to sell its new Women's Army Corps, at first called the Women's Army Auxiliary Corps and established in 1942. WAC's became a part of soap operas and minor characters in established serials. Under the direction of WAC Captain Ruth Thompson, CBS broadcast *WAC's on Parade*.

Womanpower was in ascendancy at broadcasting stations at home as well. Because of the decided shortage of male labor, women manned newsrooms, control rooms and sales forces.

During 1943 the American Federation of Musicians won concessions from transcription firms. Unmoved by the War Labor Board's pleas for the nation's morale, the AFM stood firm. In September Decca Records and the World Broadcasting System agreed to pay royalty fees for records directly to the union. By the end of October four transcription firms—Associated Music Publishers, Lang-Worth, C. P. MacGregor and Standard Radio—signed with AFM.

The National Association of Broadcasters denounced the new principle of payment as "vicious." BROADCASTING explained in an October editorial: "Now that Jimmy Petrillo [the AFM president] has 'revolutionized' the employer-employee relationship through introduction of his system of private taxation, look for the next epoch-making step. . . . Jimmy claims he is setting up his own system of private

'unemployment relief' at a time when unemployment is nonexistent and the manpower shortage is the worst in history . . . radio . . . has become the 'fall guy' for these shake-downs. . . . From the radio standpoint there's only one answer, unless the government steps in. That's the simple, American way. *Stand up and fight.*"

While music users were losing the battle with Petrillo, radio technology won a superweapon: Radar, "the wartime miracle of radio" appeared. In the spring when the government allowed some information about radar to be released, BROADCASTING editorialized: "Jot down in your little notebook the legend: 'Radar—April 23, 1943.' Because that word will become as commonplace in radio's lexicon as radio itself. . . . this radio electronic development for radio detecting and ranging, traveling with the speed of light, has taken the gamble out of blind flying, and has been used on land, sea and in the air to detect approach of the enemy and to measure his distance."

When the government froze the commercial production of radio receivers in 1942, it was to switch parts and personnel to the manufacture of such wartime equipment as radar. Because of this, only 700,000 radio sets were sold in 1943 (350,000 new and 350,000 used) compared with 4,400,000 in 1942; only 17,000,000 tubes were sold compared with 87,700,000 in 1942, and no car radios were sold, compared to 350,000 in 1942.

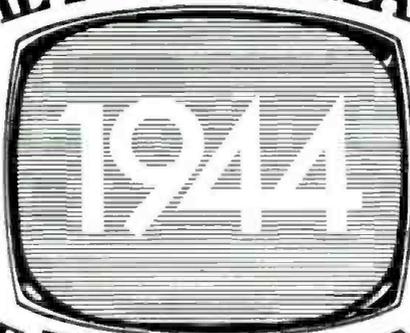
It was radio's war as much as anyone else's. When the government needed to inform, arouse, cajole, warn, or motivate the most people in the shortest time, radio became the vehicle. In September General Dwight D. Eisenhower broadcast the news of Italy's surrender. In December President Roosevelt's Christmas Eve broadcast was carried on the greatest worldwide hookup to that date, and, in a precedent-breaking move, was rebroadcast by transcription over the four major networks. Radio carried the image and focused the energies of a nation at war.

Stay Tuned

1. Who was the veteran broadcaster who served as radio director of the Democratic National Committee in 1944?
2. What news magazine publisher and former ad agency executive each bought 12.5% interests in the Blue Network?
3. Who became interim FCC chairman when James Lawrence Fly resigned? And whom did Roosevelt later appoint as permanent chairman?
4. In what way did Petrillo's AFM lock horns with NABET and IBEW?
5. Who was the dog whose frugality was cited by FDR in a memorable campaign broadcast?

The answers
in "1944."

THE FIRST 50 YEARS



OF BROADCASTING

The FCC and congressional probers continued to spar. The commission began planning a permanent place for FM and TV in the postwar spectrum. Radio wrote new chapters in the annals of journalism with its coverage of D-Day at Normandy and election day at home.

With the war and the election in 1944 came record broadcasting revenues of \$300 million in gross billings, \$285 million in net time sales. Radio homes increased to 32.5 million despite production freezes on receiver parts and tubes. With Allied offensives in Europe and the Pacific came the American Broadcasting System in Europe (ABSIE), and the Allied Expeditionary Forces radio. With all of these came radio's undisputed supremacy for quick communication and the bolstering of morale among the Allied countries.

Radio itself became the object of study for postwar possibilities. Broadcasters armed themselves for peacetime regulatory battles with the government at home.

To organize for postwar growth, the National Association of Broadcasters in February drafted J. Harold Ryan, Storer Broadcasting Co. executive who also served as the government's assistant director of censorship, for a one-year interim presidency. As BROADCASTING wrote: "The task ahead isn't easy. The trade association champions a free and unrestricted radio. Forces in government, under leadership of FCC Chairman James Lawrence Fly, have demonstrated that their move is toward rigid regulation, tightening up everywhere. That, the NAB must resist. And for that reason, the radio spokesman inevitably will have differences with those now in the regulatory saddle."

Nineteen-fourty-four was also the year in which Franklin D. Roosevelt ran for an unprecedented fourth term and radio proved its role in the making of a President. Many, including BROADCASTING, coupled the sustained increase in the popular vote with the substantial increase in home receivers. Before the 1944 election, BROADCASTING reasoned that the increase in the popular vote to 40 million in 1932 could be traced to the



The rising hopes for an Allied victory intensified as the armies under General Eisenhower landed on the German-occupied beaches of Normandy on June 6 and by Aug. 25 had liberated Paris. On other battlefronts, Athens was freed Oct. 13, and the Americans went back into the Philippines Oct. 20. Postwar planning included the Dumbarton Oaks conference in Washington, at which the U.S., Great Britain, the Soviet Union and China took a major step toward establishment of the United Nations, and Roosevelt met with Churchill in Quebec on plans to deal with Germany after the war. FDR was elected to a fourth term, the GI Bill of Rights was enacted, and the International Monetary Fund and the World Bank were established. A respite from the rash of movies with wartime themes was "Going My Way", a touching story of two priests that won Oscars for Bing Crosby and Barry Fitzgerald.

And in BROADCASTING ...

combination of 18 million radios in use, to women's interest in the campaign, and to Roosevelt's "national radio voice." The 1936 campaign, according to BROADCASTING, "reflected ... another new record vote—45,650,000. There were 33,000,000 receivers in use. Roosevelt, the radio orator, cantered down the home stretch over Landon, whose dust-dry Kansas delivery failed to register. [In] 1940 ... there was a radio set for every voter—50 million receivers in use. The Roosevelt technique was never better. Willkie's voice rated low—cracked and strained after arduous road campaigning ... It is clear that unless the opposition uncovers a microphone miracleman ... it will be Roosevelt in another radio romp in 1944."

To forestall that romp, the Republicans in 1944 nominated New York Governor Thomas E. Dewey whose credentials included an impressive radio presence. A prominent linguist credited Dewey with "a fine, manly voice that is a pleasure to hear. ... strong without any evidence of strain or overexertion. ... Not since radio became a first-class medium for political campaigning has there been a Republican leader who approached Dewey's caliber as a broadcaster."

Besides his broadcast style, Dewey took into the campaign a GOP platform that, much to the satisfaction of broadcasters, included a plank for "free press and radio" and a promise of a new definition "in clear and unmistakable language" with which to nail down the role of the FCC. Dewey said: "The FCC should have no right of censorship, that it should not control the content of radio programs. It should stay in the field of regulating technical facilities. And when the FCC starts to control program content, free radio goes out the window." Roosevelt's Democratic platform failed to pin the FCC to a new, precise law. BROADCASTING, in an editorial entitled "Jilted," expressed the industry's sense of unrequited expectations.

With public interest in the 1944 campaign at fever pitch, the networks canceled all commercial programs that would have interfered with their coverage of the Republican and Demo-

D-Day Gives Radio Greatest Opportunity

Networks, Stations Rise to Occasion With Graphic Invasion Account

By BRUCE ROBERTSON

HISTORY'S mightiest military operation last week gave to American radio its greatest opportunity for spot news coverage. Radio was not found wanting.

Months of preparation by stations and networks alike, buttressed by the reports of the world-wide news associations, in a twinkling were translated into steady, smooth handling of the European invasion, with the first flash after midnight June 6. Service has proceeded since without a hitch, achieving for radio enlarged stature, reliability and dignity as the swiftest and most articulate of the news disseminating media.

For other invasion news see pages 10, 11, 12, 18, 60, 61, 62, 64, 65, 70.

ever written "moved" across trans-Atlantic radiotelephone channels on a 24-hour schedule. Direct pickups, radiotelegraphic dispatches and recordings contributed to the flow of the spot reporting of the invasion. The Signal Corps message center handles over 6,000,000 words daily.

It was not long after midnight—12:37 a.m. EWT, to be exact—that the newsroom teletypes tapped out a broadcast by



SYMBOLIC of radio's manpower in the European theatre is this U. S. Signal Corps radiophoto showing General Dwight D. Eisenhower chatting with some of his men in England before they boarded planes for the invasion. At the Supreme Commander's left is Comdr. Harry C. Butcher, USNR, Naval aide, who has been through the African, Sicilian and Italian campaigns. Comdr. Butcher for more than a decade was CBS vice-president in Washington and left June 1, 1942, for active duty.

moment to moment.

port went out on the air, accom-

panied by warnings that it came

duty could not be sure that the report was true, but they took no chances and soon

At the FCC's allocations hearings CBS asked that the number of FM channels be increased from the 40 authorized and the 75 recommended by the Radio Technical Planning Board to 100 to accommodate the licensing of between 4,000 and 5,000 stations and at least 10 networks. Muzak announced plans to marry "wired radio" with FM to produce a nationwide, nonadvertising, public subscription service. Subscribers would receive music, non-subscribers, a "pig squeal." To that end, Muzak asked the FCC to set aside "a suitable number" of FM channels.

The other major part of the allocations hearings dealt with television: how much and what part of the spectrum it should occupy. Some broadcasters and manufacturers wanted prewar standards to obtain, while others pushed for more advanced postwar specifications. At the same time that CBS requested more FM space, the network also requested that TV be moved above 300 mc to the UHF part of the spectrum where there was room for high fidelity.

After the war, CBS wanted TV moved "upstairs," by requiring high-definition, full-color pictures broadcast on 16 mc bands. RCA, the newly formed Television Broadcasters Association, with Allen B. DuMont as president, and most other manufacturers opposed the move "upstairs," fearing that it would delay postwar television development, not to mention creating problems with patent holdings. "Downstairs" proponents such as RCA held patents at prewar standards;

"upstairs" proponents such as CBS tended to be less invested in prewar equipment.

With or without the benefit of postwar technology, television seemed the big new dimension. Although at the year's end there were only a handful of television stations, the FCC in May prepared for the postwar surge by increasing the maximum number of TV stations that one company could own from three to five. General Electric estimated the annual technical operating cost of a master television station operating eight hours a day and seven days a week would be \$350,000 annually, or \$117 per hour. The total capital investment for such a station was estimated at \$450,000-\$500,000.

In an editorial entitled "Video Vision," BROADCASTING urged the standard broadcaster to "assert his purpose and stake his claim" to the new territories "with the same courage which gave him leadership in aural radio."

Newspaper owners who continued to demand their right to own radio stations were rewarded in January 1944 when the FCC decided not to adopt any general rule barring such ownership. Instead, the commission said it would consider each case individually. Chairman Fly felt that the questions involved in dual ownership remained unsettled.

Other questions were arising in Washington. In February the House Select Committee that had been investigating the FCC for a year began looking into the alleged "forced" sale in 1940 of WMCA

New York by Donald Flamm to Edward J. Noble. Flamm accused the FCC of coercing him into selling the station, testifying that he had been told that the deal was "greased from the White House down." Fly accused committee counsel Eugene C. Garey of "attacking the President of the United States" and carrying on an "underground propaganda mill." Former Governor James M. Cox of Ohio, a newspaper publisher and broadcaster, accused Fly of wanting "radio to be turned over, if not abruptly then by easy stages as political conditions permit, to the government."

When Garey resigned as the probe's general counsel, he accused Clarence F. Lea (D-Calif.), who became committee chairman after the resignation of Representative Eugene Cox (D-Ga.), of interference, saying Lea "repeatedly ignored the mandate of the House, stymied the staff in its work, and converted the investigation to a sheer whitewashing affair." When Fly resigned from the FCC in November, he left a terse statement that he was entering a private law practice, and much speculation that the House probe would end. When John J. Sirica, who replaced Garey as general counsel, resigned in November, Sirica accused the committee of "whitewashing" the investigation because of its 3-to-2 decision to bar the public from the hearings on the sale of WMCA.

With Sirica's resignation, observers predicted the demise of the investigation, especially since the two major antagonists, Cox and Fly, had left the arena. The in-

—Broadcasting, June 12

vestigation would not be much missed. Speaking for much of the industry, BROADCASTING wrote an epitaph: "To date, the House Select Committee to Investigate the FCC must be recorded as the most abysmal bust of the congressional session. . . . It is hard to see where any good has come of this inquiry, which has run through \$110,000 of taxpayers' funds during its nearly two-year tenure. . . . Evidently the plan now is to take testimony until this Congress adjourns prior to the Christmas holidays. Then, we assume, the committee will issue a report, and curl up and die."

As some might have wished, the FCC refused to curl up and die. Instead, the commission regrouped for the future with new faces. Ewell Kirk Jett, an independent, who joined the commission in February, briefly served as interim chairman after Fly's resignation. T.A.M. Craven retired from the commission on June 30 to become vice president of the Iowa Broadcasting Co. Paul A. Porter, radio attorney for CBS, wartime government official and director of publicity for the Democratic National Committee in the 1944 campaign, was nominated in November by Roosevelt to succeed Fly as chairman. Porter was sworn in as chairman in December after Congress had adjourned and before Congress had confirmed his appointment. Rosel H. Hyde, FCC assistant general counsel in charge of broadcasting, was nominated in December to replace Craven.

On the economic front, broadcasters reported that, as 1944 began, the industry remained the leader in employe compensation with an average weekly paycheck of \$55.75. Operating technicians earned an average of \$51.93 per week, announcers, \$47.13, and staff musicians, \$70.03.

This last figure, in the broadcasters' opinions, refuted claims of James C. Petrillo, American Federation of Musicians president, that incipient poverty for staff musicians was the reason for his long-lasting strike against the recording subsidiaries of RCA, CBS and NBC.

Petrillo vowed the strike would be resolved only when networks agreed to pay royalty fees directly to the AFM's unemployment fund. Looking even farther into the future, Petrillo, in May, announced a contract with some network stations to employ AFM musicians as turntable operators. This pitted the AFM against new opponents, such as the National Association of Broadcast Engineers and Technicians and the International Brotherhood of Electrical Workers, unions already established in that area of radio.

The National War Labor Board in March ordered the AFM to resume recording and to return to conditions that prevailed on July 31, 1942, saying the AFM ban impeded the war effort. Petrillo refused. Again in June, after Petrillo's announcement of what came to be called the "pancake blitz," the NWLB ordered a prompt settlement of the recording dispute, a return of AFM musicians to RCA, CBS and NBC, and negotiation of a settlement within 15 days. Petrillo refused to let AFM musicians work for those companies until they accepted the same terms as other recording firms.

Stymied, the NWLB in August referred the Petrillo strike to the Office of Economic Stabilization. Petrillo, in October, rejected a direct appeal of President Roosevelt to terminate the strike, contending such a termination and the concomitant acceptance of lower fees from the struck organizations would jeopardize the 107 existing AFM contracts. RCA, CBS and NBC in November acceded to Petrillo's demands: the expected royalty payments to the union's unemployment fund were estimated at \$4 million per year.

Besides those changes and the preparations for the future of television and FM, the networks shuffled personnel. Time Inc. and Chester J. LaRoche, former head of Young & Rubicam, each paid \$500,000 cash for a 12 1/2% interest in the Blue network. The stock was bought from American Broadcasting System Inc., the holding company of network owner Noble. LaRoche, in September, became the

operating head of the Blue. Edgar Kobak in November resigned as executive vice president of the Blue to become president of Mutual Broadcasting System.

By the end of 1944, there were 943 stations, with 730 affiliated with the four major networks. The Blue had 194 stations, MBS 244, CBS 143, and NBC 149. The top nighttime programs were, in order, *Bob Hope*, *Fibber McGee and Molly*, *Jack Benny* and *Walter Winchell* (tied for third), *Kraft Music Hall*, and *Sealtest Village Store*.

But the major event in 1944 radio involved the war and the June 6 Allied invasion of German-occupied France. "For all of us alive today," BROADCASTING declared in advance of D-Day, "the biggest story since Creation is about to break. History's most perfect and best coordinated fighting machine . . . is poised on the British beach awaiting the invasion hour. Just as this is radio's first war, it is radio's first spot news coverage of an invasion. Preparations have been in the making for months. Every network has its invasion staff primed. Communications facilities have been vastly augmented. Around-the-clock coverage will be provided by American radio as long as conditions warrant."

As one preparatory measure, the government had created the American Broadcasting System in Europe (ABSIE) to inform and guide resistance groups on the European continent. ABSIE went on the air April 30 with this message: "This is the American Broadcasting System in Europe. . . . We Americans are here to join with the BBC in telling the truth of this war to our friends in Europe and to our enemies . . . The day is not far distant when your radio stations will again be free to tell you the truth instead of the tremulous lies of the Nazis, the collaborationists and the Quislings. . . . We shall give you the signal when the hour comes for you to rise up against the enemy and strike." (Quisling was a Norwegian politician who served the Germans in a puppet government they installed in Norway.) ABSIE broadcast in almost every European language, and ended each 15-minute broadcast with "Yankee Doodle."

In the U.S., sponsors such as the Colgate-Palmolive-Peet Co. notified broadcasters to suspend all commercials on D-Day to expedite news reporting. In March a special Signal Corps public relations group under the direction of then Colonel (later Brigadier General) David Sarnoff and Major General Frank E. Stoner had left for England to make sure that the equipment necessary for news reporting would be available. At that time, only two still pictures a day could be sent by the American news syndicates from England to America, but the syndicates estimated they would need more than 36 pictures every 24 hours after D-Day. Accordingly, the Signal Corps erected its own transmitter and on June 6, sent 67 still pictures of the Normandy invasion, at the rate of seven minutes per picture.

Before the Signal Corps arrived in Eng-



NEVER ONE to shy from publicity, AFM Czar James C. Petrillo (center) poses here preparatory to the meeting of his board in Chicago last Monday, at which President Roosevelt's plea to end his 26-month ban on recording was rejected. At left is C. L. Bagley, vice-president; at right is Joseph N. Weber, honorary president and general adviser of AFM, from whom Petrillo wrested the presidency several years ago.

—Broadcasting, Oct. 16



RADIO'S FUTURE rests in the hands of these men, members of the FCC, who posed for *BROADCASTING's* photographer after Paul A. Porter was sworn in as chairman following a recess appointment by President Roosevelt. Seated (l to r): Paul A. Walker, Chairman Porter, Norman S. Case. Standing (l to r): Clifford J. Durr, Ray C. Wakefield, Ewell K. Jett, who served as interim chairman following the Nov. 15 resignation of James Lawrence Fly. Retiring Chairman Jett was first to congratulate his successor. Present also were FCC department heads.

—*Broadcasting*, Dec. 25

land the broadcast networks shared one circuit between London and New York. Through Sarnoff's intervention, the British Post Office made a second circuit available, and the Signal Corps built one of its own.

Radio warned people in Europe and informed Americans at home. Before the invasion, ABSIE warned the Dutch, French and Belgians to stay indoors since air attacks were imminent. After the invasion, the networks canceled commercials and regularly scheduled programming to permit 24-hour coverage with reports, analyses and official bulletins. The Office of War Information told the world the D-Day story in 28 languages and 11 dialects over all of its transmitters in the U.S., Africa and Europe.

As the invasion began, President Roosevelt read this prayer over the combined American radio networks: "Almighty God, our sons, pride of our country, this day we have set upon a mighty endeavor to preserve our republic, our religion, and our civilization, and to set free a suffering humanity. . . . With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogance. Lead us to the saving of our country, and with our sister nations into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all men live in freedom, reaping the just rewards of their honest toil. Thy will be done, Almighty God!"

NBC telecast that Roosevelt reading in New York, Washington, Philadelphia and Schenectady, N.Y.; this was said to be the first use of portable equipment with image

orthicon cameras on a regular TV program.

On D-Day the number of radio sets in use rose 78% above normal and stayed 19% above normal for the rest of the week (Wednesday-Saturday). *BROADCASTING* dubbed the D-Day coverage "Radio's Greatest Triumph," and said: "The biggest spot news story in history was handled as expertly as if it were a routine occurrence. . . . Perhaps the most significant development—and the one destined to influence future operations—was the use of transcribed reports of radio war correspondents over all networks. Heretofore, NBC and CBS have turned thumbs down on recordings of any kind. The invasion coverage may spell the end of that taboo."

ABSIE continued to broadcast to German-held territory as the war went on, with the help of such stars as Bing Crosby, who arrived in London to sing "White Christmas" in German. The government, shortly after D-Day, began AEF radio, beamed to the Allied Expeditionary Forces. Directed by Colonel Edward M. Kirby, former public relations director of the National Association of Broadcasters, the AEF became a new part of the Armed Forces Network as a combined project of the British Broadcasting Corp., the Armed Forces Network and the Canadian Broadcasting Corp.

Captain Glenn Miller was a favorite AEF entertainer. His Army Air Force Band played on *I Sustain the Wings*, a network series, as well as on recruiting programs and for war bonds. In 1944 Miller went to England to be closer to the front; in December a plane in which he was a passenger disappeared and never was found.

To reach the Pacific, the government created another radio network. Sailors in the Pacific dubbed the AFN equivalent there the "Mosquito Network." Ships picked up broadcasts from stations on Guadalcanal, New Caledonia, the New Hebrides and other Pacific islands. Later, stations exchanged programs such as "Report to Troops," which related war events to the South Pacific campaign. The *Atabrine Hour*, named for the malaria prophylactic, was a favorite Mosquito Network program. Broadcast at dinnertime, the show opened with Harry James's recording of "The Flight of the Bumblebee" backing these words: "Brought to you by Atabrine. They may taste awful, but fellers, they're healthful—they're wonderful—they're free. Reach for Atabrine instead of dessert, while I reach for Benny Goodman's recording of 'Stardust.'"

To inform Americans through dramatization of the war effort in China-Burma-India, the government supported the program, "Yanks in the Orient." Under the direction of Lieutenant Colonel Paul Jones, Lieutenant Colonel Rankin Roberts, Lieutenant Colonel Fenis Farr, a *March of Time* writer, with Lieutenant Bert Parks as announcer, the program was produced in China for the networks at home. The transcribed shows were sent to the U.S. for broadcast on ABC.

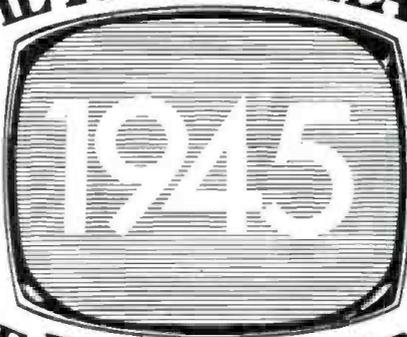
Radio was central to the history of 1944, from D-Day to the first announcement of General Douglas MacArthur's return to the Philippines on Oct. 20, to radio engineer Morris Pierce's plan that enabled the intact capture of Radio Luxembourg for the OWI, to bond drives at home. Much of the next year would pass before the war would end and AM broadcasters would face a readjustment to a postwar surge of competition from new stations and new media.

Stay Tuned

1. Who was the journalist who broke the embargo and prematurely reported the surrender of Germany?
2. What was the wartime secret that reporters and commentators guarded so well and drew the praise of Byron Price, director of censorship?
3. How much did it cost broadcasters to cover the San Francisco conference to organize the UN?
4. Which FCC commissioner insisted that a station licensee's promises be compared with its actual performance?
5. The sale of WJW Cincinnati resulted in what rule that the FCC followed in subsequent sales?

The answers
in "1945."

THE FIRST 50 YEARS



OF BROADCASTING

As the prospects for peace improved in early 1945, broadcasters planned coverage of the war's finale from such places as Manila, Berlin, Tokyo and Potsdam. War news and on-the-spot reporting continued to be the main assignment for broadcast journalists. General MacArthur's forces liberated Manila in February and rescued several broadcasters from the Santo Tomas internment camp, including Bert Silen, NBC correspondent and manager of KZRH Manila, who 37 months before had his last broadcast cut off by Japanese bombs that destroyed the Philippine transmitter. Upon his liberation, Silen reported to an NBC audience: "As I was saying when I was so rudely interrupted over three years and a month ago ..."

On the European front, the Army moved a 60 kw transmitter mounted on 17 trucks to the vicinity of Berlin in March, and CBS's Bill Downs was chosen to parachute into Berlin to make the first American broadcast as the Allies occupied the city.

As stations readied for the news of victory in Germany, a false report of peace—engendered by an overzealous reporter and a Keystone cops chain of events—was broadcast on the Don Lee-Mutual network. BROADCASTING urged, "A cool head ... a dispassionate eye on that news wire ... No matter what the source, check it!" because the "... world's all-time, winner-take-all champeen journalistic sap is going to be the chap who goes on the air and announces to a waiting audience that the war is over in Europe—before the war is over!"

When the real announcement of victory in Europe was aired, one journalist scooped everyone else by breaking a pledge. Ed Kennedy of Associated Press and almost 60 fellow reporters had witnessed Germany's surrender in the small schoolhouse in France that served as General Dwight Eisenhower's headquarters. All of the correspondents had agreed not to report the signing until General Eisenhower gave his approval; Eisenhower had agreed to announce the victory simultaneously with the other Allied leaders on May 8. However, on May 7 over an uncensored wire from Paris to London,



The horror of the atomic bomb and the joy of world peace both were felt in 1945. The leadership of the world suddenly changed: FDR died unexpectedly; Mussolini was killed; Hitler died by his own hand, and Churchill resigned after V-E Day. Clement Attlee, a moderate socialist, took over as British prime minister. Harry S Truman, the 33d President, attempted to make the transition to peace as GI's began to return home. Unions, no longer bound by wartime pledges not to strike, began to flex muscles. Will Hays turned over the reins of the Motion Picture Producers and Distributors of America, soon to become the Motion Picture Association of America, to Eric Johnston. From his seat in the House of Representatives, New York Democrat Emanuel Celler demanded that the FCC crack down on broadcasters' commercial and programing practices and order more air time for educational and cultural fare. And elsewhere in BROADCASTING ...

Kennedy filed this report: "Germany surrendered unconditionally to the Western Allies at 2:41 a.m. French time today." Kennedy lost his credentials as a war correspondent and his fellow reporters brought an unprecedented resolution of censure against him. BROADCASTING in an editorial, "Radio: Life-Saver," noted: "It may be true that Mr. Kennedy violated journalistic ethics. ... It was news when the peace terms were signed. ... News has a way of leaking. ... The point we make is that Mr. Kennedy's story saved lives—American lives. It was picked up and rebroadcast by ABSIE throughout the war theater. If it saved a single life—premature or no—it served a purpose that means more to American mothers and fathers than a thousand news pledges."

With the real victory reported, radio took charge. BROADCASTING headlined: "Radio Prepared as Germany Collapses." The networks used pooled reports during the early stages of Germany's surrender to keep America informed. The networks canceled regularly scheduled programs to present reports, celebrations and specials. President Harry Truman, less than a month in office, appeared on all networks at 9-9:30 a.m., May 8, to proclaim victory in Europe (V-E Day).

NBC, during the day, broadcast statements by British Prime Minister Winston Churchill, Eleanor Roosevelt, Eve Curie and others. In the evening NBC broadcast Arturo Toscanini and the NBC Symphony playing Beethoven's Fifth Symphony, the so-called victory music of World War II, as well as an hour dramatization that traced the war from Pearl Harbor to victory in Europe. CBS also aired the statements of leaders, and ended its coverage with an hour presentation of Norman Corwin's *On a Note of Triumph*.

Mutual emphasized the theme of thanksgiving. Leaders of three religious faiths, the Right Rev. Henry St. George Tucker, presiding bishop of the Protestant Episcopal Church in New York; Rabbi Louis Finkelstein, president of the Jewish Theological Seminary, and the Rev. Robert I. Gannon, president of Fordham University, led Mutual listeners in prayer.

Mutual also presented the Westminster Abbey choir from London and broadcast from hospitals and canteens in the U.S.

The National Association of Broadcasters, at the encouragement of BROADCASTING's Sol Taishoff, urged all stations on V-E Day to play simultaneously a special recording of a ringing of the Liberty Bell, "amplified through the magic of radio."

V-E Day radio won a 63.1% Hooper rating, the highest since the American declaration of war on Dec. 8, 1941.

Victory in Europe brought new conditions for the government and for broadcasters. The Office of War Information, aware of both the high V-E Day listening and the inherent problems that a half-victory could bring, used V-E Day as the focus for a report and a re-education campaign. In late 1944 the OWI issued a report entitled "V-E Day: An Estimate of Home Front Information Problems in the Six-Month Period Following the Defeat of Germany." Chief among these problems, the OWI listed a sense of victory since "To many at home [V-E Day] will mean the virtual end of the war, instead of what it is—the conclusion of only half the war." To combat this and problems of manpower and production, the OWI, in conjunction with other government departments, created media campaigns, with radio the centerpiece. The Treasury Department, for example, circulated such ditties to sta-

tions for broadcast on V-E Day as:

"The job's half done but the war's not won."
There's still the land of the rising sun. Buy more war bonds, everyone, and keep the Japs on the run."

For broadcasters, V-E Day meant new working conditions. The Office of Censorship removed the ban on man-in-the-street, ad-libbed and request programs. Foreign language stations no longer required special monitors and censors; however, the biggest wartime restriction, the freeze on new construction, remained in effect until the Allies achieved total victory.

For the Allied forces' American Broadcasting System in Europe, V-E Day was the beginning of its end. With victory, ABSIE lost its mission. ABSIE had broadcast eight hours a day in English, French, German, Flemish, Danish, Norwegian and Dutch. Its powerful transmitters had reached audiences as far away as South Africa, Russia, India, Australia and New Zealand. OWI estimated that at one time or another 80% of the people of occupied Europe listened to ABSIE.

On the farewell broadcast of ABSIE on Independence Day, Elmer Davis, OWI director, declared ABSIE "a weapon of war, an instrument that assisted in the Allied campaign of liberation. . . . Now we talk to a continent in reconstruction; and even though this powerful channel of the

Voice of America is closing down, that voice will still be carried by other transmitters, both shortwave and longwave, to the people of the liberated nations." W.J. Haley, director general of the BBC (the BBC aided ABSIE), praised ABSIE as "a most powerful and perpetual weapon. By its means the forces of truth have been sustained in places where and at times when they could have been kept alive in no other way. Thanks to broadcasting, truth has not merely survived; truth has prevailed."

Soon after ABSIE ceased broadcasting, the Allied Expeditionary Forces also ceased their radio operations. General Eisenhower, on the farewell broadcast for AEF recorded at Frankfurt on July 28, lauded the teamwork that gained AEF its goal: "To the field recording units that worked throughout the operational areas, recording . . . realities of war as experienced by the men who . . . faced . . . them, to the mobile transmitter units that have relayed the programs from the continent to the forces as they moved forward and into Germany, to the BBC . . . and . . . to all of you we owe a debt of gratitude for your efforts in making this Allied venture a success. . . ."

The U.S. broadcasting system at home expanded its news coverage as the war in the Pacific went on while this and other nations were preparing for peace at a San Francisco conference to organize the

"My Friends" —An Editorial

THE GREATEST voice in the 25 year history of American broadcasting is stilled.

To every man and woman of the 30,800 whose talents are devoted to broadcasting, the loss of Franklin Delano Roosevelt is a personal loss, and a grievous one in these times.

The only President of whom it can be truly said, "Radio elected him," Mr. Roosevelt had turned not once, but four times, to the microphone to appeal for votes in the face of a generally unsympathetic press. Tragically crippled in the middle of his political career, he found in radio a link with the people.

Mr. Roosevelt made nearly 300 major broadcasts to the nation during his lifetime. He died on the eve of another broadcast. He was to have spoken for four minutes on the combined American networks at 9:54 p.m. Friday, 29 hours after his death. His speech was to have climaxed a special hour-long Jefferson Day program in which Robert Hannegan, James V. Forrestal and President Truman were to participate. Oddly, on this broadcast, for the first time in his four terms as President, Mr. Roosevelt had asked that another, Mr. Truman, deliver the main address.

But his greatest broadcast never will be heard. It would have come on that glorious day when he could have announced on the air to the world that the last enemy of the United Nations had laid down his arms. It would have been the report of a magnificent soldier that his armies had been victorious. That he, who spent his great energies so relentlessly, has been denied this is most tragic of all.

With his passing, many broadcasters whose

contact with him had been intimate summoned memories of his respect for the power of the microphone. It was a ready instrument to him when he wished to talk, in a neighborly way, with his fellow citizens. In these "fire-side chats" Mr. Roosevelt discovered, first among us, that he was being transported into the family circle and could therefore converse quietly and convincingly, without histrionics.

None highly trained in studio technique had better timing than his; none could more cleverly interpolate, with sly insouciance, a mirth-shaking quip. Nor could others match his mastery of the barbed retort, which left his campaigning opponents bruised and bewildered. He was, on the air, a rare admixture of Disraeli and Barrymore, of Talleyrand and Lincoln, as keenly attuned as a Shakespearean actor, but by paradox if he willed, a "ham" in the oldest tradition of the theater.

Much of this which contributed so immeasurably to his stirring broadcasts was inherent in his naturally vibrant personality. But his knowledge of radio was not acquired accidentally. As Assistant Secretary of the Navy in the first World War, Mr. Roosevelt was in charge of naval communications. He encountered radio then, studied it, foresaw the gigantic influence it would exert. When nominated for the Presidency in 1932, he turned to the medium, then relatively new, to convey his program to the voters.

As early as 1936, one incident illustrated his intimate knowledge of commercial broadcasting. Conversing then with Carleton Smith, general manager of WRC Washington and

dean of Presidential announcers, Mr. Roosevelt announced that he was going on a few stations with a speech. "Not a network," he commented, "just a few stations in New York." He then proceeded to name off, by call letters, the numerous outlets which were to carry his address.

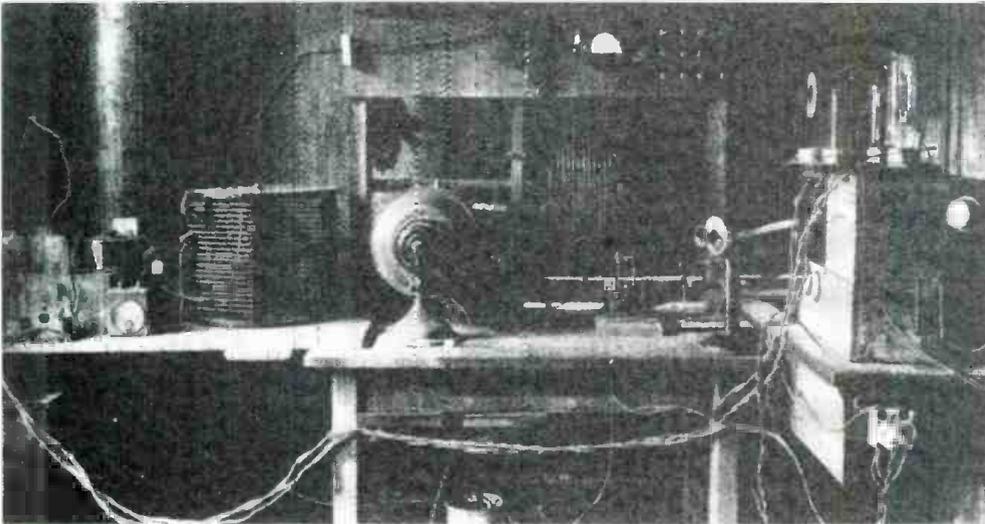
In those same days, when he was preparing a radio address with his colleagues at the White House, he would read it over aloud, interjecting such occasional remarks as: "I'll pause here. That'll get 'em." His instinct for radio showmanship seemed infallible.

His death brought to the stations of the nation a profound grief. Regular schedules on all networks and in studios from coast to coast were discarded. Programs were altered with feverish devotion. The voice of broadcasting reflected the saddened spirit of America in solemn tones.

Known to have expressed often a desire to own and publish his own newspaper (he was editor of the daily *Crimson* when a student at Harvard), Mr. Roosevelt once said to a friend, possibly with tongue-in-cheek: "I know what I'll do when I retire. I'll be one of these high-powered commentators."

He was, in fact, the highest-powered commentator of them all. He was the voice of humanity. That voice—now laughing, now jesting, now speaking with sincerity and conviction—lived in the homes and in the hearts of millions the world over. That this great, buoyant spirit is gone forever is difficult to comprehend. Those who gave wings to his words will miss him.

PICTURE ALBUM FROM AN EARLY ERA . . .



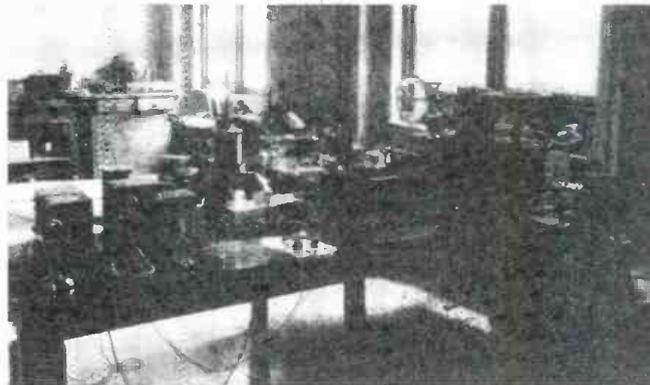
LONG before KDKA Pittsburgh was established Dr. Frank Conrad, of Westinghouse, was tinkering in his garage with this equipment, using the call letters 8XK. If you're a lover of detail, the boxes on which many of the quaint doodads are mounted originally contained 20 packages of Old Honesty Soap.



FIRST WWJ Detroit transmitter, put on air in 1920 by William S. Scripps, was built by Dr. Lee de Forest, early radio inventor.



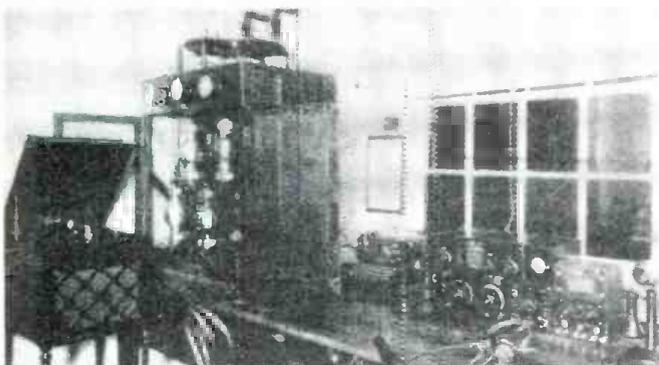
IF YOU'RE technically minded, this is electronic television set of the 20s, designed by Dr. Vladimir Zworykin (left), then Westinghouse, but now with RCA.



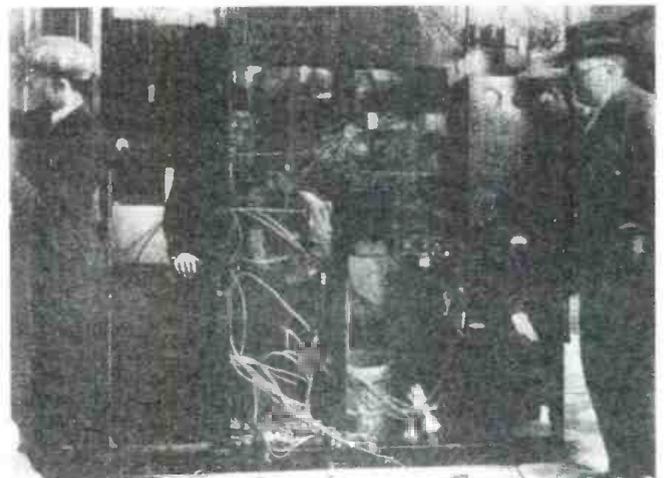
EARLY broadcast experiments were conducted back in 1919 in this studio of WSUI, Iowa City, according to the U. of Iowa.



DR. B. J. PALMER (left), founder of WOC, interviewed Jack Dempsey in the fighter's first mike battle. Scene was Dr. Palmer's home.

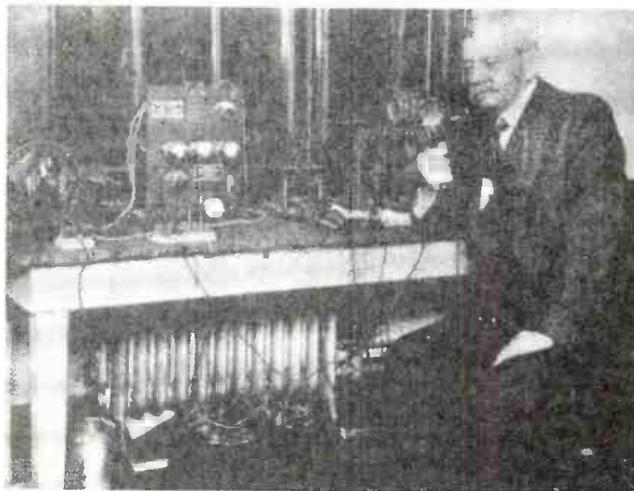
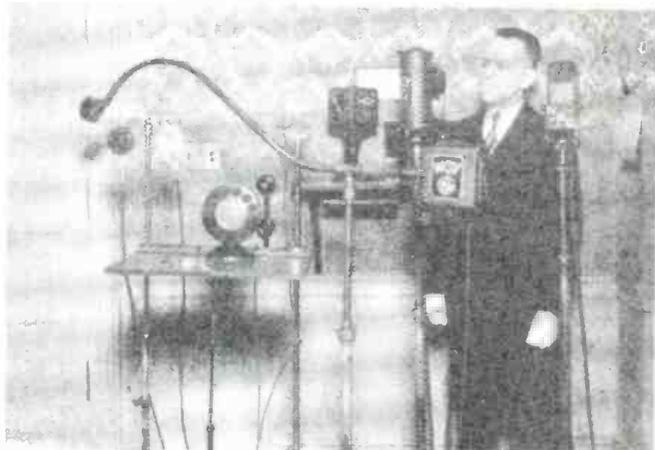


THIS NEAT display of gadgets, complete with Underwood No. 5 typewriter, late type telephone and a snappy Edison console phonograph, comprises the first transmitter and control room put into operation by WJZ in Newark, N. J., more than two decades ago.



FIRST 5 kw transmitter west of Chicago, being installed at WOC Davenport in spring of 1924. At right is Frank W. Elliott, general manager of WOC and president of the NAB during the 1924-25 period. At left is Franklin Pierce, who was the first engineer of WOC.

... OF BALING WIRE AND CHEWING GUM

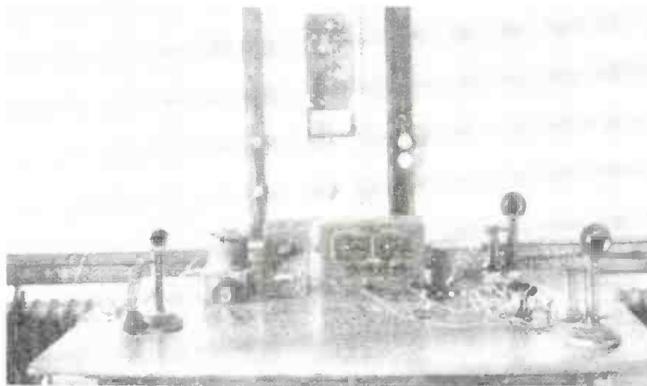


HISTORY of microphones is presented in this photo, with Kolin Hager, manager of WG-Y Schenectady, looking over the collection of crystal types at left. At right is modern velocity mike. Curved tube is boom mike stand. Also in left center is grandfather of all mikes—according to consensus—the carbon.

HAD KSD St. Louis owned a green carpet, it would have rolled it out for this 1922 broadcast by Vice-President Thomas R. Marshall, obviously deeply impressed by the collection of tubes, batteries and microphone:



PIONEER farm broadcaster was Frank E. Mullen, speaking into KDKA's mike. He now is NBC vice-president and general manager.



EQUIPMENT here is the proud development of General Electric Co. and actually worked, aided by collection of batteries under the table. One of the telephones apparently was used as a microphone. Old timers on engineering staff's will recognize some of the paraphernalia.



HIGH ABOVE Newark stood the 1923 antenna of WOR, with the studios below in the Bamberge store's palatial broadcast room.



FROM this knapsack, used by NBC for special events, came the modern walkietalkie, used widely by the Army during World War II.



THIS is the famed Westinghouse broadcast of Nov. 2, 1920, when the Pittsburgh station, KDKA, announce the returns of the Harding-Cox Presidential election. Dr. Frank Conrad, Westinghouse engineer, had been working since 1916 on broadcasting. Westinghouse claims this was first regularly scheduled broadcast.

United Nations. Broadcasters estimated their out-of-pocket expenses for covering the United Nations Conference on International Organizations to be more than \$500,000, aside from the lost revenues of commercial programs canceled to permit the sustaining broadcast of conference sessions. In addition, NBC flashed news reports every hour and broadcast interviews by commentators H. V. Kaltenborn, Richard Harkness, Robert St. John and Ben Grauer. CBS commissioned Norman Corwin to produce a special work on the United Nations. *Word from the People.*

In the final days before the surrender of Japan on V-J Day, Aug. 14, radio played an integral role. On Aug. 9, President Truman drew a broadcast audience of 41.5 million adults for his report on the dropping of atomic bombs on Hiroshima (Aug. 6) and Nagasaki (Aug. 9) and on results of the Potsdam conference. At Potsdam, Germany, he and other Allied leaders, Stalin, Churchill and Clement Attlee, had outlined peace terms for Japan.

The Japanese on Aug. 10 had used radio, before they submitted a formal proposal, to announce that they would meet the Potsdam demands if Emperor Hirohito remained unharmed. CBS flashed the news first at 7:36 a.m., starting its day earlier than the usual 8 a.m. The other networks broadcast the news at 8 a.m., the normal opening hour for ABC and NBC, but an hour earlier than usual for Mutual. On Aug. 14 at 7 p.m., NYT, radio carried President Truman's announcement to a joyous nation that Japan had accepted the Potsdam terms. Four hours later at 11 p.m. New York time, Hirohito also used radio to inform his people.

The Sept. 1 surrender ceremonies on the deck of the U.S.S. Missouri were described in a pool broadcast recorded on acetate and wire and aired an hour and a half later to prevent wire services and newspapers from being beaten. Despite its performance as a news medium in World War II, radio was yet unable to hold its own in negotiations against print media.

A primary concern of broadcasters was the fate of surplus equipment with an estimated value of \$5 billion. Even before V-J Day, \$30 million worth of equipment had been released, some unusable, but some adaptable to commercial use. As BROADCASTING put it when commenting on the first shipments of surplus equipment, "While the transmitter part of the pile isn't much to get excited about, and the collection of microphones is mostly hand stuff, there are great stores of standard electronic components—resistors, capacitors, condensers, sockets, test equipment and 2,500,000 tubes. The standard items are coming in fast, and moving fast."

A major part of the move back to peace involved changes in programing and changes in allocations. In a post-victory editorial entitled "This Is Tomorrow," BROADCASTING warned: "The broadcasters who survive the accelerated competition of the future are those who, in the present, build to meet it. And there's one

THE WHITE HOUSE
WASHINGTON

July 3, 1945

Dear Mr. Taishoff:

In my opinion, the free voice of radio never has faced a more important challenge in its 25-year history than that which lies before it now as Allied weapons are turned upon the last enemy of liberty. Broadcasters must direct their energies in the future, as they have so nobly in the past, toward the liquidation of all resistance to the principles upon which their own free charter is founded.

Our lawmakers demonstrated admirable foresight by decreeing that America, as the birthplace of radio, should have a free, competitive system, unfettered by artificial barriers and regulated only as to the laws of nature and the limitation of facilities. That this system has worked is demonstrated by radio's remarkable strides as a public service medium. The wisdom of that original policy, moreover, is reflected in radio's quick transition to full-fledged war service -- a task yet unfinished. Since Pearl Harbor, American radio has written its own *Magna Charta*. But beyond the day of final victory there lie myriad problems.

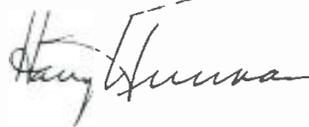
Radio, with the press, must give inspired leadership and lend its facilities to making more intimate and workable the relationship between the people and the Government. For radio itself there are challenging days ahead. New services are in the offing -- services such as television and FM broadcasting, which will open new vistas of opportunity for public service.

American radio is in good hands. With many hundreds of new stations possible by virtue of the opening of these new frontiers by our scientists and engineers, the free competition of the present will become even freer.

The American system has worked and must keep working. Regulation by natural forces of competition, even with obvious concomitant shortcomings, is to be preferred over rigid Governmental regulation of a medium that by its very nature must be maintained as free as the press.

I salute America's broadcasters who have been, in their fashion, warriors for our common purpose and solicit their continued zeal in the cause of freedom and decency.

Very sincerely yours,



Mr. Sol Taishoff,
Editor and Publisher,
Broadcasting Magazine,
870 National Press Building,
Washington 4, D. C.

—Broadcasting, July 9

way to do that—improve programing. Some of our best production people are drifting back to stations now, after service in uniform. Their viewpoint is going to be fresh and vigorous. . . . We in broadcasting, and in all media for that matter, have talked during these years of the improvements we would make 'tomorrow'—tomorrow, when the war is over. This is tomorrow. This is the time for improvement."

FCC Commissioner Clifford J. Durr not only felt that way but went even further. Durr and his staff began to compare stations' promises of programing with actual performance. The process began generat-

ing FCC cases. The FCC said WBAL Baltimore, an NBC affiliate, had refused NBC's public affairs programs such as the *University of Chicago Round Table* and *Words at War*, but carried NBC's sponsored programs and crammed 507 spot announcements into its station time during one week.

Upon further investigation, the FCC said excesses were more the rule than the exception. KIEV Glendale, Calif., an independent, programed 88% of its week with recorded and transcribed music accompanied by 1,034 commercial spots and eight public service announcements, according to the commission. As a result,

the FCC began issuing temporary license renewals.

FCC Chairman Paul Porter called for the public to express its criticism of American programming. The FCC's Durr called for broadcasters to make public all their financial records since public service was the premise behind American broadcasting. BROADCASTING called for "every broadcaster to review his program structure, removing from it any fare that might embitter the listening public."

The usual plentiful staples of comedy, music, drama, and news were offered by the 1,004 stations broadcasting at the end of the year, up from 943 on Jan. 1, 1945.

The programming of 1945 changed with the times. CBS's winter schedule at the beginning of the year presented such programs as *We, the People, at War*, a half-hour, Sunday night portrayal of real-life war experiences; *Report from Overseas*, a 15-minute, Saturday foreign correspondent news spot; *Feature Story*, a 15-minute, Monday-Friday show aimed at uncovering the "human interest" beneath political and military events; *We Deliver the Goods*, a half-hour Sunday afternoon presentation of the 23 piece Maritime Service Band along with dramatizations of heroic deeds of U.S. merchant seamen; and *Service Time*, a half-hour, Monday-Friday early-evening focus on different branches of the service each week along with interviews with high-ranking service officials.

Postwar programming tended to escapism. Popular situation comedies included *Those Websters* and *Ozzie and Harriet*. *Maisie* was a single-character variation featuring Maisie Revere, a Brooklyn actress with a heart of gold and a boyfriend described as a "good-lookin', sweet-talkin', lovable, lazy, no-good bum."

There was a resurgence of quiz programs and an increase in westerns and adventure shows. *Break the Bank*, with Bert Parks, a returning soldier, as emcee, first aired on Mutual in 1945 and became phenomenally popular with its large, cash giveaways. *Truth or Consequences* increased its prize money after the war; Ralph Edwards, the emcee, began a hidden identity feature—guessing the identity of "Mr. Hush"—largely as a parody of the ever-increasing quiz shows, but the segment proved so popular that it became a regular feature for several years. *Queen for a Day*, the all-time misery-to-magic transformation in which disadvantaged women received prizes to mitigate their suffering, started in 1945 on Mutual with Jack Bailey as host.

The *FBI in Peace and War*, which debuted on CBS in late November 1944, became one of the most popular crime shows. It ran until 1958. *This Is Your FBI*, starting in April 1945, ran for eight seasons on ABC.

Another cold war progeny, the press conference with men in the news, achieved popularity. Two important shows debuted in 1945. *Our Foreign Policy* and

Meet the Press. On both respected journalists questioned leading American and foreign leaders.

Despite those changes, the list of the top-rated network shows after the war

resembled the wartime list if not the prewar ratings. At the end of 1945, the top 15 nighttime leaders were: *Bob Hope, Fibber McGee and Molly, Charlie McCarthy, Lux Radio Theater, Jack Benny, Fred*

VIGIL—



CBS KEPT LISTENERS informed of surrender developments through its WTOP Washington mobile unit, stationed in Lafayette Square in front of the White House, from Aug. 10 until after the capitulation. This is a scene typical even before the historic Aug. 14 announcement.

FLASH!



RADIO CORRESPONDENTS literally led pack in mad dash from President Truman's office to telephones Tuesday night when President announced surrender of Japs. Circled (l to r): Richard Harkness, NBC; William Gold, WJXX Washington, and Jim Gibbons, American network (tongue out); Ralph H. Peterson, NBC; Fulton Lewis jr., WOL-Mutual.

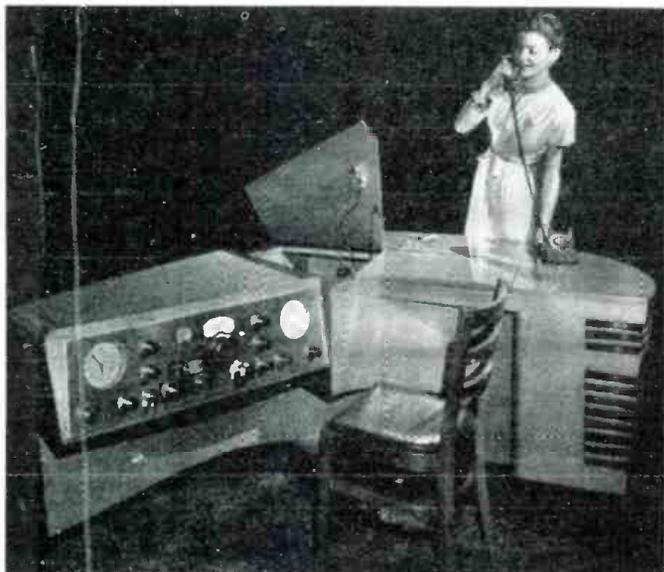
CELEBRATION!



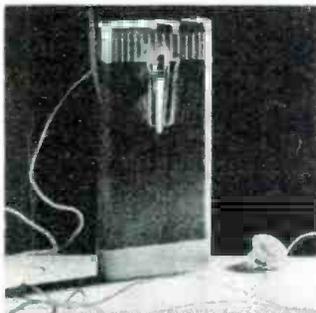
JUBILANT AMERICA expresses its joy from New York's Times Square while NBC Announcer Ben Grauer fights mob to hang onto microphone and carry on program at same time, a few minutes after news broke.

—Broadcasting, Aug. 20

FIRST OFF THE LINE—NEW RADIO MODELS



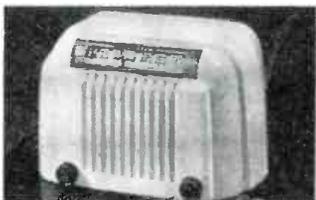
RADIO of the future is way Hallcrafters describes novel outfit, designed to do everything in the house except cook and sit up with the baby and put out the cat.



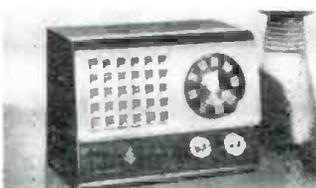
BELMONT makes this tiny set with five Raytheon tubes. It is ideally adapted for use in pocket or purse.



VESTINGHOUSE line features phono combination in which the radio may be removed at will to use as independent receiver.



THIS Bendix AC-DC table set has a recess in the top rear so it can be carried with ease. Bendix will have complete line of receiver models on the market.



EMERSON line marked by this table model of novel design and a lightweight pocket receiver. Introductory models also include portable and phonograph combination.



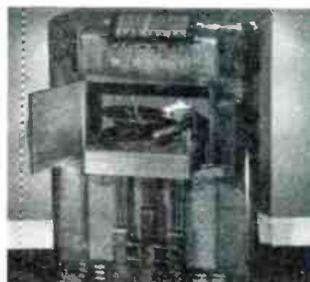
FOR first time Stromberg-Carlson is making small receivers. Comes in brown or brown-ivory.



GE's first peacetime radio interests Paul Chamberlain (r), sales manager of GE receivers, and E. P. Toal, of set division. Many other models are being announced.



OFF LINE comes first RCA post-war set, presented to Frank M. Folson (l), RCA Victor head, by J. A. Milling (r), mfg. dir., and Joseph B. Elliott, gen. mgr. of home instrument division. Company promises complete line of receivers.



BIG console model, with automatic record changer, is made by Admiral Corp., Chicago. It has seven tubes and three broadcast bands. Phono section slides out when doors are opened.



CROSLLEY table model includes two bands, broadcasting and an overseas dial, tuning 6-15 mc. The line being offered includes many in console cabinets along with other table models.



CHAIRSIDE model made by Electronic Corp. of America also has phono compartment which slides out. Record changer handles 12 10-inch or 10 12-inch records, with album storage space in rear of cabinet. Provision is made for convenient servicing through top of set, entire chassis being exposed. Noiseless performance is claimed.

Allen, *The Red Skelton Show*, *Mr. District Attorney*, *Walter Winchell*, *Eddie Cantor Show*, *Kraft Music Hall*, *Screen Guild Players*, *Sealtest Village Store*, *Amos 'n' Andy*, and *Abbott and Costello*.

Total net time sales increased in 1945, to a new high of \$310,484,046. But this was only 7.3% over 1944 and was the smallest increase since 1942.

The resumption of peace also necessitated decisions about FM and TV. With the wartime freeze on construction lifted and a postwar boom in industry foreseen, the FCC faced a pile of station applications and a need to arbitrate the territorial feuds between FM and TV.

Early in January the FCC announced preliminary allocations proposals that would move FM "upstairs" to 84 mhz-102 mhz. It would also create a dual system of television with 12 channels, each 6 mhz wide, in the two portions of the band between 44 mhz and 210 mhz, but with the ultimate "haven" of TV to be above the 480 mhz range, where high definition and color would be possible. In its final allocations, the FCC allotted to FM the additional 106 mhz-108 mhz band that had been set aside for facsimile. The move "upstairs" for FM permitted 100 channels, 60 more than in the old band, and 20 channels were reserved for educational use. Existing FM stations were given the option of broadcasting on either the old or new bands until the end of 1948 when low-band transmission would be canceled. This move provided more FM channels—the FCC had more than 600 applications for new FM stations at the war's end—but it also would make the 400,000 FM receivers in use obsolete and cost the industry about \$75 million in conversion costs.

TV was making progress. In April, Philco dedicated the world's first multirelay network between Philadelphia and Washington. In August, Westinghouse unveiled its forerunner of communications satellites, called Stratovision. It used airborne television transmitters to relay TV and FM programs. In October, NBC demonstrated its new RCA-developed ultrasensitive image orthicon TV camera tube. In December, NBC telecast the Army-Navy football game on WNBC New York using a coaxial cable link from the Philadelphia game site.

The sale of Crosley's WLW Cincinnati, as part of a package of properties transferred to Aviation Corp., a manufacturing conglomerate previously not involved in broadcasting, was to create what came to be called the Avco rule. It established a procedure not followed in this case, but demanded in others. Three FCC commissioners, Clifford Durr, Paul Walker and Ray Wakefield, opposed the transfer on the grounds that such package deals gave too much influence to one group. And there were allegations that the Avco transfer was made despite evidence that its officers knew little of the public service obligations they were seeking to undertake. The resulting Avco rule required



"GOOD LUCK" said E. J. Harold Ryan, retiring NAB president (l) to his successor Justice Justice Miller, who today (Oct. 1) takes over the presidency of the NAB. His contract is for five years. See page 17.

owners of stations to publicize their intention to sell, thereby soliciting competitive bids, with the FCC choosing the applicant best qualified to serve the public interest. However, the commission seldom applied the rule, usually going along with the seller's choice of buyer. The rule was repealed in 1949.

The U.S. Supreme Court issued a ruling in December that altered the ground rules for new station applicants. It reversed a new station grant to WJEF(AM) Grand Rapids, Mich., on the appeal of Ashbacker Radio Corp., which had applied for the same facility. Noting the grant was made as a separate action, the court ordered the FCC to hear all mutually exclusive applications before making a grant. WJEF eventually survived the process.

The development of television and FM provided new battlegrounds for Jimmy Petrillo's American Federation of Musicians. Petrillo in February ordered AFM members not to appear on television until further notice. In October, Petrillo informed the radio networks that simulcasts on FM and AM outlets violated AFM contracts. By the end of the year, AM, FM, and TV were searching for a way to live with Petrillo.

One result of the tremendous growth anticipated in all aspects of broadcasting—AM, FM and TV—was a shift in network personnel to get ready for the future. Frank Stanton became general manager of CBS and was elected to the board of directors; Mark Woods, president of ABC, resumed active direction of the network when Vice Chairman Chester LaRoche dropped all executive duties; and a fifth network, the Associated Broadcasting System, was started by Michigan broadcaster Leonard Versluis. However, ABS lasted less than a year.

In the spring of 1945 came an unexpected transfer of power in the White House. Franklin Roosevelt died April 12.

In the ensuing four days, all networks and most stations canceled commercial programs to broadcast news and to offer appropriate music and tributes to the first radio President. The schedule changes cost the industry more than \$2.5 million in lost revenues.

Harry Truman, the new President, endorsed radio by the American plan: "Regulation by natural forces of competition, even with obvious concomitant shortcomings, is to be preferred over rigid governmental regulation of a medium that by its very nature must be maintained as free as the press. I salute America's broadcasters who have been, in their fashion, warriors for our common purpose and solicit their continued zeal in the cause of freedom and decency."

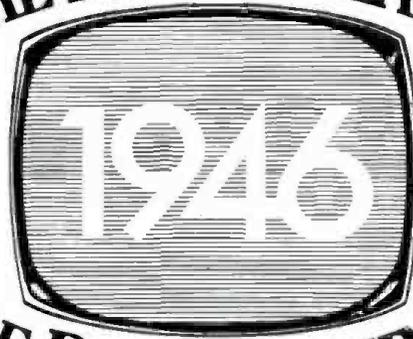
And so the transition from Roosevelt to Truman, from a wartime to a postwar world was completed as the nation celebrated the 25th anniversary of radio broadcasting.

Stay Tuned

1. What was the message to broadcasters in the FCC's so-called Blue Book?
2. Who was the Zenith Corp. executive who pooh-poohed the idea that advertising could support a medium as expensive as TV?
3. Who was the propagation expert whose advocacy of "upstairs" FM was contested by Zenith and GE?
4. What steps did atheist Robert Harold Scott take after he was denied air time?
5. How did Congress try to tone down the AFM's Jimmy Petrillo?

The answers
in "1946."

THE FIRST 50 YEARS



OF BROADCASTING

The world was trying to put itself back together as 1946 began, and so was American broadcasting. That first year after World War II saw FM and TV proponents renew efforts to secure places among the media. There also came a jolting judgment by the FCC that it should assert itself more forcibly in programing. And the broadcasters' gadfly, Jimmy Petrillo, stepped up his demands for his American Federation of Musicians.

The FCC took a long step into programing in March after it had studied accumulated data on broadcast content and decided that the road to license renewal was littered with unkept promises. The commission's attempt to establish license renewal criteria based on broadcasters' performance was contained in a 139-

page report, "Public Service Responsibility of Broadcast Licenses." The color of its cover gave it its nickname, "The Blue Book." In the document, the FCC said that in the future it would look with "particular consideration" upon four public service categories: "the carrying of sustaining programs, including network sustaining programs; the carrying of local, live programs; the carrying of programs devoted to the discussion of public issues; [and,] the elimination of advertising excesses."

Irate broadcasters immediately fired back, accusing the FCC of censorship. National Association of Broadcasters President Justin Miller labeled the FCC's new policy unconstitutional, while the FCC continued to maintain that its procedure was necessary for an overcommercialized radio industry. Vitriolic arguments lasted all year as the FCC and broadcasters debated the Blue Book's premises and implications.

Broadcasters cited the Blue Book's sometimes inconsistent program analyses and charged that the work was a reflection of the views of Charles Siepmann, a former BBC program director and vocal supporter of the British system of broadcasting, who was active on the FCC staff that drafted the Blue Book.

Representative Richard F. Harless (D-Ariz.) voiced radio's concerns, saying: "It was certainly not the intention of Congress at the time the FCC was established to place within its



Lord Haw Haw (William Joyce), the English-American who broadcast for Germany during World War II, was hanged for treason in London Jan. 3. His was the first of many executions following war crimes trials around the world in 1946. At Nuremberg, Germany, 22 Nazi leaders were convicted on Sept. 30; 11 were sentenced to die. One, Hermann Goering, committed suicide by poison just two hours before his scheduled execution. On the other side of the world, Japanese Lieutenant General Homma, who ordered the Bataan death march, was shot near Manila; General Yamashita, Japanese commander in the Philippines, was hanged. The Philippines were given independence by the U.S. on July 4. In Argentina, Juan Peron was elected to his first term as president. In America, discharged service personnel returned to waiting lists for new cars and housing, amid various rail strikes and a nationwide coal strike. And in

BROADCASTING . . .

hands complete control of radio programs. The FCC has a definite function in administering the engineering mechanics of radio. To permit the government agency to dictate the types of programs that radio stations could provide would be contrary to the doctrine of freedom of the air. To have governmental review of radio programs would definitely be a violation of freedom of speech. We might as well have a review of the contents of newspapers."

Despite the charges on both sides, acting FCC Chairman Charles R. Denny, at the NAB convention in October, pointed out that of the 322 station applications pending for renewal at the time the Blue Book appeared, the FCC, by September, slated only seven AM's for hearings (WBAL Baltimore; KBIX Mus-

kogee, Okla.; KGFI Los Angeles; KMAC and KONO San Antonio, Tex.; WIBG Philadelphia, and WTOL Toledo). By November the FCC had winnowed the list down to WTOL, KMAC and KONO. Despite the broadcasters' alarms the FCC never revoked a license based upon the program considerations codified by the Blue Book. Even WBAL Baltimore, which the FCC had made the horrible example of its report, received a license renewal, although columnists Drew Pearson and Robert Allen had petitioned for WBAL's facilities under the FCC's "comparative consideration" clause and the case was not resolved until December 1951.

AM clear channels came under fire in the postwar expansion. Charging radio service to rural areas was unsatisfactory, regional broadcasters and a number of farm groups requested in January that the FCC break down the clear channels. Arguing for the status quo and even higher power for his clients, Louis G. Caldwell, counsel for the Clear Channel Broadcasting Service, reasoned that "the only way in which the farmer's signal can be improved over large areas . . . so as to reduce the static which mars or destroys radio reception for him, is through stronger radio signals resulting from the use of higher power."

The FCC, partly in response to the flood of new station applications, altered technical specifications to allow more sta-

One of Our Boys Shoots the Moon

HE'S ONE of "our boys"—that young fellow, Jack DeWitt, who shot the moon by radar.

Lt. Col. John Hibbett DeWitt Jr., who was responsible for the first contact with the celestial body by radar, is well-known in radio as the chief engineer of WSM Nashville.

A radio "ham" since he was in knee pants, Jack has been in commercial broadcasting since 1922, when, as a lad of 16, he built Nashville's first station.

Announcement Friday of the scientific achievement which makes Jules Verne's wildest flights look amateurish, had radio folk groping for practical application of the 2.4 second radio roundtrip covering nearly half a million miles. It was generally agreed the discovery will have great military, strategic and scientific value. Ultimate results might be detailed topographical mapping of distant planets and—in warfare—detection of superstratospheric missiles which might grow out of the V-bomb technique developed by the Nazis during the last war. These, however, reached an altitude of only 60 miles. The distance to the moon which was

Office of the Chief Signal Officer. The War Department in Washington simultaneously released a state-



Col. DeWitt

ment. Col. DeWitt himself was interviewed in New York.

Jack DeWitt, a modest soft-

ment. A radar impulse was beamed straight at the moon on a standard radar frequency of 112 mc. It bounced back 2½ seconds later, and was detected on a specially-designed oscilloscope. Col. DeWitt had improvised a standard wartime Signal Corps radio transmitter known as SCR-271. It was of 3 kw but through a specially-designed antenna, it had a gain of 200 and had effectiveness of about 600 kw. The strength of the reflected signal was about 3 w.

Here are some of the salient facts released by Maj. Gen. Harry C. Ingles, Chief Signal Officer, in Washington:

The Signal Corps has been studying the problem of reaching other celestial bodies with radar for several years (Jack DeWitt himself had failed in an attempt in 1940).

Radar pulses, like radar waves, travel at the speed of light—186,000 miles per second. A transit time of about 2½ seconds was required for the pulse to surge from the earth to the moon and for echoes to travel back.

Scientists had never before been certain they could project radio

—Broadcasting, Jan. 28

tions to be shoehorned into the AM band. The result was a rush of applicants for new facilities.

When the FCC tackled the postwar pile of FM and AM applications, it encountered an industry on the verge of cloning itself in astounding numbers. In 1946 the number of standard stations increased by 50%, jumping from 1,004 at the beginning of the year to 1,520 at the end. While the number of commercial FM stations actually on the air rose only slightly, it portended a new aspect of American broadcasting.

There were still disputes about FM's placement in the spectrum. Zenith and General Electric reopened in January the controversy surrounding FM's "upstairs" move by challenging the testimony of Kenneth A. Norton, the radio propagation expert who had argued in 1945 hearings that FM in the 100 mhz band would provide greater rural coverage. Based upon tests, Zenith argued that "FM in the 50 mhz band has two and one-half times the area coverage that the 100 mhz band makes possible, which means that from metropolitan stations operating in the 100 mhz band, only residents of city areas will be able to hear FM programs, and the farmers, the residents of rural areas, and even residents of suburban areas will be deprived of this static-free service." Zenith and GE favored a two-band FM, while certain AM broadcasters favored a one band, high-frequency FM system. After only

two days of hearings, the FCC voted to keep FM in 88-108 mhz range.

The FCC, after sorting out service among the contenders, approved 375 conditional FM grants by April.

CBS, during the clear channel hearings and much to the distress of clear channel supporters, presented plans for a nationwide FM network of more than 200 local stations headed by five superpower AM stations that would provide nighttime coverage to remote areas. CBS estimated such a system would cost \$10.8 million for installation and \$4.8 million in annual operating expenses.

The FCC in June changed the designation for FM community stations to class A, and concomitantly raised their power from 250 to 1 kw. The FCC in July agreed to set aside for one year every fifth class B (high power) FM channel in order to permit those still in the military to apply for an FM grant. Questioning the legality of the FCC's move and counting it as lost time, most of the broadcasting industry opposed the plan.

Certain supporters of FM were vociferous in their arguments for its future, despite the setbacks of the war and the move "upstairs." According to FM inventor Edwin Armstrong, the war, "vested interests, habits, custom, [and] legislation" retarded the FM revolution that he had doggedly predicted. Not to mention the shortages of receivers and broadcasting materials.

None of this, however, dampened the ardor of FM supporters. When the seven-year-old FM Broadcasters Inc. was dissolved by parent NAB at the latter's October convention, a new independent FM association rose from those ashes. The NAB felt it could not promote one segment of broadcasting to the possible disadvantage of another. The new organization, under Judge Roy Hofheinz, Texas station owner, said its goal would be to "properly present FM to the public." And the set-buying public was showing signs of interest. RMA members in December estimated FM receivers to compose 20%-25% of all production for 1947.

When radio counted its receipts, 1946 came in as another in a string of record years. Net time sales were \$331,764,404, a 6.9% gain over 1945. When radio manufacturers counted production, 1946, despite material shortages, was a bountiful year. In 1945 only 500,000 home radio sets worth \$20 million were sold and virtually no auto sets were on the market. In 1946 14 million home sets worth \$700 million were sold and 150,000 auto sets worth \$9 million. At the end of 1946, 35 million home radios and 6 million auto radios were in use.

Television was in the early throes of a dispute over standards. CBS continued to advocate its color system which featured a color wheel and in September petitioned the FCC to adopt standards and authorize color operation of stations in the UHF fre-

quencies. CBS argued that its system could be a home reality in one year, while RCA, promoting its all-electronic color system, listed 1950 as the earliest date for home use. CBS, after successfully transmitting a color television program from New York to Washington and back, claimed to have proved that "today's coaxial cable system can carry TV programs in full and vivid color . . . that color nets can be formed as rapidly as black and white networks." RCA, claiming to have perfected electronic color, called its system the greatest advance in television since the development of the cathode-ray tube. "Comparing electronic color with

mechanical color," stated RCA President David Sarnoff, "is like comparing a stratoliner with a horse and buggy." But Sarnoff still warned that color television comparable to black-and-white service remained five years away.

By July 1946 the FCC had authorized 23 new commercial stations, bringing the total to 30. This number would have been higher but for the color battles and for the prospect of unprofitable operation until an audience could be created.

NBC predicted that TV would lose \$8 million over the next four years. Faced with those figures, many applicants hesitated or withdrew. By June, 72 television

applications, almost half of those filed since licensing had resumed in October 1945, had been withdrawn.

To offset the expense, some people, like E.F. McDonald Jr., president of Zenith Radio Corp., Chicago, which received one of the first commercial TV station grants, advocated pay TV. He claimed that advertising could never support a medium as expensive as television. "Radio has succeeded with its present commercial setup," McDonald argued, "because it is cheap, but there is no indication that television will be the same . . . If there were five or more stations in one city, the cost of providing each with hours of daily entertainment produced to motion picture standards would be \$2.7 billion per year. This is more than U.S. business spends on every form of advertising combined."

Other problems that marred TV development included relatively expensive receivers and equipment combined with a relatively small production of television sets and telecasting equipment due to parts and materials shortages. By October, television manufacturers promised 20,000 sets for Christmas, with prices ranging from \$169.95 for Viewtone's seven-inch table model to \$2,400 for DuMont's 20-inch console.

By the end of the year, station equipment manufacturers hoped to have some products available. DuMont offered a transmitter that included a control console, modulation monitor and frequency dissector for \$59,400 for use on channels 1-6, with 5 kw video and 2.5 kw audio output, and for \$64,350 for use on channels 7-13, with 3.5 kw output for both audio and video. GE offered for \$11,600 a new studio camera that weighed 75 pounds and came complete with a hydraulic lift.

Even with shortages and expensive equipment, there were some television firsts in 1946. Besides the transmission of both black-and-white and color over long-distance coaxial cables, 1946 brought the telecasting of such events as the opening session of the UN Security Council at Hunter College, New York, and the Joe Louis-Billy Conn heavyweight title fight from Yankee Stadium in New York. Bristol-Myers, in October, pioneered as a network series advertiser by sponsoring a travel film series, *Geographically Speaking*, on WNBT New York and WPTZ Philadelphia via NBC-TV.

Television also was eyewitness on a limited scale to other history when RCA installed two TV cameras three miles from the Bikini atoll explosion site of the second postwar testing of the atomic bomb. It also placed TV receivers on four ships that carried officials and observers, as well as on two planes over the Pacific island. But that was the extent of the live TV network at Bikini. American television stations used film flown from the scene.

Radio was more immediate in its report from Bikini. David Dietz, science editor for Scripps-Howard newspapers, reported the facts for NBC radio. "The detonation was heralded by the expected flash of light

"ON THE BASIS OF LATE RETURNS . . ."



WORKING at speedy pace election night were network newsmen. In top photo, at CBS headquarters, are (l to r): George Herman, news-writer; Charles Collingwood, commentator; John Mosman, an assistant director; Bob Trout; Jess Zousmer, news writer, and Ned Calmer, commentator. Directing ABC news center (center photo) are: John Madigan, national news editor; Thomas Velotta, director of news and special events for the network; Robert E. Kintner, vice president, and Charles C. Barry, national program director. Three top MBS reporters (lower photo) together for first time since the war are: Arthur Gaeth, Don Bell and Leslie Nichols.

—Broadcasting, Nov. 11

Future of Color Video in Hands of FCC

CBS Faces United Opposition From Many Sources

By J. FRANK BEATTY

THE immediate future of color television in the upper frequencies—a future that CBS insists can be a bright one if the FCC permits early commercial operation—awaits Commission decision. Today (Monday) members of the FCC, along with staff experts, are viewing developments in the color art during an inspection of CBS and Du Mont laboratories in the New York area.

CBS faced the united opposition of many other television developers at FCC hearings last week on its application to start, immediately, commercial color in the 480-920 mc (uhf) band. The present split band (vhf) ranges between 44 and 216 mc.

Case In Detail

CBS has developed sequential (mechanical scanning) color as against RCA's simultaneous (all-electronic) method. The network, however, merely asks the Commis-



NEW CHAIRMAN of FCC presides at first hearing since appointment, as color video problem was aired last week. Front row (l to r):

Chairman Charles R. Denny, Comr. Ray C. Wakefield; back row, Comrs. Rosel H. Hyde, Clifford J. Durr and E. K. Jett.

The Challengers . . .



CBS COLOR BATTERY (l to r): Joseph H. Ream, vice president and secretary; Kenneth L. Yourd, senior attorney; Donald Horton, research; Julius Brauner, general attorney; Nathan L. Halpern, executive assistant; Adrian Murphy, vice president; Frank Stanton, president; William

B. Lodge, director of general engineering; Earl H. Gammons, Washington vice president; Lawrence L. Lowman, television vice president; Dr. Peter C. Goldmark, director of engineering research and development, and inventor of the present CBS color system.

. . . . The Defenders



THE RCA array (l to r): R. D. Kell, in charge of television system research, RCA Labs.; E. W. Engstrom, research vice president; C. B. Jolliffe, executive vice president in charge of RCA Labs.; O. B. Hanson,

NBC vice president and chief engineer; A. F. Van Dyck, assistant to Mr. Jolliffe; R. E. Shelby, in charge of development, NBC. In the rear: A. V. Bedford, G. H. Brown, RCA Labs.; G. L. Beers, RCA Victor.

... From a charge of plutonium when the bomb undergoes nuclear fission a temperature of 100,000,000 degrees is generated ... Eight minutes after ... the atomic cloud had towered to a height of 23,100 feet. At this time, it was about 11,000 feet in diameter." William Lawrence of the *New York Times* reminded listeners: "We should be thinking of the bomb today as the greatest problem facing the world, and how to stop it from being used at all against cities, against men and women, against navies, against air forces."

When the war ended and the era of the atomic bomb and the cold war began, an interest in radio documentaries developed. CBS established a documentary unit under the direction of Robert Heller. One project, organized in 1946, was called *One World Flight*, named in honor of Wendell Willkie's "One World" slogan in the 1940 presidential campaign. To produce it, Norman Corwin visited 37 countries in four months. Edward Murrow collaborated with Fred Friendly to produce *I Can Hear It Now*, an album of recorded reminiscences that later became the documentary radio series, *Hear It Now*. Journalist Drew Pearson became noted for exposures, especially for his attacks upon the Ku Klux Klan and Eugene Talmadge, former governor of Georgia.

On the entertainment side of radio, more detective shows debuted. Phillips H. Lord, who created such successes as *G-Men*, *Gangbusters*, *Counterspy*, and *Mr. District Attorney*, presented *Policewoman* in 1946, the true story of events in the life of Sergeant Mary Sullivan of the New York City Police Department. The fictional Sam Spade and his faithful secretary, Effie Perrine, first appeared in CBS's *The Adventures of Sam Spade* on July 12.

Sky King debuted in 1946 on ABC and combined adventure with moderate suspense in a family-oriented setting. Swooping down in his plane, "The Songbird," Sky would fight trouble and rescue Penny and Clipper from as much evil as could be put into 15, and then later, 30 minutes.

The networks continued to excel in comedy shows. Jack Benny moved back into the number-one spot (up from fifth in 1945), and Fanny Brice provided the new name in the top 15 of popular programing.

Prewar radio favorites began to reappear. Merwyn Bogue, Kay Kyser's "Ish Kabibble" character, broadcast again. Red Skelton resurrected his "Junior" character on Tuesday nights for NBC. Eddy Duchin became the pianist-emcee on *Kraft Music Hall*, and Johnny Desmond sang on NBC's *New Follies*. Henry Morgan renewed his biting humor and jibes at sponsors on ABC broadcasts.

To complete the range of programs, the networks presented Helen Hayes in *First Lady of the Theater*, a Saturday night dramatic series on CBS; Dick Powell in *Rogues Gallery*, an adventure series on MBS; Perry Como on *The Supper Club Show*, a Monday-Friday song review for NBC, and Milton Berle in *The Court of*

Petty Grievances, a short-lived comedy series on CBS. To measure its audiences, radio relied on Hooper, Nielsen, and the Cooperative Analysis of Broadcasting, but CAB in July suspended service after 17 years.

Arch Oboler, a writer whose fame was established by radio, nipped at the medium that helped to feed him. He declared: "Humbug fills our free American air. From early morning until the last spot announcement ... an amazing assortment of evasions, half truths, and untruths activate the kilocycles ... Nostrums for every bodily function are jingled and jangled to rhythm and rhyme. Not an ache from head to toe is left unplowed by the big plow of advertising humbug. You may ask what this has to do with radio writing. Simply that some of us can't write honest radio under such circumstances ... We must clean house ... Those manufacturers, such as the soap and cigarette people, should profit from the general want for those commodities, not through outright untruths."

Humburg may have filled the air in Oboler's opinion, but godlessness did not. Three San Francisco AM stations (KQW, KPO and KFRC) denied air time to Robert Harold Scott to present atheistic views. The FCC, although denying Scott's petition for the revocation of these stations' licenses, warned that "if freedom of speech is to have meaning ... it must be extended as readily to ideas which we disapprove or abhor as to ideas which we approve." To the displeasure of 5,000 letter-writing listeners, Scott in November received time from KQW San Francisco.

To the displeasure of broadcasters, James Petrillo, head of the American Federation of Musicians, sought to impose new labor conditions on broadcasting. Petrillo saw networks as a cause of musician unemployment at the affiliated stations and wanted standby musicians hired. He wanted broadcasters to compensate for use of transcribed programs, limit transcribed shows and recordings, pay additional fees for rebroadcasts, ban music that originated outside the U.S., and refuse noncommercial educational programs, among other demands. Congress, in April, passed the Lea Act that made it unlawful to force hiring of unneeded personnel, to pay more than once for a service, or to pay for services not performed. In defiance of the Lea Act, Petrillo ordered AFM members not to play for combined AM-FM programs and not to play for TV unless paid at radio scale or above. Petrillo argued: "Television is not going to grow at the expense of the musicians. As television grows, the musician is going to grow with it or we are not going to assist in its development."

To test the Lea Act, Petrillo called a strike against WAAF(AM) Chicago when it refused to hire three unnecessary AFM musicians. The government charged the AFM with violating the Lea Act, the Sherman Antitrust Act, and other laws, but Federal District Court Judge Walter La

Buy, in December, ruled that the Lea Act was unconstitutional. Broadcasters took an appeal that they eventually won, but Petrillo struck deals with some adversaries. The AFM accepted the record manufacturers' offer of a 37 1/2% increase in musicians' pay, and the transcription firms accepted the AFM's demand for 50% more for musicians, or \$27 per man for 15-minute programs.

A long-standing insistence by the networks on live broadcasts fell by the wayside when Bing Crosby signed a new contract with ABC. Crosby signed at \$30,000 a week to transcribe his show for Philco to eliminate the necessity of rebroadcasting for a different time zone.

The history of 1946 also shows: ABC bought King-Trendle Broadcasting Corp. (WXYZ Detroit, WOOD Grand Rapids, Mich., and the Michigan Radio Network) for \$3.65 million. William Paley, back from service at SHAEF headquarters in Europe, moved up to the chairmanship in January, and named Frank Stanton to succeed him as president (Paul Kesten, who had been executive vice president, was named vice chairman, but—in ill health—resigned later that year). Donald Flamm, one-time owner of WMCA(AM) New York, who argued that he was forced to sell his station (see 1944), won a \$350,000 verdict against Edward J. Noble, ABC board chairman. Westinghouse, touting its Stratovision (see 1945) as ideal for TV, reported that usable signals, relayed by airplanes at altitudes of 25,000 feet, had been picked up 250 miles away. John H. DeWitt, chief engineer of WSM(AM) Nashville, reported that he had bounced a radar signal off the moon during his wartime service with the Signal Corps.

With black-and-white television gaining popularity, color ahead, and FM a slow but inevitable contender for markets, broadcasters looked to their ever-increasing domains and checked the FCC's Blue Book. In the meantime, Americans continued to listen to AM, wait for FM, and hope for less expensive and better programed TV.

Stay Tuned

1. Which FCC commissioner was criticized by Senator Homer Capehart for a "brazen effort to sabotage the FBI in its efforts to uncover communists?"
2. Who was the comedian who insisted on heckling a network vice president in his broadcasts?
3. What was Phonestion?
4. How did the Supreme Court rule on the Lea Act that AFM's Petrillo defied?
5. How did the FCC react to the explosive growth in radio stations numbers?

The answers
in "1947."

THE FIRST 50 YEARS

1947

OF BROADCASTING



The postwar proliferation of radio stations began to worry the FCC in 1947. The commission issued "An Economic Study of Standard Broadcasting" that cited increasing competition for advertising. The FCC forecast the siphoning of advertising revenue from the older stations by the newer ones, and envisioned the capture of markets by the first station in a new area and a lockout of subsequent stations. According to the FCC, factors favorable to the greatly expanded postwar broadcast industry were the potentials for increased business, greater advertising volume, more disposable income, and bigger radio audiences. The FCC's list of factors unfavorable to the radio industry was longer. It included the potential for a recession, for a "fractionating" of the radio audience, for a "more critical comparison of the cost and effectiveness of broadcasting" with other media, for an increase in newspaper advertising, for a cost-revenue squeeze caused by rising purchase prices of stations, and for rate cutting because of the increased inventory of time that would be available for sale.

The FCC declared 28% of an anticipated 1,063 U.S. radio communities (by 1948) would be "over-expanded, should the present high level of business activity decline." With more than 400 new stations (AM and FM) going on the air in 1947, bringing the total near the 2,000 mark, the FCC predicted a sizable number would fail.

Broadcasters questioned the commission's right to issue any economic study and feared that the FCC's next step might be the proclamation of rate book. Speaking for many in radio, BROADCASTING answered: "Some stations will fail, of course, as we have repeatedly insisted. Others will trail red ink for months or years before they consistently turn a profit. Those that survive will be stations which, competitively, render superior service to their listeners, and, consequently, to the advertisers. . . . The question of survival in a highly competitive art hinges to a great extent on the ingenuity of individual stations both in programing and in selling time. . . . These factors are considered in the economic report, but they are intangibles which, despite their importance, do not show up in charts and graphs."

Great Britain took over its coal industry, but relinquished its grasp on India; the latter country re-emerged in August as Hindu India and Moslem Pakistan. U.S.-Soviet relations worsened, prompting financier Bernard Baruch to describe the stand-off as a "Cold War." In America, the supersonic age became a fact: A Bell X-1 was flown faster than sound. Motorists got the news that B.F. Goodrich had developed a tubeless tire. The House and Senate overrode President Truman's veto to pass the Taft-Hartley Act. The Los Angeles Rams painted horns on headgears to become the first pro football team with helmet insignia. Other 1947 news out of California: Navy veteran Richard M. Nixon was elected to his first term in the U.S. House of Representatives. And in

BROADCASTING . . .

parts topped \$1 billion. There was a boom in car radios, as Americans—after wartime restrictions on the production of such equipment—could take radio with them down the highway. The number of car radios sold in 1947 jumped to 2.5 million, worth \$150 million up from the 150,000 sold in 1946, worth \$9 million.

Network radio was beginning to change. Bing Crosby's 1946 coup in which he won the right to transcribe his ABC network program in advance created an aftershock in 1947. *Fortune* magazine in January declared that none of Crosby's past performances "measures up to the magnitude of his assault on the established framework of radio;" and labeled Crosby's change to transcriptions "a direct attack on the radio business . . . or at least on the two biggest networks, NBC and CBS . . . [which] have an absolute ban on transcribed shows for big-name stars." *Fortune* wondered: "If complete top-caliber programs can be recorded and sold directly to individual stations, what is to become of networks as networks?"

What became of them in 1947 was all good news for them. They prospered and expanded their reach. With the numbers in inverse order to their ratings rank, MBS had 488 affiliates by Dec. 31; ABC, 265; CBS, 174, and NBC, 167.

The cold war was taking on a deeper chill. Along with popular songs introduced in 1947, such as Alan Jay Lerner's "Almost Like Being In Love," Hoagy Carmichael's "Ivy," and Oscar Hammerstein's "So Far," radio audiences were introduced to the perceived threat of the Soviet Union. There

Despite the FCC pessimism, there was no mass failure of radio stations in 1947. Radio as a whole prospered, gained audience and revenues—1,962 stations on the air by Dec. 31 and 37 million radio homes in the U.S. Total net time sales for broadcast advertising reached a new high of \$374,086,686, a healthy 12% more than in 1946. (Net time sales represented gross billings less frequency and promotional discounts. These receipts were before deduction of agency commissions, considered an expense of sales). Estimated radio gross billings in 1947 were \$555,400,000.

For the first time, the money Americans spent for receivers, tubes, batteries and

Probers Warn Petrillo Not to Strike

Hearings Recessed Pending Study Of Evidence

By J. FRANK BEATTY

AN ARM of Congress—the House Labor subcommittee investigating James Caesar Petrillo, AFM president—has assumed the role of unofficial mediator in the threatened strikes of musicians against networks and recording companies.

Plainly shocked at the audacity of the union czar in hurling the strike threats during an investigation into his domination of the AFM, the subcommittee members last week warned him of the public's rights and suggested he examine labor laws carefully before taking any drastic action.

With this Congressional advice to ponder, President Petrillo awaits recall at further hearings to be held after a 60-day recess. Meanwhile, the subcommittee will watch his actions closely and go into standby, featherbedding and other AFM practices.

Recess of the hearing was announced Friday afternoon. Subcommittee members denied that the postponement amounted to a death blow for the whole investigation, insisting that more time is needed



"IT'S LIKE this, gentlemen," says James C. Petrillo at House probe.

union leader and to study the committee's findings to date.

When the subcommittee resumes hearings it plans to meet in cities around the country as well as Washington, it was indicated Friday. Back of the investigation is the expressed desire to learn whether the AFM leader's tactics



HOUSE PROBERS hung on every word during two-day grilling of James C. Petrillo, AFM president. L to r: Rep. Richard M. Nixon (R-Calif.); Chairman Carroll D. Kearns (D-Pa.); Rep. Graham A. Barden (D-N. C.); Rep. O. C. Fisher (D-Tex.); Rep. Wingate H. Lucas (D-Tex.).

sions of the Taft-Hartley and Lea statutes.

The probers' exposure of Mr. Petrillo's tactics occurred during a Monday-Tuesday session at which the AFM president, in a brilliant setting of klieg lights, newsreel cameras and microphones, used all the tricks in his bag to stage the best performance in his career.

Good Time for All

He was the star witness against himself, and saw to it that everybody had a good time—especially the subcommittee. Through the long grilling he gave quick and pointed answers to nearly all questions, most of them adding up to the fact that technology is taking work from his boys and he is going to do something about it. Much of the

AFM control over use of film sound tracks in television. He absolutely controls recording. He wants to get many new jobs out of FM and television.

AFM head was described as "dictator" and also praised for patriotism in accepting Lea Act decision and Taft-Hartley law.

He admitted in effect that he had threatened a network strike to compel affiliates to hire musicians they don't need because local strikes wouldn't be effective. This was considered a possible Taft-Hartley Act violation.

Mr. Petrillo is toying with a plan to slap a 5 or 10-cent royalty charge on

—Broadcasting, July 14

were anti-Communist alarms and calls to ostracize Communist sympathizers.

Experts and journalists discussed the Soviet threat on such special shows as CBS's four-day series, *You and the Russians*.

Commentator Walter Winchell, once a liberal, issued this attack on the Soviet Union: "The third World War is already being fought . . . We are losing it . . . When the Communists are ready, there will be 50 Pearl Harbors, atomic explosions erasing our cities . . . Trained Communist spies are among us locating targets for the sneak attack. . . . We must start rearming now."

Harold Stassen, the former governor of Minnesota and a perpetual presidential hopeful, used an NBC broadcast, *America versus Communism in One World*, to issue a 12-point program "to clear Communist infiltration," which included exposing "the identity of all known Communists," prosecuting "them vigorously for their violations of law," urging "our fellow-citizens to refuse to associate with them," and removing Communist sympathizers from federal, state, and local payrolls.

H. V. Kaltenborn, expressing opinions based upon a 42-day tour of 14 countries, issued this warning in an NBC four-part series: "The one controlling impression of my trip around the world is the ever-present Communist menace. In France it dominates the political situation. . . . Pope Pius made Communism the principal theme of what he said to me. . . . Greece is in turmoil because of Communism. In

Egypt they explain the street riots in terms of Communist agitation. . . . China faces economic ruin because of the unending internal strife caused by Communists. Japan's leaders want some kind of military occupation to continue until there is no Red menace. . . . There is no peace. The war we thought we won has not been won. Two world wars have left the world less safe for democracy than it was. . . . A militant, aggressive Communist Russia has its spies, agents, saboteurs hard at work in every country, including our own."

Blacklists, secret FBI files, and special hearings proliferated in the U.S. On March 22, President Truman ordered an examination into the loyalty of all government employes. *The New Republic* charged that since the war the networks fired 24 so-called left-of-center commentators in a protective purge. Admirers of William L. Shirer felt that CBS's move of Shirer's broadcasts to a less prominent time slot precipitated his quitting and sprang from the same source as the other network firings. The Red scare was dominant as innuendo and rumor fueled the fires and affected lives.

The scare touched but didn't destroy FCC Commissioner Clifford Durr who had objected to FBI reports to the commission on radio personalities, owners and employes. He asserted that the reports were unsolicited and based on "gossip, rumor, and nonexpert opinion on political, economic or social philosophies." Durr incurred the wrath of a Senate bent on a

hunt for fidelity. Senator Homer Capehart (R-Ind.), a member of the Foreign and Interstate Commerce Committee, labeled Durr's criticism "a brazen effort to sabotage the FBI in its lawful duty and responsibility to uncover Communists and other disloyal persons." He declared that Durr should be investigated.

Amid growing apprehension over Communism, President Truman launched a campaign to win allies for America through economic aid. In March Truman spoke on the networks in behalf of \$400 million in aid for Greece and Turkey, explaining that "the seeds of totalitarian regimes are nurtured by misery and want. They spread and grow in the evil soil of poverty and strife. . . . The free peoples of the world look to us for support in maintaining their freedoms. If we falter in our leadership, we may endanger the peace of the world—and we shall surely endanger the welfare of our own nation."

At a Harvard university commencement in June, Secretary of State George C. Marshall unveiled the European Recovery Program (the Marshall Plan) and used radio to promote this plan to fight "hunger, poverty, desperation, and chaos." The U.S. made the Marshall plan available to Communist as well as non-Communist countries on the premise that a stable Europe would choose freedom and democracy.

It was also in the name of freedom and democracy that Justin Miller, National Association of Broadcasters president, agi-



PICTURE OF THE CONVENTION according to a consensus of BROADCASTING editors was taken at a rollicking CBS affiliates dinner. Three of the most divergent winds in radio were caught blowing with

phenomenal singleness of purpose when (l to r) Justin Miller, NAB president, Frank Stanton, CBS president, and Chairman Charles R. Denny, of the FCC inflated toy balloons.

—Broadcasting, Sept. 29

tated for the repeal of the Mayflower ruling of 1941 that banned the airing of editorials. The edict, Miller persisted, "violates the First Amendment of the Constitution and the Communications Act." With the majority of the broadcasters endorsing editorializing, the FCC was moved to promise an inquiry in early 1948 to see whether station editorializing would meet the twin objectives of serving the public interest and affording balanced perspective.

The FCC's Blue Book of 1946 continued to rankle both those who felt its program standards unmet and those who feared government intrusions into programming. FCC Commissioner Durr charged his colleagues with "laxity in the enforcement of the principles" of the Blue Book since "many renewals have been granted, without a hearing, on the basis of programs which ... fail to meet any reasonable standards of public service."

Shortly thereafter, the NAB retaliated with a 34-page rebuttal to the Blue Book in the form of a letter to Representative Harris Ellsworth (R-Ore.) It condemned the Blue Book as illegal, punitive and im-

proper, stating that "the effort of the commission ... to indict broadcasting licensees on the theory that they are making too much money is an unwarranted indirect attack upon freedom of speech." To buttress its position, the NAB released a study of member stations' programming, documenting that the average station aired 66% commercial time and 34% sustaining time, a record well within the Blue Book's 80-20 guidelines.

"The result of the NAB's survey," BROADCASTING argued, "clearly points up the weakness of two main Blue Book contentions: (1) that larger stations carry fewer sustainers than small stations, and (2) that fewer sustainers are carried during choice evening hours than at other times. The cardinal weakness, of course, is in the FCC's assumption of the right to intrude in such matters."

While the Blue Book storm raged on, a new format for musical programs, built around the disk jockey, was gaining quiet but strong acceptance. Long before the war, radio had found success with morning shows and late night shows built around personalities and recordings, but in a

limited way and only at certain times of the day. Martin Block's *Make Believe Ballroom* on WNEWAM New York was one of the more successful prewar favorites that continued in the postwar period. However, advances in recording techniques, low overhead and a growing audience for this fare combined to make it more profitable for stations in the late '40's.

By the fall of 1947, a BROADCASTING trends survey found that nine out of 10 stations currently had disk jockey programs, with the average station broadcasting locally produced DJ shows 2.2 hours daily. It also found that 35% of those stations reported disk jockey programs harder to sell to national accounts than other locally produced shows, but 60% of the stations found disk jockey programs easier to sell locally than other locally produced shows.

Network comedy programs, however, still held most of the top 15 rated spots. *Bob Hope*, (NBC) *Jack Benny* (CBS), *Fiber McGee & Molly* (NBC), *Charlie McCarthy* (NBC) and *Amos 'n' Andy* (NBC) occupied the top five slots.



WMPS Memphis announced promotion plans in connection with its forthcoming increase in power from 1 kw to 10 kw at luncheon for timebuyers and trade press Aug. 26 at New York's Ritz-Carlton. Group includes (l to r): Harold Krelstein, WMPS general manager; Joseph Lincoln, Young & Rubicam;

Frank Palmer, Kenyon & Eckhardt; Linnea Nelson, J. Walter Thompson Co.; Chester Slaybaugh, Morse International; Jean Lawler, Sullivan Stauffer, Colwell & Bayles; Thomas McDermott, N.W. Ayer & Son Inc.; Frank Silvermail, BBDO; Terence Clyne, The Biow Co. Inc.

—Broadcasting, Sept. 8

NBC's Fred Allen was next in popularity, but he outdrew all his competitors in the national press following an incident in the spring. Allen often was given to impromptu and caustic remarks about the business of broadcasting during his programs. After network criticism of his jokes about network vice presidents as "people who find molehills on their desks in the morning and must make mountains of them before they go home at night," Allen had 35 seconds of his show cut off when he attempted to air a similar jibe that had been censored by NBC. The advertising agency demanded a rebate and Allen, who had been chastised the week before for running overtime, delivered his rebuttal through newsprint: NBC has a vice president in charge of program ends who saves up the seconds and minutes that programs run overtime and when he accumulates two weeks of time, takes a vaca-

tion.

New in 1947 and ranked 12th was *My Friend Irma* in which Marie Wilson, as an earlier-day Marilyn Monroe, played the beautiful "dumb blonde" legal stenographer. For example, asked about compulsory military service, Irma responded that "a girl shouldn't have to go out with a sailor unless she wants to." When Cathy Lewis, playing Jane Stacy, Irma's sensible roommate, asked her why she went out with Al who "has no job, no money, no clothes, no car, no prospects and no future," Irma characteristically replied, "I have to stick with him in case things get tough."

For FM, special progress seemed ahead in 1947. Roy Hofheinz, FM Association president, predicted 1947 would be the "FM year." By the end of 1947, 238 FM stations were on the air, 680 more had been authorized, and 431 applications

were pending.

Continental Radio Network on March 26 broadcast the first program of an exclusive FM network. By September the network had grown to 27 stations but had only one commercial sponsor. To lessen interference created by stations drifting off their assigned channel, the FCC in April proposed a reallocation of FM channels based upon a four-channel separation. Although this plan would affect 90% of the approximately 200 stations licensed by April, the FCC supported the change because, in its view, "the limited number of FM stations that have completed full construction ... [allowed] changes in frequency assignments ... [to] be made at this time without causing substantial expense to the stations now on the air or under construction."

Television gained space in more living rooms. By the end of 1947, 12 television stations broadcast to 14,000 American households. They were reaching a penetration level of .04%. The average black-and-white television receiver in 1947 cost buyers \$274.

Television in 1947 grew to the extent that the Television Broadcasters Association drafted a program code to guide the mediums before "self-appointed outsiders" pressed their codes. Coaxial cable linked New York to Boston in November through AT&T, but, despite such basic foundations, network television waited. When AT&T filed a proposed intercity coaxial-cable base rate of \$40 per mile per month for an eight-hour day, broadcasters balked at the high cost. One video broadcaster reacted to the news by describing those fees as "the best sales argument for programing television by film that has been advanced so far."

To cut costs, Zenith proposed "Phonevision," then an experimental system of "pay-as-you see" video whereby subscribers could receive the show selected with the cost added to their phone bill. While newspapers supported such a "juke box vision," as BROADCASTING entitled an applicable editorial, practically all broadcasters rejected the idea on the premise that on-air television, supported by advertising, should continue to be free to audiences.

To end uncertainty of black and white or color at that time, the FCC, to RCA's delight, denied CBS's petition for commercial color video in the 480-920 mhz band. The commission said there was inadequate testing and that "there may be other systems of transmitting color which offer the possibility of cheaper receivers and narrower bandwidths that have not yet been fully explored." The decision spurred production of black and white equipment and rekindled interest in television licenses now that the standards had stabilized.

Late in 1947, the FCC heard arguments from FM, TV, and nonbroadcast services as to whether television should relinquish the portion of the band assigned to TV channel 1. Although the FCC issued no

RECORD RADIO GIVE-AWAY

Prizes for Women Who Guessed Identity

of 'Mrs. Hush' Total \$17,590

WHEN Mrs. William McCormick, a Lockhaven, Pa., housewife, answered her telephone on March 15, and told Ralph Edwards, m. c., of NBC's *Truth or Consequences* show, that the mysterious "Mrs. Hush" was Clara Bow, she became the winner of prizes totalling \$17,590, an all-time high for radio give-aways. Not only did this fabulous contest make Mrs. McCormick happy, but it raised more than \$400,000 in contributions to the "March of Dimes" campaign.

Last Jan. 25 *Truth or Consequences*, sponsored by Procter & Gamble Co. for Duz, began broadcasting a mysterious voice of a woman called "Mrs. Hush" who, each week, recited a four-line verse which contained clues to her identity. To be eligible for the competition, listeners had to write a letter in 25 words or less on "We should all support the March of Dimes because" and enclose a contribution to the campaign along with the entry. Three letters were picked each week and the writers were phoned during the broadcast to give their opinions on who "Mrs. Hush" was. The first week of the contest three prizes were offered, and by the time Mrs. McCormick guessed the answer on March 15, there were more than a dozen.

Mrs. McCormick, her sister, and a neighbor had gotten their heads together and figured that "Mrs. Hush" was Clara Bow. They had sent in a total of 24 letters during the time the contest was in progress at the rate of one a week. It

was Mrs. McCormick's eighth letter that was picked as one of the three best for the week ending March 15.

Three Share Prizes

The prizes, which Mrs. McCormick and the two other women are still trying to split three ways were: A 1947 Ford Sportsman convertible automobile; Bendix washer; United Airlines trip to New York for two with a week-end suite at the Waldorf-Astoria Hotel; a \$1,000 I. J. Fox full length silver fox coat; a Columbia trailer which sleeps four and includes stove and refrigerator; a \$1,000 diamond and ruby Bulova watch; a 1947 RCA Victor console radio phonograph with a \$100 library of Redseal records; a Jacobs home freezer filled with Birds Eye frozen food; a Tappan gas range; Electrolux vacuum cleaner with all attachments; a Crosley Shelvador refrigerator; a week's vacation for two at Sun Valley, Ida., with transportation paid; a Brunswick billiard table installed in the home; an Art Carvel \$1,000 diamond ring; a complete Hart, Schaffner and Marx wardrobe for each adult in the immediate family; a Fitzgibbons residence steel heating boiler; free maid service for one year; a 144-piece set of American china; a Remington-Rand typewriter; a Luscombe Silvaire airplane worth \$2,500; a complete house painting job inside and out by Sherwin-Williams.

More than one million entries were received by the program.

Wayne Coy Appointed FCC Chairman

Truman Also Selects Sterling To Succeed Retiring Jett

TERMINATING months of speculation about future makeup of the FCC, President Truman last Friday announced the appointment of Wayne Coy, director of the *Washington Post* stations, as chairman of the FCC. Chief Engineer George E. Sterling, Maine Republican, was elevated to a commissionership in succession to the veteran E. K. Jett, who resigned the same day to become vice president and director of radio of the *Baltimore Sunpapers* on Jan. 1. The *Sunpapers* have WMAR (TV) on the air and hold grants for both AM and FM.

Messrs. Coy and Sterling assume office as recess appointees. They will be nominated formally when Congress convenes Jan. 6, and their appointments will be subject to Senate confirmation.

Mr. Coy will be sworn in promptly probably today (Monday). Because Mr. Jett's resignation does not become effective until Dec. 31, Mr. Sterling will not assume his post until after the first of the year.

White House Secretary Charles

Ross announced the Jett resignation and the Sterling appointment in the President's name Friday afternoon, shortly after Mr. Jett had conferred with the President. Later that day, the President announced Mr. Coy's appointment to the chairmanship along with a statement outlining his reasons for the recess appointment (See page 4).

The new appointments came a fortnight ahead of predictions. It would not surprise observers to see another resignation—that of Left-Wing Commissioner Clifford J. Durr, Alabama Democrat—occur within a few weeks. He has been at loggerheads not only with fellow commissioners, but with FBI Director Hoover and with the Republican and conservative Democratic wings of Congress.

Served Under Roosevelt

Mr. Coy, 44, a Democrat who served two years as one of the late President Roosevelt's anonymous assistants and was Assistant Director of the Budget from 1942-44, was named to succeed Charles R. Denny, who left the Commission chairmanship Oct. 31 to become vice president and



—Broadcasting, Dec. 29

final edict at the time. BROADCASTING in November headlined: "Death Knell Impends for TV Channel One"—a prophecy that eventually was to come true.

With or without channel 1, television remained the big about-to-be. Television delivered, albeit somewhat delayed, such 1947 visual extravaganzas as a total eclipse of the sun on May 20 as filmed in Bocayuva, Brazil, and the November wedding of Princess Elizabeth and Lieutenant Philip Mountbatten, Duke of Edinburgh, in Westminster Abbey.

NBC sent Ben Grauer with a crew of engineers and cameramen to film the eclipse and to fly the film back to the states. When NBC telecast the film less than 60 hours after the eclipse, network executives labeled the feat "a scoop."

With the help of the BBC, NBC telecast films of the royal wedding two days later; trans-Atlantic video didn't exist. Radio, however, described the event as it occurred, while NBC-TV on the wedding day presented such background material as films of Princess Elizabeth as a little girl.

If radio still scooped television in on-the-spot presentation of far-away events, television surprised radio with the ebullience of some of its new shows. *Howdy Doody* had arrived along with *Kukla, Fran and Ollie*, and, for adults, Kraft presented its *Television Theater*. On Dec. 27 for NBC *Howdy Doody* first brandished his freckle-faced mystique for a

whole generation of peanut-sized patrons. He was backed by Buffalo Bob Smith, Clarabell Hornblow, Princess Summer-Fall-Winter-Spring, Phineas T. Bluster and Dilly Dally of the wiggly ears. It captured the children's imagination, initiating a new genre in children's programming. *Kukla, Fran, and Ollie* began as a 15-minute, local program for WBKB-TV Chicago on Oct. 13. The Kuklapolitan Theater presented such durables-to-be as puppet Ollie, the one-tooth, scatterbrained dragon; puppet Kukla, his bald-headed friend; live hostess Fran Allison and the voices of puppeteer Burr Tillstrom. When adults finished giggling at these contrived antics, they could watch Kraft's hour-long adaptations of famous writers' comedies and dramas being played by Broadway veterans. The *Kraft Television Theater* premiered for NBC on May 7.

When the FCC in June approved the first station sale according to the Aveo rule (KMEDIAI Medford, Ore.), broadcasters accused the commission of once again interfering in station business, causing station prices to inflate, and of adding auctioneer duties to the FCC's already over-developed regulatory domain.

When James Petrillo, president of the American Federation of Musicians, in late summer forbade duplication of network musical programs on FM without separate contracts with locals, angry broadcasters met with one another and with the Justice

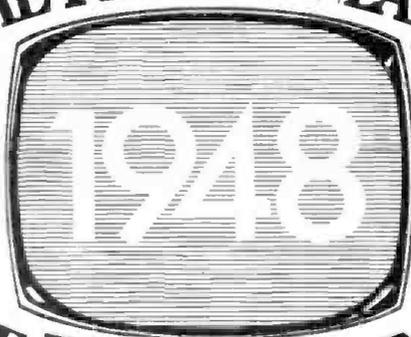
Department. When Petrillo, in October, ordered AFM members to stop recording transcriptions as of Dec. 31 and "never again to make them," AM and FM broadcasters tightened their coalition to stop Petrillo. In the meantime, following the Supreme Court's June action upholding the Lea Act, which forbade union featherbedding, the government was preparing Petrillo for violation.

Stay Tuned

1. Who was the first woman to become an FCC commissioner?
2. Which network was successful in its talent raids through capital gains deals?
3. Whatever became of TV's channel one?
4. Who was the Texas broadcaster that combined wire reports and sound effects to effectively re-create baseball broadcasts?
5. Why did Edwin H. Armstrong sue RCA and NBC?

The answers
in "1948."

THE FIRST 50 YEARS



OF BROADCASTING

Network talent raids and the growing role of local station programming provided notable chapters for radio's 1948 history.

In television, the FCC froze new station grants, a decision that was to put station applicants into a waiting line for nearly four years while the FCC worked out a national plan of TV assignments. But existing TV licenses and networks were undeterred from introducing a number of programs that turned out to have enduring appeal.

FM stations continued to increase in 1948, but the service still existed in the shadow of established AM. Most consumers, already having AM sets, were un eager to purchase another aural set, even though it promised superior sound.

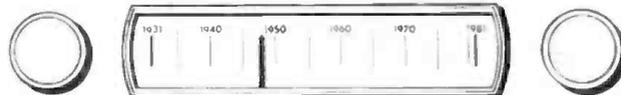
As an election year, 1948 brought broadcasters problems in editorializing, censorship and equal time.

President Harry Truman, who won election after an arduous campaign, referred to the fourth and fifth estates as the "kept press and the paid radio." The Democratic strategy involved buying little radio time. Instead, Truman personally stumped the country, earning the sobriquet, "Give 'Em Hell, Harry," for peppery speeches about the dangers of Republican economics. Republican candidate Thomas E. Dewey, on the other hand, took to the air to deliver decorous speeches. By election eve pollsters were finding many "undecided" or pro-Dewey voters. Buoyed by the findings of the best-laid polls, commentator H.V. Kaltenborn as well as other reporters on election night discounted an early Truman lead and declared a Dewey victory. By morning the Truman victory was undisputed.

A BROADCASTING analysis in November estimated that the major political parties bought \$1.7 million in air time during the 1948 campaign.

The movement to repeal the Mayflower edict (the FCC ban on editorializing), which gained industry support in 1947, gathered momentum with the electioneering of 1948.

At a March FCC hearing to reassess the ban, ABC President Mark Woods insisted: "Operation in the public interest places a positive duty upon the broadcasters to editorialize vigorously whenever they believe that it is in the public interest to do so." CBS President Frank Stanton warned: "The time is running



Turmoil continued overseas: Mohandas K. Gandhi was shot to death by a Hindu fanatic on Jan. 31 in New Delhi; Russia put a land blockade around West Berlin in April; the Free State of Israel was proclaimed in Tel Aviv as the British evacuated Palestine in May; Joseph Cardinal Mindszenty, Roman Catholic primate of Hungary, was arrested Dec. 27 by the Communist government on charges of treason, espionage and black-market dealing. In the U.S., aviation pioneer Orville Wright died, and former State Department employe Alger Hiss was indicted on perjury charges in connection with the passing of secret documents to Whittaker Chambers for transmission to a Communist spy ring. But the biggest gasps of the year might have come from publication of the first Kinsey report, on "Sexual Behavior in the Human Male." And in

BROADCASTING

out for those who would keep radio in a special compartment of artificial restraint" by withholding a privilege "which is not denied to any other class of our citizens—except perhaps convicts confined in prison." NBC President Niles Trammell emphasized: "The line between the printed newspaper and the radio newspaper is breaking down, and there is no reason to impose restrictions on public expressions by radio which are not imposed on our free press."

James Lawrence Fly, who was FCC chairman when the Mayflower decision was invoked in 1941, argued against repeal on behalf of the American Civil Liberties Union. Fly testified there appears "an il-

lusion of green pastures on the part of the broadcasters. I wonder if they want to sink to the ... level of the press ... Radio is splendid. Radio is powerful. It is dynamite. In terms of public opinion, it is atomic ... Radio is not like a newspaper. It cannot be like a newspaper. It should not be like a newspaper. I think it's high time it recovered from the illusion of green pastures. They're not so green."

The Mayflower review was still in progress when the FCC issued another decision that underscored the regulatory distinctions between radio and the printed press. By a 4-2 vote in a case involving the renewal of the license of WHLS(AM) Port Huron, Mich., the FCC held that a station could not be held responsible for libelous utterances by a political candidate because Section 315 of the Communications Act prohibited broadcasters from censoring political broadcasts. The prohibition, said the FCC, was "absolute ... whether the material is libelous or not."

The industry reacted with indignation. In an editorial, BROADCASTING asserted: "In deciding, after two-and-one-half years of pendency, a simple license renewal case that it could have skipped as it has done hundreds of others, the four-man majority hurled defiance in the faces of the states, the Congress and Supreme Court, and even of logic itself ... [and contributed] confusion, coercion, fear and stark amazement ... The broadcaster will just have to carry that which any wild-eyed politician wants to spout, whether it's obscene, libelous or subversive. Once the station opens its microphone to one

candidate, it is 'open sesame' to all others.'

Texas broadcasting stations informed the FCC that Texas libel laws prevailed and that "radio stations carrying libelous material will be subject to state laws." To investigate the controversy, a congressional committee asked for hearings. The committee, in an interim decision released the following month, accused the FCC of exceeding its authority and embarking "upon a dangerous and mischievous line of reasoning" that placed the broadcaster in a "dilemma of self-destruction." The committee assured broadcasters that "for the time being, at least until the matter is settled, the honest and conscientious broadcaster who uses ordinary common sense in trying to prevent obscene and slanderous statements ... need not fear any capricious action."

While the rubric of "common sense" provided only slight protection for stations from legal ill winds, the committee's interim pledges helped broadcasters weather the 1948 political squalls.

The words "equal time" in Section 315 were also being defined. The FCC in October decided that equal time "applies only to candidates competing with each other in the same contests ... [although] elementary principles of fairness may dictate that a station which has afforded considerable time during the primary to candidates for nomination ... for a particular office should make a reasonable amount of time available to candidates for that office in the general election."

The 1948 political coverage offered a new dimension: television. By the summer of 1948 cable linked 14 eastern TV stations in 13 states that had a total of 168 electoral votes. Both parties chose Philadelphia for their conventions since the city was on the New York-Washington cable link. Through wire and other relays, television carried the conventions to 18 stations in nine major markets and to an audience estimated at 10 million. The radio and TV news corps turned out in record numbers: 456 for the Republican Convention; 463 for the Democratic gathering. Later in July, the third party candidacy of Henry A. Wallace (vice president and member of the cabinet in Franklin D. Roosevelt's administration) was offered by the Progressives at a convention in Philadelphia, chosen to take advantage of facilities and connections already in place. It was a shorter convention that drew less than 250 accredited newsmen from radio and TV. Stratovision, Westinghouse's TV relay station in airplanes, transmitted the conventions to the Midwest with poor to satisfactory results. Suddenly, the world had grown smaller.

For the first time a political party platform included references to television as well as to radio. The Democrats urged "the vigorous promotion of worldwide freedom in the gathering and dissemination of news by press, radio, television and newsreel with complete confidence that an informed people will determine wisely the course of domestic and foreign policy."

1947 duPont Award Winners



duPONT AWARDS for 1947 are presented (top photo) to Edward R. Murrow (l), CBS analyst, and H. Leslie Atlass (r), vice president in charge of CBS Central Division and owner of WBBM Chicago, which received the award for stations over 5 kw [BROADCASTING, March 8]. Dr. Francis P. Gaines, chairman of the awards committee, is center figure. Lower photo shows Dr. Gaines handing the plaque to Walter Annenberg, publisher of Philadelphia Inquirer and owner of WFIL, which won top honors for stations under 5 kw. Mrs. Jessie Ball duPont, widow of Alfred I. duPont, in whose memory the annual awards were established, is at right.

—Broadcasting, March 15

The plank existed because 1948 networking made the power of television manifest. Coaxial cable and station affiliates lured audiences and sponsors. NBC in January announced plans to install a microwave radio relay between Philadelphia and Baltimore as an answer to AT&T's crowded coaxial cable service. Western Union in February announced plans to provide TV network services by a microwave relay between New York and Philadelphia. ABC in August put its WJZ-TV (later WABC-TV) New York on the air

and began lining up affiliates. DuMont, licensee of TV stations in New York, Washington and Pittsburgh, entered networking.

But NBC and CBS were the biggest forces in network television although their psychology of affiliate attraction differed. CBS adapted its 20-year-old AM affiliate compensation principles to television, reasoning that network-station relationships in television paralleled those in radio. NBC based its policies on the differing economics of television and radio. Be-

HENNOCK TO FCC

(See "Our Respects To . . ." and editorial, page 44)

FOR THE first time in 21 years of radio regulatory history a woman—Miss Frieda B. Hennock—will grace the FCC bench beginning next July, irrespective of whether the Senate sees fit to confirm President Truman's nomination of the New York lawyer and Democratic party worker.

The Senate Interstate Commerce Committee, to which the nomination automatically was referred, will consider Miss Hennock's qualifications at its regularly scheduled meeting this Thursday or next, after it receives a report from the three-man subcommittee named last week. Unless the Republican leadership, with the scent of victory in the national elections this November in its nostrils, decrees that the important FCC post (along with others in government) shall not be filled, it is expected a favorable report will issue.

Should the committee, along

privileges and compensation until the new Congress convenes in January. Once the new Congress meets, however, the interim appointment will expire and a new nomination (or renomination) would be entailed for the full seven-year term.

But the most likely action, in the view of seasoned observers here, is that the Senate committee will report Miss Hennock favorably, with the Senate promptly following suit. There are many reasons auguring for favorable action, it was pointed out, even though the assignment involves the balance of political power on the Commission.

Anxious to Serve

Miss Hennock, in her forties, is anxious to assume the Commission-ership, despite the deep cut in income. Her income, according to friends, is several times the \$10,000 FCC annual stipend.

Miss Hennock, it was learned authoritatively, conferred a fortnight ago with FCC Chairman



Miss HENNOCK

nated a subcommittee comprising Sens. Brewster, Maine, chairman, Capehart of Indiana, Republicans;

week. Since the vacancy does not occur until Comr. Clifford J. Durr completes his tenure June 30, there appeared to be no reason to expedite consideration, it was pointed out.

An active party worker in New York City and State Democratic circles, Miss Hennock has been particularly effective as a campaign fund raiser. She was most active in the O'Dwyer mayoralty campaign of two years ago and also figured prominently in party activities in the fourth-term Roosevelt campaign.

Appointment a Surprise

The appointment came as a distinct surprise to everyone with the possible exception of Mr. Coy and those who endorsed her appointment. Among the latter, it is understood, were Paul Fitzpatrick, New York State Democratic chairman; Edward J. Flynn, New York City party leader; Mrs. India Edwards, director of the women's

—Broadcasting, May 31

cause of the high television costs. NBC affiliates shared the video line charges, program costs, and the initial expense of network operations.

ABC and NBC opened Midwest television networks in September on the same day, sharing some stations. ABC debuted over Wews Cleveland, WTMJ-TV Milwaukee, WBEN-TV Buffalo, N.Y., and WENR Chicago. WBEN-TV and WTMJ-TV were also NBC affiliates, so they shifted to the NBC debut later in the day to join WSPD-TV Toledo, Ohio, and WWJ-TV Detroit.

In May, ABC, closely held by Edward J. Noble and associates, went public with an offering of 500,000 shares of voting stock at \$9 a share; within two hours the issue was fully substantiated. By December, 20th Century-Fox had begun negotiating to buy ABC.

Texas broadcaster Gordon McLendon, whose enterprise in sports programming and music was to leave a mark on radio from the 1940's on, began re-creating baseball games on a national scale on his Liberty Broadcasting Network. Without going to the ball park, Liberty utilized a mix of wire reports and sound effects to simulate on-the-scene play by play.

AT&T helped network TV in March by filing substantially lower rates for intercity television transmission than it had a year earlier. Instead of \$40 per airline mile a month as it asked in 1947, AT&T requested \$35 per airline mile a month for eight consecutive hours a day, and \$2 a month per mile for each additional consecutive hour. However, TV broadcasters accused AT&T of preventing the growth of other relay systems. Philco in September filed suit against AT&T, charging violation of the Communications Act and alleging that AT&T sought to "coerce and compel

Philco to abandon the use of its own relay and make a connection with AT&T's carrier facility in Philadelphia." By October DuMont and Western Union had joined the fracas. Western Union argued that it had no subscribers for its microwave relay between New York and Philadelphia because AT&T refused to allow those channels to be tied in with telephone company facilities. For its New York-Philadelphia facilities, Western Union charged \$4,700 per month with a minimum one-year contract—a total of \$56,400 per year for eight hours of daily service.

FM stations continued to increase, with 326 new stations broadcasting in 1948.

Edwin Armstrong's FM Continental Radio Network added Eastern and Midwestern affiliates. A group of farm cooperatives planned an FM Rural Radio Network. Transit Radio offered FM radio in buses in Cincinnati and then branched out. By the end of the year, FM radio played in public transportation vehicles in St. Louis; Cincinnati; Houston; Wilkes-Barre-Scranton, Pa.; Huntington, W. Va., and Worcester, Mass. Transit FM particularly attracted small business because of its low rates and guaranteed, captive audiences of bus riders.

Emerson Radio in October introduced a \$29.95 FM receiver, "The Conqueror," which it billed as the set that would bring FM to the masses.

But the excitement of television was eclipsing FM. Thirty-one commercial TV stations began operations during 1948 to make a total of 50 broadcasting by year end. A "Telesatus" report in BROADCASTING counted 236 television advertisers on 20 stations in 11 markets for the week of June 6-12. The Gulf Oil Corp. in June started the first regularly sponsored

simulcast. *We, the People*, a celebrity interview hour, on both CBS radio and TV.

Texaco on June 8 started what was to be a TV ratings winner, the hour comedy-variety *Texaco Star Theater* on NBC. Milton Berle won the job as permanent host in September after competing against such summer try-outs as Harry Richman, Georgie Price, Henny Youngman and Morey Amsterdam. After each opening number—in which four Texaco servicemen sang about their work from "Maine to Mexico"—Berle appeared outrageously dressed, played on sight gags, and kept up running banter with a mixture of acrobats, singers and other comedians.

Sid Stone, Berle's announcer, adapted a pitchman's monologue to sell Texaco products. "I'll tell ya what I'm gonna do," Stone began. "As a special added inducement, I'm gonna give away with each and every 10-cent potato peeler one of my Marfak lubrication specials, a complete, squeak-killin', easy-ridin' treatment for your motor car . . . All right, what else am I gonna give away? I'm gonna throw in a can of my double-dipped, double-strength Havoline new and improved motor oil (holds up can). You work hard all day, usin' your vocal chords. Natcherly, your larynx gets tired. The more you talk, the hoarser you get (into whisper; drinks from Havoline can, then shouts) and your voice comes right back." *The Texaco Star Theatre*, its Hooperating (the dominant audience measurement of the time) reaching an incredible 80.7, lured a generation to television.

Another television staple began June 20 when Ed Sullivan first hosted his hour *Toast of the Town* variety show for CBS, premiering with Broadway composers Richard Rodgers and Oscar Hammerstein,

relatively unknown comedians Dean Martin and Jerry Lewis, and boxing referee Ruby Goldstein. Despite Sullivan's stiff body language and mumbled introductions, his show rated number two with a 51.8 Hooper.

Ted Mack first appeared as host of *The Original Amateur Hour* on Jan. 18 for DuMont, and offered a parade of tuba players, comics, singers, impersonators and jugglers. Following the format of Major Bowes's radio show, Mack's viewers voted for their favorites who then won scholarships.

Besides comedy and variety, television presented prestige drama and music, as well as quiz shows. *Studio One* debuted Nov. 17 on CBS, and *Philco Playhouse* on Oct. 3 on NBC. In a special experiment, ABC in November telecast an entire production of Verdi's "Otello" from the Metropolitan Opera House in New York. *Break the Bank*, a 30-minute ABC quiz show, continued on radio and became an AM-TV simulcast in October. Drawn by cash prizes of up to \$10,000, *Break the Bank* drew an immediate and large following.

The top 10 commercially sponsored TV shows were: *Texaco Star Theater* (80.7 Hooper rating), *Toast of the Town* (51.8), *We, the People* (46.4), *Small Fry Club* (36.5), *Amateur Hour* (31.9), *Kraft TV Theater* (30.2), *Chevrolet on Broadway* (29.9), *Americana* (28.6), *Bigelow-Winchell* (25.4), and *NBC Symphony* (24.5).

Its growing popularity notwithstanding, television faced problems of costs, technology, royalties and allocations. Costs still exceeded income. A BROADCASTING "Telestatus" report estimated the operating costs of a TV outlet in a medium-sized city as \$500,000 a year; costs for video time and talent for a 30-minute quiz show as \$1,800; a sports show as \$2,200; a dramatic show \$5,600; a news show \$1,400, and a film as \$1,000.

There were technical problems. One, much publicized, occurred when CBS telecast an Air Force Association show from Madison Square Garden. It lost the signal just as Gypsy Rose Lee began her act. Censorship was erroneously assumed. To preserve broadcasts, ABC developed "video recordings," films of television

programs photographed from the face of a cathode ray receiver tube as the live program was in progress. ABC declared this single system of recording sound and pictures was cheaper than the procedure of the separate kinescopic recording of sound and film used by CBS and Paramount.

Royalties needed to be determined for both television actors and musicians. Acknowledging that large payments were not possible for actors in TV films, Ronald Reagan, president of the Screen Actors Guild, insisted that television at least accede to the principle of royalty payments as film was likely to become an important TV staple. Allowing American Federation of Musicians members to perform for television, James Petrillo, AFM president, ended the AFM TV ban in March, while still negotiating terms of settlement.

In May the FCC ordered hearings on high-band television, took channel one away from TV and reassigned it to non-governmental fixed and mobile services.

One big result of those hearings was that the FCC in September imposed a freeze on TV licensing to study color television standards, tropospheric interference, additional channels, city-by-city assignment of channels, and educational channel reservations.

Speaking for most in the industry, BROADCASTING editorialized that, "Contrary to all the usual implications . . . the temporary freeze which the FCC has imposed upon television applications is stabilizing and reassuring and should be welcomed. The primary objective of perfecting television's technical standards is adequate justification for the move . . . The march of television will continue . . ." Nobody knew then that the freeze would last four years.

Besides the growing competition of television and FM, AM radio faced problems of FCC investigations and network talent raids. Charges by the Radio News Club of Hollywood that G.A. (Dick) Richards required writers and announcers to slant and falsify news prompted the FCC in March to begin an investigation of Richards's stations, KMPC(AM) Los Angeles, WJR(AM) Detroit and WGAR(AM) Cleveland. In November, the commission ordered a hearing.

The growing purses on radio giveaway shows drew the attention of the FCC which started looking for violations of the anti-lottery laws. In June, a Manhattan taxi driver's wife won \$20,000 in cash and merchandise from *Stop the Music* for correctly identifying a tune. In August, the FCC proposed rules that would practically bar all such programs from the air. There was almost unanimous opposition to the proposed rules at FCC hearings in October.

Besides helping to spark the FCC inquiry, *Stop the Music* gained fame when it pushed Fred Allen off the air. Cast opposite the popular quiz show, Allen parodied the competition and offered to reimburse any listener who was called by

Still in the Saddle!



FCC CHAIRMAN Wayne Coy today still holds the reins of radio, patrolling the ether ranges east and west of the Pecos. Like many another Democratic chieftain, the Indianian appeared destined for the last roundup Tuesday night, but the powerful medicine of Big Chief Truman decreed otherwise. (Horse, saddle and Stetson by KYAK Yakima, Wash.)

—Broadcasting, Nov. 8

Folsom and Wilson Are Given RCA Promotions

FRANK M. FOLSOM, RCA executive vice president in charge of Victor Division, elected president of Radio Corp. of America Friday on recommendation of Brig. Gen. David Sarnoff who relinquishes presidency but retains chairmanship of board and continues as chief executive officer as well as chairman of NBC board and of RCA Communications Inc.

At same time RCA directors elected John G. Wilson, vice president and general manager of RCA Victor, successor to Mr. Folsom as executive vice president.

Gen. Sarnoff held both presidency and board chairmanship since retirement in 1947 of late Gen. James G. Harbord.

Mr. Folsom assumes presidency Jan. 1 and will headquarter in New York. He joined RCA as director and vice president in charge of Victor Jan. 1, 1944 after 30 years in merchandising and two years as chief of Procurement Branch of U. S. Navy. Born May 14, 1894, in Sprague, Wash., attended public schools in Washington and Oregon, began business career at 16 with Lipman Wolfe Department Store, Portland.

In July 1940 he entered government on National Defense Advisory Commission as Assistant Coordinator of Purchases. In 1941 he was named special assistant to Under Secretary of War.



MR. FOLSOM

Born in Alma, Ill., Aug. 17, 1900, he was captain in Coast Artillery in World War I and served business.



GEN. SARNOFF

of promotion and able to share in the highest management responsibilities.



MR. WILSON

—Broadcasting, Dec. 6

Stop the Music, while listening to Allen for prizes lost up to \$5,000. Despite such an insurance policy, Allen's ratings stayed too low for renewal. *Break the Bank's* phenomenal success begot imitations such as *Hit the Jackpot* and *Sing It Again*.

Radio network talent raids were a highlight in 1948. CBS began them with a novel tax interpretation. A star could form a corporation with himself as the major asset, employe and stockholder. When a network purchased control of that star's program, the star would then pay a capital gains tax rather than a steeper tax on straight income. Under such a plan, CBS took from NBC and ABC Freeman F. Gosden and Charles Correll (*Amos 'n' Andy*), Jack Benny, Edgar Bergen ("Charlie McCarthy"), Bing Crosby, Ozzie and Harriet Nelson and Red Skelton.

The top 15 rated evening radio network shows in order: *Walter Winchell, Radio Theater, Fibber McGee and Molly, Jack Benny, Bob Hope, My Friend Irma, Duffy's Tavern, Arthur Godfrey's Talent Scouts, Fred Allen, Phil Harris-Alice Faye* (a season premiere), *Crime Photographer, Bob Hawk, Mr. District Attorney, Charlie McCarthy*, and (tied for 15th) *People Are Funny and Burns and Allen*.

Besides the debut of the successful *Phil Harris-Alice Faye* show (NBC), a melange of sarcastic comedy and music, 1948 brought everybody's favorite teacher, Eve Arden, as *Our Miss Brooks* to radio (CBS). NBC also began a prestigious documentary series, *Living-1948*, summaries of current issues.

The FCC remained a center of action and contention. Mrs. W.J. Virgin refused to comply with FCC's Avco ruling requiring her to sell KMED(AM) Medford, Ore., to an FCC-preferred purchaser. She kept the station. The FCC renewed the licensee of WBAL(AM) Baltimore, despite allega-

tions of inadequacies under the commission's Blue Book and despite a competing application for the facility by Drew Pearson.

Congressional investigation of the FCC began in August and centered on the members' allegiance and official stands on political broadcasts. Commissioner Clifford Durr, a liberal, quit the FCC upon expiration of his term in July, and publicly criticized Truman's government loyalty program. The FCC changed its visage by admitting to its ranks the first woman member, Frieda B. Hannock, a Truman appointee.

Patent problems surfaced in July when Edwin Armstrong sued RCA and NBC for alleged infringements of five of his basic FM patents. Armstrong charged that RCA and NBC "deliberately set out to oppose [the growth and development of FM] ... and impair the value thereof by delaying the commercial development and public use of said inventions and to compel plaintiff to sell and transfer control of such patents to RCA ..." In addition, Armstrong argued that RCA and NBC tried to influence the FCC to allocate to FM "so small a number of useable radio frequencies as to make its development and use on a national basis impossible."

The AFM reached a peaceable settlement with record companies which agreed to pay royalties to a "public music fund" administered by an impartial trustee.

As ever, broadcasting technology promised more and better service. *The Philadelphia Inquirer* and its WFIL-FM in January started regular transmission of two facsimile editions a day. Paramount Pictures in January demonstrated film that could be developed in 66 seconds. Westinghouse in August applied for commercial license for airborne video and FM networking relays. Columbia Records introduced its

33 1/3 rpm, long-playing record, RCA introduced its "extended play" record, as well as its seven-inch, 45 rpm disk.

With FM making slow advances, AM pushing for more advertisers and audience, and TV seducing viewers with Howdy Doody, Milton Berle, and Ed Sullivan, BROADCASTING at yearend dubbed 1949 as "the year of decision" for the 2,662 AM, FM, and TV stations: "... it is a year of decision as to wisdom in sales approach and in prudent management. Television has the glamour and the momentum ... Sound radio has the coverage and the impact and the programs and the story of a hundred thousand sales successes ... FM's pace has been the least spectacular these past few months. FM has the quality voice. It has the advantage of uniform day and night coverage. FM has not taken advantage of its advantages. If it doesn't shout them from its antenna tops in a well-greased campaign, 1949 could well be its 'Year of Decision.'"

Stay Tuned

1. What happened to the FCC's Mayflower and Avco rules?
2. Which state tried unsuccessfully to censor TV films before their telecasts?
3. How did the Emmy get its name?
4. Who played the title role in the *Lone Ranger* when it started in TV?
5. What was the controversial issue in the so-called "record war"?

The answers
in "1949."

THE FIRST 50 YEARS

1949

OF BROADCASTING

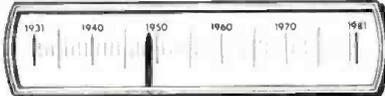
Taxes, talent battles and television changed broadcasting in 1949. The FCC tried to ban giveaway shows, it allowed editorializing and it held color hearings. FM was all but ignored as public attention was attracted to the burgeoning television industry, and broadcasting was the scene of a search for Communist sympathizers.

In one precedent-setting situation, broadcasters protested a city tax. In another, broadcasters used tax laws to lure high-priced talent.

In that first situation, Little Rock, Ark., levied a tax on broadcast stations. It irritated station owners who pointed to precedents and interstate commerce laws in their appeals. When the Arkansas Supreme Court in Little Rock in May upheld the tax, G.E. Zimmerman, vice president of KARK(AM) there, turned to the U.S. Supreme Court for help. He declared: "The decision opens the way for every city to tax stations, and there's nothing to prevent a city from doubling the tax every week. We don't object to the amount of the tax, but we deny that the city has the right to impose it. This is the foot in the door." The U.S. Supreme Court in November refused to review the decision, clearing the way for Little Rock to levy taxes of \$250 a year on the generation of radio waves, and \$50 on solicitors of local advertisers. The edict ignored the protection of interstate commerce normally accorded broadcasting and left a retinue of broadcasting's tax lawyers running for the legal cover from which to launch a second defense.

Conspicuously absent from KARK's defense, the National Association of Broadcasters rebutted criticism on the grounds that "no request for NAB help was made." In a December editorial, "Little Rock Bottom," BROADCASTING labeled the Little Rock case "potentially the most dangerous assault upon radio's freedom ever dreamed up by municipal authorities in their lust for revenue. . . . Whether it's censorship in Pennsylvania or a tax in Little Rock . . . it's still interstate commerce. . . . Radio will be on the *qui vive* for the very next test case. . . . On the next occasion, we are confident, the NAB will pitch in from the start with best counsel procurable."

In national radio, network executives used tax-break incentives to raid top talent. This version of star wars, begun in



Ireland severed ties with Britain by leaving the commonwealth April 18. The Chinese Communists took over the rest of the mainland as the Nationalist Chinese government fled to Formosa Dec. 7. In the U.S., Axis Sally (Mildred E. Gillars) and Tokyo Rose (Mrs. I. Toguri D'Aquino) were convicted of treason for wartime propaganda broadcasts and sentenced to prison. America's A-bomb monopoly ended when President Truman announced Sept. 23 that the USSR had exploded a bomb of its own. The average motion-picture theater admission had risen to more than 35 cents. That was for such Oscar-winning films as "All the King's Men," thinly disguised fiction of the life of the late Senator Huey Long of Louisiana. Just a little farther north, Ponder won the Kentucky Derby, telecast for the first time by WAVE-TV Louisville in May. And elsewhere in BROADCASTING . . .

Winchell, and Stop the Music. By late January, CBS had wooed Bing Crosby from ABC, as well as Edgar Bergen, Red Skelton, Fibber McGee and Molly, and Ozzie and Harriet from NBC. Fred Allen, in his Jan. 23 broadcast for NBC, quipped: "I'll be back next week, same time, same network. No other comedian can make that claim."

CBS kept buying talent. CBS Chairman William S. Paley, in a 1976 BROADCASTING interview, analyzed his strategy of the 40's: "At that time I was not only thinking of radio, when I wanted to bolster our standing and please our audiences; I knew that television was right around the corner. I wanted people who I thought would be able to transfer from radio to television. That gave us a very good start in television and a big advantage indeed."

NBC did not match offers. Its executives said that some top radio stars might not prove equally popular in television, and that advertisers, for some time, would not pay for the increased talent costs of television. NBC, after receiving what it called a "unanimous and enthusiastic" vote of confidence from its affiliates in March, prepared countermeasures by lowering costs and announcing a program to develop new personalities and ideas. It denounced "any plans which would require NBC to confine its efforts to top ratings for one season at the expense of the future."

Despite this, NBC in the first four months of 1949 lost almost \$7 million in advertising revenue. To recoup its losses in talent and money, NBC rescinded its rule against the use of

1948, invoked the novel CBS approach of buying control of a star's corporation. The performer would then save money by paying a tax on capital gains rather than the steeper tax on income. As television began to lure audiences, performers and sponsors, the radio networks, particularly CBS, resorted to talent wars and razzle dazzle programming. Designed to bolster radio ratings while storing up video futures, the CBS plan worked, at least temporarily.

By early January, CBS, with Jack Benny and Amos 'n' Andy (both acquired from NBC), led the Sunday night radio ratings against NBC's Horace Heidt's *Opportunity for Youth*, and ABC's Walter

transcribed shows on network programing. To recoup his network's ratings, Mark Woods, ABC president, planned to spend more for AM programing in 1949 than in 1948.

Continuing its raids, CBS in March signed "the backwoods philosophers," *Lum and Abner* (Chet Lauck and Norris Goff), and "the sophisticated wit," Abe Burrows, for both radio and television. NBC managed to renew Fred Allen for both radio and TV.

The talent was extended to network rating claims. CBS President Frank Stanton wrote advertisers a letter claiming that, as of early March, CBS Radio ruled with "... nine of Hooper's top-15 most popular evening programs ... , the other six, divided equally between two other networks." NBC President Niles Trammell countered with, "These figures played a limited one-week engagement. Hooper's latest show NBC with five, CBS, seven. ... Hooper continues to tell the same old story—NBC delivers more ratings over 10, over 12, than any other network."

The claims for dominance also extended into daytime ratings, cost-per-thousand and even the most minutes of sponsored time.

Regardless of how the pie was sliced, radio network time sales amounted to \$128,903,467 in 1949. That was 30.3% of the total \$425,357,133 in time sales for all radio.

On the TV side, FCC data showed 1949

advertising expenditures of \$10,795,512 for network, surpassing spot (\$7,275,013) and local (\$9,459,608).

The increased competition was reflected in changes in the networks' top echelons. Frank K. White, president of Columbia Records and past treasurer and vice president of CBS, in April moved to Mutual as president. Frank Stanton signed to continue as CBS president at a base salary of \$100,000 a year for 10 years. Mark Woods signed to continue as ABC president at \$75,000 a year for five years. Sylvester L. (Pat) Weaver, vice president and radio-TV director of Young & Rubicam, joined NBC in July as television vice president. Niles Trammell in October became NBC's board chairman, and Joseph McConnell, RCA executive vice president, succeeded him as NBC president.

However, the networks closed ranks to attack the FCC's position on giveaway programs, censorship and editorials. In the postwar radio boom, giveaways had gained extraordinary popularity.

The FCC, which historically had been leery about giveaway programs (it had unsuccessfully petitioned the Justice Department to investigate *Pot O' Gold* in 1939), renewed its antigiveaway crusade in 1949, by which time 38 giveaway shows each week occupied approximately \$650,000 worth of air time and paid out an average of \$185,000 in money and merchandise. The FCC set out to investigate the giveaways' effect on audiences, on competing

radio talent, on sponsors, as well as the legality of such shows under antilottery laws.

Garry Moore, purveyor of \$64 questions on his show, *Take It or Leave It*, offered the increasing perspective of one caught in the middle of the dispute. "As a performer," Moore said, "I deplore giveaway shows. As a radio man, I can't blame a client for buying time. ... If the person trying for the jackpot loses, both he and the audience identifies itself with the contestant. I'm the villain in the plot, the croupier at the gambling casino—and no one loves a croupier—who has taken this fortune away from the person because I've refused to give him a hint and let him win a few thousand. So I became the enemy of the audience."

In August, the FCC, in a 3-to-1 vote with Commissioner Frieda Hennock dissenting, proposed new rules designed to eradicate giveaways as of Oct. 1. The FCC said it would not renew a station's license if the broadcaster planned to permit "the broadcasting of any advertisement or of information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance. ..." The FCC said giveaways fell afoul of the lottery law by requiring a "consideration" from the audience. "A scheme involving award of prizes designed to induce persons to listen to the particular program certainly involves consideration furnished directly or indirectly by members of the public who are induced to listen."

The networks reacted swiftly and acerbically. ABC, the hardest hit with 13 giveaways, denounced the FCC ruling as "an invalid attempt to extend existing law" that "is inconsistent with the system of private broadcasting ... and is a first step by the federal government into actual program planning." CBS (with eight giveaways) and NBC (with seven) similarly decried the extension of FCC authority. Although filing in New York courts for injunctions to stay the FCC action, these three networks challenged the FCC ban for the same reasons: that the FCC lacked authority to invoke rulings based on the antilottery provisions of the U.S. Criminal Code, and that even if the FCC had authority, the FCC had improperly interpreted the antilottery section. MBS (with 10 giveaways) did not file for injunctive relief; network President Frank White said: "It appears Mutual has no programs in that category."

Some, like Fred Allen, rooted for the FCC, believing that the FCC's ban would take "radio away from the scavengers and give it back to the entertainers." Allen worried that when giveaways "dominate the networks, they chase listeners away and cheapen the whole medium. In the beginning radio was static. Out of the static came words and then entertainment. When the shyster element got in, they gave away everything but entertainment."

But the listening public liked giveaways. A Gallup poll showed that 83% of the



THE much discussed CBS designed and constructed color converter, which, with a simple adapter built into the set, enables a black-and-white television set also to pick up the color broadcasts of the CBS sequential color TV system, is examined by a viewer. Converter is mounted on the front of the set. When viewer wants to see color television, he merely slides it in front of his screen. If he wants to see the broadcast in black-and-white, he slides the converter aside.

—Broadcasting, Oct. 3

population listened to giveaways, although 32% listened "very seldom"; 53% of those who tuned in described the giveaways as "interesting," and 50% of all interviewed wanted giveaways to continue.

The networks sought an injunction from the courts to stay implementation of the new FCC rules. By the end of September, the FCC suspended its new antigiveaway rules until at least 30 days after the decisions in the pending court tests. By the end of the year, a BROADCASTING survey indicated that the networks broadcast 31 giveaways, 10 fewer than in 1948, and that of the 20 that were on the air in 1948, eight had improved their ratings, but 13, including the phenomenal *Stop the Music*, decreased in popularity. The prognosis indicated decline, but the year ended with the giveaway's fate before the courts.

A First Amendment issue arose in Baltimore in the "Baltimore gag" rule, so named after the city's Rule 904 that restricted the publication of news about persons facing criminal charges. The AM stations involved—WCBM, WFBR, WITH (all Baltimore) and WSID in adjacent Essex, Md.—the American Newspaper Publishers, and the American Civil Liberties Union defined the issue as free speech versus court imposition of censorship backed by punitive contempt orders. The Seventh Maryland Judicial Circuit Court decided that a defendant's right to a fair trial superseded the right to free speech; therefore, after judging WITH, WCBM and WFBR guilty of contempt for violating the

court's rule prohibiting publication or broadcast of certain news (in this case a reported confession) in advance of the defendant's trial. The court fined the stations \$300 each plus costs, and fined WITH commentator James P. Connolly \$100 and costs. The ruling came despite pleas by former FCC Chairman James Lawrence Fly, counsel for the ACLU, who called Rule 904 "a drastic piece of legislation having the effect of law and backed up by the most sinister method of punishment in our system of law."

However, the Maryland court of appeals in June reversed the lower court ruling and BROADCASTING wrote: "The state of Maryland last week joined the other 47 states in granting basic rights of free speech to radio stations and newspapers."

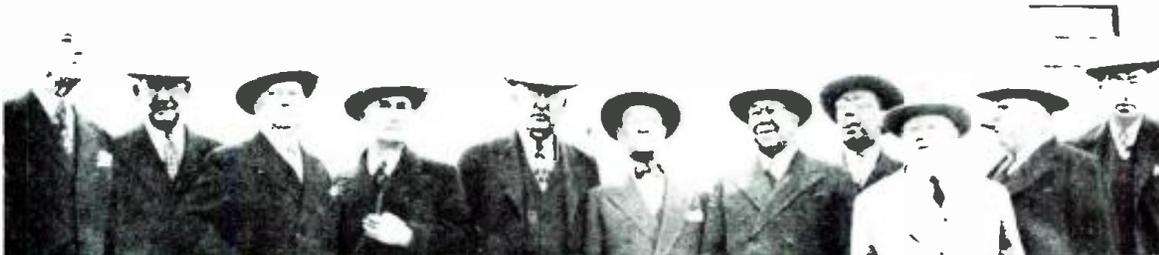
The FCC in June sanctioned "fair and balanced" editorializing by stations by repealing the eight-year-old Mayflower ban in a 4-to-1 vote. Broadcasters welcomed this restitution of First Amendment rights, but worried about FCC guidelines that were simultaneously imposed. The commission majority emphasized that with this new right, stations had "an affirmative duty generally to encourage and implement the broadcast of all sides of controversial public issues over their facilities, over and beyond their obligation to make available on demand opportunities for the expressions of opposing views." This caveat aroused anxiety. "The opinion does give broadcasters the chance to live dangerously." BROAD-

CASTING editorialized. "Stations which venture into editorializing in politics and on public affairs may find themselves in hot water on license renewals because fairness and balance are chameleons. What might be fair comment today could be construed as unfair a year hence. . . . Broadcasters must move warily. They cannot risk using their microphones as private mouthpieces to the exclusion of other views. . . . The right, however limited, is there. To that extent it is a victory for radio. . . ."

The FCC bequeathed to radio another victory of sorts when in June it repealed the four-year-old Avco rule that required competitive bidding for stations put up for sale. Broadcasters repeatedly complained that Avco placed the FCC in the role of auctioneer; the FCC finally revoked the rule, conceding that it often inflicted "severe economic and other hardships" on buyers and sellers. With the rule repealed, stations no longer needed to advertise for competing bids; station sales only needed FCC approval.

Such news paved the way for active station trading in the still growing broadcast industry composed of 1,912 AM stations (compared with 1,621 in 1948), 700 commercial FM stations (458 in 1948), and 51 commercial TV stations (16 in 1948) by the end of 1949.

Despite the increases in FM stations and \$6-\$7.5 million in estimated FM time sales, Edwin Armstrong feared for the future of his invention. Even with the still



AFTER SESSIONS of Associated Press directors' centennial meeting held in Corpus Christi, Tex., Jan. 4-6, leading newspaper publishers with radio station affiliations were guests of Ted Dealey, president of *Dallas Morning News* (WFAA). Mr. Dealey, first vice president of AP, picked up a group of the executives by plane in Corpus Christi and flew them to Dallas. Standing on steps of nearly completed \$6 million *News* building: (L to r) Col. Robert R. McCormick, *Chicago Tribune* (WGN); Mr. Dealey; George F. Booth, *Worcester, Mass. Telegram-Gazette* (WTAG); Arthur Hays Sulzberger, *New York Times* (WQXR); Josh L. Horne, *Rocky Mount, N. C. Telegram* (WCEC); Edward H. Butler, *Buffalo News* (WBEN); Leonard K. Nicholson, *New Orleans Times-Picayune* (WTPS); E. Palmer Hoyt, *Denver Post*; Paul Bellamy, *Cleveland Plain Dealer* (WHK); Roy A. Roberts, *Kansas City Star* (WDAF), and Buell Hudson, *Woonsocket, R. I. Call*. Also a guest, but not shown, was J. R. Knowland, *Oakland, Calif., Tribune* (KLX).



GATHERED in the trophy room of Ted Dealey's Dallas ranch house were radio, newspaper and city personalities and their wives. (L to r): Mayor James Temple of Dallas (which operates municipal station WRR); Martin B. Campbell, WFAA general manager; Jess Sweeton, Henderson County sheriff; Mrs. Campbell; George F. Booth, *Worcester, Mass. Telegram-Gazette* (WTAG), and Mrs. Joseph Lubben, wife of the *Dallas News* assistant business manager.

—Broadcasting, Jan. 24

existing "television freeze," the networks, set manufacturers as well as curious audiences fastened their attention on television and often ignored FM.

With only 875,000 FM sets produced in 1949 compared with 6.5 million AM sets, the FM Association in August accused set manufacturers of a "public be damned" attitude toward FM development. A suggestion by FCC Chairman Wayne Coy that FM stations be required to duplicate AM programming when facilities were jointly operated aroused FM Association President William E. Ware to declare that "such restrictions would sound the death knell of FM."

Armstrong protested what he alleged were RCA's delaying tactics in the settlement of a patent suit he had brought against that company. Even though the FCC required FM sound on television and though Zenith paid royalties to Armstrong, RCA refused. At the end of 1949 RCA was still taking depositions, a form of legal slow motion.

In television exploration began in the yet uncharted territory of upper band (UHF) television. RCA/NBC received permission from the FCC to build and operate a UHF station at Bridgeport, Conn., for the rebroadcast of programs of its low-band New York station, WNBTV.

The FCC in July proposed a new allocations table that would provide for 2,245 television stations in 1,400 communities, and included 1,702 UHF assignments in 1,179 areas and 543 VHF assignments in 221 areas. The proposed allocations plan was not implemented and was superseded in later years.

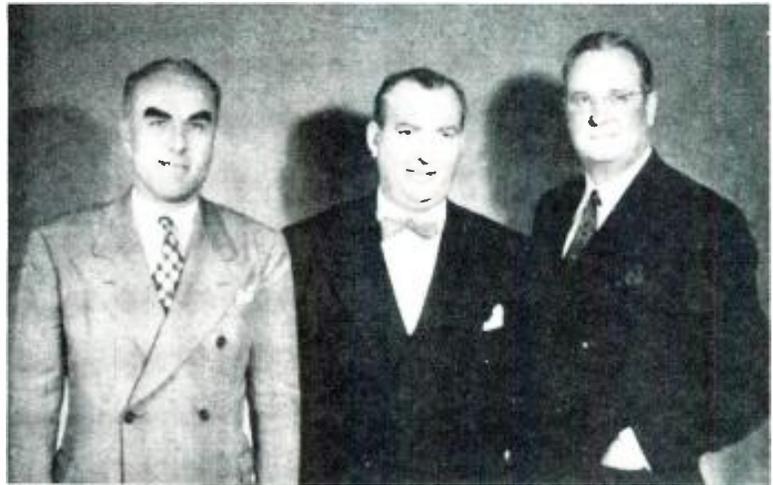
In the name of efficiency, the FCC had combined hearings on many television issues in August and September, the color controversy first. As before, RCA and CBS faced each other through a barrage of propaganda over their respective systems. This time, however, a third competitor appeared, Color Television Inc. of San Francisco. RCA color employed an all-electronic, 6-mc system. CBS, at that time, used a disk-type, or mechanical system, designed to avoid the problems of optical image registration that CBS attributed to all-electronic systems. RCA promoted its systems as "completely compatible" with the existing black-and-white sets, while CBS explained that existing sets would need modifications to receive color signals in black and white.

While RCA and CBS pressed their color systems on the FCC, other television interests, led by DuMont, urged the FCC to establish "a period of not less than two years [for] development, experimentation and field testing of presently known and other possible systems of color television." DuMont argued that although some companies were attempting to see "how bad a color picture they can get away with," the DuMont laboratories wanted color video to be as good as black and white. Any color system approved by the FCC then, DuMont reasoned, would in a short time be rendered obsolete by new



CONGRATULATIONS on his election as president of the Pioneers Club are extended to William Hedges (r), NBC vice president, by (l to r) Mark Woods, ABC president and past Pioneers president; Edgar Kobak, MBS president and immediate past president of the Pioneers, and H. V. Kaltenborn, club's founder. Annual dinner was held at Toots Shor, New York restaurant, March 31 [BROADCASTING, April 4].

—Broadcasting, April 11



JAMES W. BLACKBURN (l) and **Ray V. Hamilton** (r), principals in Blackburn-Hamilton Co., meet in Chicago with **Harold R. Murphy** to make plans for opening of the firm's new Chicago office at 333 N. Michigan Ave. Aug. 15. Mr. Murphy, formerly vice president of Calumet Publishing Co. and prominent in midwest publishing and broadcasting activities, will be in charge of the firm's midwest headquarters. Blackburn-Hamilton, exclusive media broker, also has offices in Washington, D. C., and San Francisco.

—Broadcasting, Aug. 8



KEY figures from WCCO Minneapolis line up at CBS outlet's display booth at Minnesota State Fair: (l to r) **Sig Mickelson**, director of public affairs; **Larry Haeg**, farm service director; **Cedric Adams**, newscaster and radio personality; **Merle S. Jones**, general manager, and **Tony Moe**, sales promotion manager.

—Broadcasting, Sept. 19

McCONNELL NBC PRESIDENT

Trammell Board Chairman

By ED JAMES

JOSEPH H. McCONNELL, 43-year-old executive vice president of RCA, was elected president of NBC last Friday. Niles Trammell, 55, president of the network since 1940, became chairman of the NBC board.

The change clears the way for the complete reorganization of the network.

As chairman of the board, Mr. Trammell will remain active in NBC, it was officially announced, but will be relieved of administrative duties. Regarded even by grudging competitors as one of the best salesmen in radio, Mr. Trammell will concentrate his energies in sales as well as talent and station relations, it was said.

Mr. Trammell assumes a position relinquished by Brig. Gen. David Sarnoff, who is also chairman of the board and chief executive officer of RCA. Gen. Sarnoff remains a member of the board of the RCA broadcasting subsidiary.

The elevation of Mr. McConnell, a crack administrator, was regarded as a logical curtain opener in the projected reshaping of the network. He was a principal architect of the



Mr. TRAMMELL

reorganization plan, and his appointment as president was intended to place him in charge of its execution.

Because Mr. McConnell's assumption of the presidency is effective immediately, it was believed the network's reorganization would be accelerated ahead of the timetable that had been anticipated.



Mr. McCONNELL

Within weeks, it became known, the network will be split into three principal operating divisions, one for television, one for radio and a third for owned and operated stations, both radio and television.

The next high-level executive appointments at the network, it was believed, would be those of a chief of the radio division and a chief of

stations. Sylvester L. (Pat) Weaver Jr., vice president in charge of television, will continue to head that division, it was thought.

The reorganization plan was made by Booz, Allen & Hamilton, management consultants, but it was known that Mr. McConnell, as RCA vice president in charge of finance and later as RCA executive vice president, worked more closely with the consultants throughout the preparation of the plan than did any other RCA or NBC executive in the organization.

Although officials at NBC have been reluctant to discuss the reorganization plan, competent sources have outlined to BROADCASTING the structure that will emerge from the drastic reshaping.

When the surgery is done, the network will compose a management group responsible for company-wide policies and practices. In this level general company administrative functions such as legal, finance and personnel will reside.

Beneath the top management level will be the three principal operating divisions. The radio and

—Broadcasting, Oct. 10

technology, to the detriment of consumers and manufacturers. Still undecided, the FCC slated more color demonstrations for 1950.

The FCC in September labeled as "unlawful" AT&T's policy of refusing to connect private television network facilities with AT&T lines. Besides maintaining that its policy was legal, AT&T argued that unrestricted interconnection was harmful to a carrier and that duplication of facilities and services was inefficient, uneconomical and contrary to the public interest. The FCC countered that such connections were still necessary to video's development. More hearings were scheduled.

In 1949, the American Society of Composers, Authors and Publishers made new demands upon TV music. The new ASCAP terms, signed in October, but retroactive to Jan. 1, called for rates negotiated on a per program basis and approximately 10% higher than the fees paid by AM radio. The five-year contract brought an uneasy peace.

In Pennsylvania, the state board of censors assumed the right to censor TV films before telecast as it did movie films in theaters. Motion picture exhibitors backed the censorship ruling since they resented having to meet censorship requirements when "the corner saloon showing television did not." Allen B. DuMont Labs (WDTV-TV Pittsburgh), Philco Television Broadcasting Corp. (WPTZ-TV Philadelphia), Triangle Publications (WFIL-TV Philadelphia), WCAU Inc. (WCAU-TV Philadelphia) and WGAL Inc. (WGAL-TV Lan-

caster) brought suit to restrain the state's board of censors from interfering with television. In a landmark decision in October, TV won. That month, the U.S. District Court for Eastern Pennsylvania ruled the board of censors requirement invalid because it infringed upon the interstate commerce jurisdiction of Congress and because the ruling imposed an undue and unreasonable burden on the interstate commerce of TV. Judge William L. Kirkpatrick felt that the FCC's licensing power was a better system of censorship than the board's because the former "avoids the danger of whittling away the constitutional guarantees of freedom of speech and the press."

With television becoming a force in America, an Academy of Television Arts and Sciences was created to issue the Emmy awards, named after the "immy," the image orthicon television camera tube. The first series covered only the entertainment in the Los Angeles area. Los Angeles television viewers saw Shirley Dinsdale win the "Outstanding personality of the year" for her ventriloquist act with her dummy, "Judy Splinters."

Telethons appeared. Milton Berle, the number-one-rated video clown, raised \$1.1 million in pledges for the Damon Runyon Memorial Cancer Fund in a 16-hour marathon on NBC. Sports lured viewers. Besides baseball's World Series, boxing, basketball and bowling gained the greatest audiences. Political pomp appeared when, for the first time, the networks, through pooled facilities, televised the inaugural ceremonies.

TV viewing increased so much in 1949 that Hooper for the first time extended its ratings coverage beyond metropolitan New York to all areas receiving TV network programming. The October 1949 Hoopers revealed Milton Berle as still television's number-one star, with a 69.4 rating based on 30 NBC-TV cities. Arthur Godfrey, with his Hawaiian shirt and ukelele, held the next two spots with his *Talent Scouts*, which premiered Dec. 6, 1948, and rated 55.8 in eight CBS cities, and *Arthur Godfrey and Friends*, rated 45.6 in 33 CBS cities. *Arthur Godfrey and His Friends*, a musical variety that debuted on Jan. 12, featured Pat Boone, the McGuire Sisters and Julius LaRosa as some of its regulars. Ed Sullivan rated the number-four spot with a 45.6 based on 16 CBS cities. *Fireball Fun For All*, a new show spawned by Berle's success, rated 40.9 based in 32 NBC cities. Hosts John (Ole) Olsen and Harold (Chic) Johnson combined music, slapstick and insult comedy.

Fireside Theater, another new NBC show, debuted in April and by October gained a 39.2 rating based on 17 cities. This anthology series premiered with "Friends of the Family," a situation comedy that starred Virginia Gilmore, Yul Brynner and Peter Barry. *Philco TV Playhouse*, another dramatic anthology, gained the number-seven spot, with a 38.7 in 36 NBC cities.

Stop the Music, the radio giveaway show with host Bert Parks, debuted on television on May 5 and attained the number-eight spot with a 37.6 rating for 15 ABC

cities. *The Original Amateur Hour* occupied the ninth spot, with a 35.4 for 15 NBC cities, and *Cavalcade of Stars*, a new variety show for DuMont with host Jack Carter, held the 10th spot, with a 35.3 based on 17 DuMont cities.

Television increasingly provided variety shows, kid shows and situation comedies. The success of Ed Sullivan's *Toast of the Town* and *Cavalcade of Stars* produced similar extravaganzas. Phil Silvers began 30 minutes of variety for NBC with his *Phil Silvers Arrow Show*. Sid Caesar hosted *The Admiral Broadway Revue*, an hour-long, NBC variety show billed as the first "continuing Broadway-type revue" for television. Regulars included his co-star, Imogene Coca, plus Mary McCarthy and Marge and Gower Champion. Dave Garroway appeared for NBC with *Garroway At Large*, a low-key, variety half-hour with regulars Connie Russell, Jack Haskell and the Songsmiths.

The success of *Howdy Doody* and *Kukla, Fran & Ollie*, which went national over NBC on Nov. 12, pinpointed children as a ready and waiting audience. ABC created *Super Circus*, a 60-minute presentation of music and circus acts, complete with clowns and animals. DuMont in June started the continuing saga of *Captain Video*, the "Guardian of the Safety of the World," who with his Video Rangers and mystifying equipment, preserved goodness in the universe by fighting such no-goods as Nargola, Mook the Moon Man and Dr. Pauli, evil head of the Astroidal society.

ABC brought *The Lone Ranger* to television in September, starring Clayton Moore as the vigilante of the Western plains and Tonto, played by Jay Silverheels. Announcer Fred Foy created the unforgettable opener: "A fiery horse with the speed of light, a cloud of dust and a hearty hi-yo Silver! The Lone Ranger! With his faithful Indian companion, Tonto, the daring and resourceful masked rider of the plains led the fight for law and order in the early West. Return with us now to those thrilling days of yesteryear. The Lone Ranger rides again!"

The success of radio situation comedies encouraged the transfer of this genre to TV. Gertrude Berg brought *The Goldbergs* of radio to CBS-TV on Jan. 17. "Yoo-hoo, Mrs. Bloom" could now be seen as well as heard. Jackie Gleason played Chester Riley, the riveter of radio fame, for DuMont's *The Life of Riley*, with Rosemary DeCamp as his wife, Peggy.

Network television programing was costing more to produce. The average cost of a 60-minute variety show ran \$5,900; a 60-minute drama, \$10,800; while a 30-minute variety show cost \$3,800; a 30-minute drama, \$3,500, and a 30-minute quiz show \$1,730.

NBC celebrated 10 years of telecasting in April. In July NBC-TV announced another technological breakthrough: NBC processed and aired film of Senator Tom Connally (D-Tex.) as he announced the Atlantic Pact ratification with only a 65-



BOYS—FOUR OF THEM—won the national awards in the second Voice of Democracy contest [BROADCASTING, Jan. 24]. Last year all four winners were girls. The successful contestants were (l to r): George Morgan Jr., Hutchinson, Kan.; Kerron Johnson, St. Paul; Richard Caves, Everett, Ohio; Charles Kuralt, Charlotte, N. C.

—Broadcasting, Feb. 7

Editor's Note. The "Voice of Democracy" contest was then sponsored by the National Association of Broadcasters, the Radio Manufacturers Association and the U.S. Junior Chamber of Commerce. There were 250,000 entries in the 1949 contest, which invited high school students to write and broadcast scripts on the topic, "I Speak for Democracy." Winners were given college scholarships and were brought to Washington for a week that featured an awards luncheon, visits to Congress and a meeting with President Truman.

minute delay, thus establishing a new speed record.

Other technological advances led to wars in the phonograph field. Again, CBS and NBC stood on opposite sides as RCA pushed its 45-RPM record while Columbia ram-rodged its 33 1/3-RPM disk. Columbia Records' chairman of the board, Edward Wallenstein, declared that the situation was a "war which Columbia Records has not initiated, and in which it cannot be defeated." As of March, Mercury Records sided with Columbia, Capitol Records allied with RCA, and Decca, continuing to make 78-RPM records, remained neutral. When RCA in April made 45's available to the public, RCA felt confident that the increasing popularity of disk jockeys, the riders of short selections, would spur 45's on to popularity. Sales of Columbia's 33 1/3 long-playing record outpaced those of RCA's 45, short disk, Columbia vowed to refrain from entering the 45-RPM field, and RCA promised to promote the 45's indefinitely, because "a sales job is not done in 30 days or in five years."

Some of the most popular songs on those much disputed records had a quality of innocence that belied the world of the Cold War and the Communist witch-hunts. "Some Enchanted Evening," and "Bali Ha'i" from "South Pacific," "Bibbidi-Bobbidi-Boo," from "Cinderella," and "Rudolph, the Red-Nosed Reindeer" captured American hearts.

But blacklists and innuendo cast shadows over America; many worried that the stranger across the crowded room might mistakenly report them to *Counterattack*, a newsletter that published lists of alleged Communist sympathizers based on hearsay and questionable evidence. Nevertheless, once *Counterattack* or any of the other Communist trackers marked a performer, his career from then on proceeded with difficulty if at all. The American Federation of Radio Artists, the Radio and Television Directors Guild, and the

National Association of Broadcast Unions and Guilds began to investigate the existence of blacklists after William McD. Sweets was fired as the director of the Phillips H. Lord agency shows, *Gangbusters* and *Counterspy*.

Dorothy Parker, as chairman of the Voice of Freedom Committee, "a national network of monitors to democratize the national networks," issued this statement against censorship by blacklist: "Radio listeners are interested in the talent and not in the race, religion, or political beliefs of writers, directors and performers. Radio is too vital and important a medium for education and culture for the public to permit it to be stifled by blacklists. You can count on the complete support of our 2,500 monitors throughout the country in any action you undertake to oppose this new device for censorship over the air."

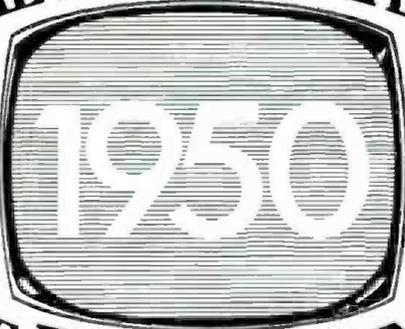
With the close of 1949, many in broadcasting were caught up in conflicts more real than those portrayed on *Captain Video* and *The Lone Ranger*. The fifties were about to begin.

Stay Tuned

1. What was the book that listed 151 names in broadcasting said to be sympathetic to the Communist cause?
2. How did this compendium affect the casting for the TV version of the *Aldrich Family*?
3. Which color system won FCC approval in 1950?
4. What was the elaborate Sunday night show that NBC Radio launched in a counteroffensive to TV?
5. Which TV network landed then budding stars Jackie Gleason and Art Carney?

The answers
in "1950."

THE FIRST 50 YEARS



OF BROADCASTING

Color TV battles, talent raids, the Korean war and Communist purges shaped broadcasting in 1950.

RCA and CBS presented opposing color TV systems for FCC approval. RCA had developed an electronic dot system, totally compatible with existing black-and-white sets. CBS had devised a field sequential system that required an adapter on black-and-white sets. RCA wanted more time to perfect its system; CBS wanted immediate approval from the FCC. In addition, Communication Measurement Labs, DuMont, Paramount Television, Chromatic Television Labs, Don Lee Labs, Hazeltine Electronics and General

Electric all advocated their own components or systems for color broadcasting. CML had patents pending for an as yet unfinished ultra high frequency color system. DuMont received a patent in May for a three-color, direct-view television tube which, according to DuMont officials, provided "an all-electronic system of high definition, compatibility, and also large picture size." DuMont in March developed and began marketing a closed-circuit color television system designed for medical, industrial and merchandising use.

Paramount Television Productions Inc., in conjunction with Chromatic Television Labs, Inc. and Don Lee Broadcasting System, also announced development of tri-color, direct-view TV tubes. About the same time, Hazeltine Electronics Corp. presented its "dot-sequential" system, which company officials claimed was an improvement over the RCA system because of its "constant luminance sampling" method.

All of these played minor, if interesting, roles in the color war since most industry observers pointed to Color Television Inc. with its "line" system as the only real threat to RCA or CBS. Arthur S. Matthews, CTI president, referred to his company as "the small dark horse" that sought a "fair chance" without "domination over this industry." He called RCA and CBS "monopolistic" and their color systems "impractical and undesirable." For a time, GE, with its late (July) entry of what it called a radically different color method based upon "frequency interlace" stood as a fourth, "serious" competitor. Its system, GE claimed, had compatibility, economy and freedom from "twinkle, crawl, flicker and color shifting."



Masked bandits robbed Brink's Boston office of more than \$2.7 million on Jan. 6. President Truman, on Jan. 31, authorized the Atomic Energy Commission to produce the hydrogen bomb. In November, Puerto Rican nationals failed in an attempt to shoot their way into Truman's temporary Washington residence, the Blair House, and assassinate the President. The Supreme Court, on Dec. 11, ruled that under the Fifth Amendment no one could be forced to testify against himself. The Nobel prize for peace was awarded to America's Ralph Bunche. Hollywood film companies, worried about the inroads of TV and slumps at the box office, launched a national attendance-building drive with the slogan, "Movies Are Better Than Ever." It failed. And in BROADCASTING ...

both the existing 525-line monochrome pictures and the 405-line color images proposed by CBS. If set makers agreed, the FCC announced, it would postpone a final color decision and instead "propose" to adopt the CBS field-sequential system, a move that would allow the consideration of other systems. If set manufacturers wouldn't or couldn't make bracketed sets, the FCC said, it would decide immediately for CBS. The FCC issued such conditional rulings to minimize the increase of black-and-white sets that might be made obsolete during further exploration of the color issue.

Both RCA and CTI remained publicly confident that their systems would be approved. CTI, in fact, announced a new compatible "dash sequential" system of color TV as the basis for requesting the FCC to reopen hearings.

That ploy didn't work. The only thing the FCC waited for was news from the manufacturers. When the set manufacturers almost unanimously replied that it would be impossible to meet the FCC proposed November deadline for production, the commission in October approved the CBS system.

CBS President Frank Stanton promised 20 hours weekly of color programming within two months, but Allen B. DuMont, president of DuMont Labs, and Ross D. Siragusa, president of Admiral Corp., said their companies would not build the CBS type of color set. Eugene F. McDonald Jr., president of Zenith Radio Corp., stated: "We have no intention of halting or slowing up the production of the present type of black-and-white receivers."

Anger, money and legal savvy motivated those replies. Set

ABC TOP COMMAND

Woods Named Vice Chairman; Kintner President

MARK WOODS, president of ABC since 1942, last Thursday was elected vice chairman of the network and Robert E. Kintner, executive vice president since 1946, became president.

Edward J. Noble, principal stockholder in the network, continues as chairman of the board.

The change was said to have been made to free Mr. Woods from administrative duties and enable him to make wider use of his persuasive abilities as a salesman.

The shift in top command at ABC last week was not unlike that which occurred at NBC a month ago when Niles Trammell, also celebrated as a salesman, was moved from president to chairman of the board, and Joseph H. McConnell, a crack administrator, was elected president.

Mr. Kintner, as executive vice president, has been assuming more and more top administrative assignments in the past year, to permit Mr. Woods to concentrate his



Mr. KINTNER



Mr. NOBLE



Mr. WOODS

ing the door to a future sale was indicated, however, in the vigorous facilities expansion that the network has carried on for the past

any sale price.

Mr. Woods, a veteran broadcaster, entered radio in the early 1920's as a financial officer, assist-

tive vice president and administrative officer.

He became president of the Blue Network Inc. when it became a

—Broadcasting, Jan. 2

manufacturers expected legal action to halt any definitive ruling, and waiting meant conservation of capital and energy. Smaller firms, such as Webster-Chicago and Tele-Tone Radio, planned to quickly produce the necessary color converters and adapters.

BROADCASTING's situation report was headlined "Battle Lines Form on Color." Senator Ed Johnson (D-Colo.), chairman of the Senate Commerce Committee, accused manufacturers of staging a "sit-down strike." James D. Shouse, vice president and director of Avco Manufacturing and chairman of the board of Crosley Broadcasting, accused the FCC of making the public "the goat," and said that "the commission is more interested in protecting future buyers who have refused to buy sets than present owners whose purchases made the television we now have possible." Pilot Radio Corp. sought a temporary injunction against implementation of the FCC's color order, filing in Brooklyn, N.Y. But it withdrew its filing to avoid a jurisdictional clash with RCA, which filed suit in federal district court in Chicago, labeling the FCC color decision as "contrary to public interest, convenience, and necessity; unsupported by substantial evidence, . . . arbitrary . . . capricious, and . . . an abuse of discretion; adopted before the FCC had discharged its statutory duty to inform itself adequately before issuing a final order" and asserting that the order deprived "plaintiffs of property without due process of law."

RCA in November won a temporary restraining order that stopped implementation of the color ruling until the court made a final decision. However, the FCC insisted that the court's action "in no way impairs any of the findings or determinations made by the commission . . . The

only thing the court has done is to postpone the date when regular operation can begin in accordance with the new color standards."

The Chicago federal court in late December upheld the FCC's approval of the CBS color system but prohibited the commercial introduction of that system until the U.S. Supreme Court could make a ruling on the RCA appeal that was expected.

Meanwhile, other matters were engaging the attention of broadcasting. Fighting in Korea increased news audiences, created news censorship and threatened set production. Since the Korean invasion occurred on a Sunday, a day without afternoon newspapers, radio gained a war news exclusive. And television, for the first time, played a significant war coverage role. John Steelman, special assistant to President Truman, acknowledging that the problems in 1950, "are somewhat different than they have been in the past because of the growing importance of television," called for the formation of a Broadcasters Defense Council to organize radio and television for instant availability to the government.

A special Hooper survey for July 5-11 showed a 63% increase in listeners for network radio news programs. This spurt encouraged increased sponsorship of news shows. In fact, the war eradicated the usual summer slump in radio ratings.

War news brought back war censorship. By mid-August the U.S. requested voluntary curbs on information "to make it more difficult for hostile intelligence . . . to find out what is going on." By mid-December General Douglas MacArthur asked correspondents to withhold war information about planned activities, moves in progress, boundaries and undefended

lines as well as other information on the United Nations, the enemy and America's allies. By late December, MacArthur imposed complete censorship on Korean front reporters and required all material be "screened and cleared."

War priorities produced a rationing of manufacturing materials. The National Production Authority on Dec. 1 imposed reductions of up to 30% on the use of copper, aluminum, nickel and cobalt, as well as on rubber and steel. These late-year rations did not significantly affect 1950's production except to create confusion and a scramble for substitute materials. In 1950, manufacturers produced more than 7 million television sets, 6.5 million AM radios and 875,000 FM receivers.

RCA Board Chairman David Sarnoff urged the U.S. to expand its international broadcast service by developing a \$200-million world network of shortwave and medium wave transmitter stations designed to counter the effects of Communist propaganda. To that end, President Truman requested and received \$62.6 million to spread "truth" through expansion of the Voice of America. In addition, a private group of broadcasters aided the American plan of attack by organizing Radio Free Europe in American-occupied Germany. (It was not until years later that Radio Free Europe was disclosed to be an activity of the Central Intelligence Agency.) As BROADCASTING wrote, "The shooting war is now localized in Korea. In the psychological war, the battle-lines are global. Radio is a weapon. It is a war for the minds of men."

To fight Communist influence at home, self-appointed vigilantes of the airwaves set out to discredit people rumored to be Communist. Loyalty oaths and blacklists proliferated. KFI-AM-FM-TV Los Angeles in

June required all employees to sign a loyalty pledge. In the words of its president, Earle C. Anthony, "We are in a business licensed by the government of the United States, with the privilege of entering thousands of private homes, and we owe it to the government, no less than to the citizens of these homes, to stand clear of any affiliation, either directly or indirectly, of the Communist party. . . . I must be placed in a position to now and at all times hereafter truthfully assert that in our entire organization, there is not a single adherent to the Communist Party or any subversive group."

Sponsor pressure invited such caution since stations, agencies and advertisers were the targets of complaints from "concerned citizens" about alleged Communists on or associated with shows. After such complaints about dancer Paul Draper, Ed Sullivan frequently utilized the services of *Counterattack* Publisher T. Kirkpatrick to check the background of a performer before a booking. Other producers responded in a similar manner to this national paranoia.

To provide more "protection," the people behind *Counterattack*, the American Business Consultants, published "Red Channels: The Report of Communist Influence in Radio and Television" in June. The editors designed this 250-page compendium of 151 names of broadcasting's "unfaithful" to alert the industry to Communist infiltration.

The artists and actors tagged by "Red Channels" ranked among the most prominent. The list included Leonard Bernstein, Abe Burrows, Lee J. Cobb, Aaron Copland, Jose Ferrer, Ruth Gordon, Ben Grauer, Lillian Hellman, Judy Holliday, Burl Ives, Gypsy Rose Lee, Arthur Miller, Henry Morgan, Zero Mostel, Dorothy Parker, Minerva Pious, Edward G. Robinson, William N. Robson, Pete Seeger, Artie Shaw, William L. Shirer, Louis Untermeyer and Orson Welles.

Jean Muir's name appeared on the list. General Foods, the sponsor of NBC's television debut of the *Aldrich Family*, insisted that Muir be dropped from the role of mother because GF had received protests from "a number of groups." The Joint Committee Against Communism, the group that claimed credit for Muir's dismissal, announced that its two million members had appointed a special committee to "cleanse the radio and television field of pro-Communist actors, writers, producers, and directors." Muir denied the allegation and declared, "It seems unbelievable that an actress can have such a setback to her livelihood and career based on nothing more than unsubstantiated accusations made over the telephone and by telegram. General Foods itself makes clear in its statement that they have not gone into the truth of the charges and in no way support them or believe them true."

Although GF canceled Muir's contract, it paid her the 18-week salary that she had signed for. The company explained: "One of the fundamental objectives of advertis-

ing is to create a favorable and receptive attitude toward its products among the largest possible number of consumers. The use of controversial personalities and the discussion of controversial subjects in our advertising may provoke unfavorable criticism and even antagonism among sizable groups of consumers."

There were elements in broadcasting that deplored the use of outside groups for political references. "What is desperately needed at once," editorialized BROADCASTING, "is machinery to sort the loyal from the disloyal in radio and television. This machinery must be built by broadcasters unless they wish to abdicate their basic responsibilities." Contending that the Muir firing boded ill for radio, the East Coast Division of the American Federation of Radio Artists deplored the abruptness of Muir's dismissal, arguing that if Americans "are . . . condemned without being given the opportunity to defend themselves, we are throwing due process of law to the winds and following the Stalinist pattern. . . . AFRA must not abdicate its own responsibilities to outside groups. Therefore be it resolved that AFRA invites representatives of the four major networks, sponsors, and advertising agencies to meet with the AFRA national board to explore methods of working out within the industry an intelligent solution to the problem proposed by the Muir case . . ." That solution evolved into a committee appointed to find ways "to avoid enabling Communists . . . to control or influence . . . the processes of mass communication. . . . At the same time we believe that each case in which an individual's loyalty is questioned ought to be considered . . . in the light of all the information available. . . ."

Instead of abating, anti-Communist activity grew into a national frenzy. Congress

voted an Internal Security Act requiring all Communist or Communist front organizations to label the source of sponsorship for their radio and television programs. The measure was intended to force Communists and their sympathizers into the open.

By the end of the year CBS joined NBC in requiring employees to disclose any Communist affiliation. Since 1944 NBC had required all employees to answer the question: "Are you a member of the Communist party?" CBS now demanded that employees sign loyalty oaths similar to those required of government employees.

The concern about a Communist presence created some trying interpretations of Section 315, the political broadcasting law. Given the temper of the times, a station according equal opportunity to a Communist candidate faced community outrage and sponsor disapproval or FCC rebuke. While FCC Chairman Wayne Coy supported a strict interpretation of the anticensorship and equal-time provisions of the law, former FCC Chairman Paul Porter believed that denying a Communist candidate would be justified since "such a broadcast would incite the community and that even though state laws permitted Communists access to the ballot, the licensee could not thereby conclude that the candidate was a bona fide candidate, but was merely undertaking to exploit the Communications Act and the radio stations involved for purposes of confusion . . ."

On the ratings front it was business as usual for the radio networks. Long-term contracts were used to lure top performers. NBC signed Groucho Marx to an eight-year capital-gains contract and Bob Hope and Kate Smith to five-year contracts. ABC countered by signing Don McNeill, host of the *Breakfast Club*, to a 20-year



THIS backstage group at the CBS Jack Benny program which originated in New York recently includes (l to r): Mr. Benny, Ben Duffy, president of BBDO, and Vincent Riggio, president of the American Tobacco Co., sponsor.

—Broadcasting, Feb. 20

contract and by purchasing the *Screen Guild Players*.

In an attempt to offset television inroads on radio's audiences, NBC Radio aired *The Big Show*, a Sunday evening variety program with Tallulah Bankhead as host, Goodman Ace as chief writer, and Meredith Willson as musical director. Despite such talent and good ratings, the show died after two seasons, a victim of TV's growing supremacy in the home.

While 1.25-million more families listened to radio in 1950 than in 1949, television families more than tripled, bringing the total to over 7.5 million. While 1950 saw an increase in radio sales, television revenues tripled to nearly \$84 million in net time sales, and over \$90 million in gross time sales.

Television grew with new shows, new talent, new audience, but the old problems of cost and development persisted. Variety, quiz and comedy shows proliferated, NBC attempted to replicate its success with several new variety shows that were variations on the *Texaco Star Theater* theme. *The Four Star Revue* which premiered in October featured four guest hosts—Ed Wynn, Danny Thomas, Jack Carson and Jimmy Durante—in rotation. *The Colgate Comedy Hour*, which used Eddie Cantor, Dean Martin and Fred Allen as rotating hosts, was NBC's first successful counterprogramming against the CBS-TV *Ed Sullivan Show*. After the failed *Admiral Broadway Revue*, NBC showcased Sid Caesar and Imogene Coca, along with Carl Reiner, in the popular *Your Show of Shows*, a 90-minute pastiche of comedy sketches, songs and dances.

With *Broadway Open House* NBC presented the first network late-night entertainment, scheduled from 11 p.m. to midnight. The show's host, Jerry Lester, presented such regulars as Dagmar (Virginia Ruth Egnor) and Barbara Nichols. With the *Kate Smith Hour*, NBC aired the first daytime TV show to be shown coast-to-coast.

DuMont entered *The Jackie Gleason Show* as its hopeful in the variety stakes. When this 60 minutes of song, dance and sketches premiered on Jan. 7, Gleason presented regulars Art Carney, Pert Kelton, Audrey Meadows and the June Taylor Dancers, as well as several of Gleason's staple characters: Joe the bartender, playboy Reginald Van Gleason, and the hapless Poor Soul. ABC counted on Frank Sinatra in his own musical variety show to shore up its ratings.

Several enduring comedy shows were introduced in 1950, as well as some that failed. The real-life husband and wife team of Peter Lind Hayes and Mary Healy starred for one season in NBC's *The Peter and Mary Show*, a situation comedy in which the set was a replica of the couple's New Rochelle, N.Y., home, and the premise was that of talking to a famous dinner guest each week.

Ethel Waters, in the title role, complicated the lives of a Henderson family on ABC's *Beulah* which premiered in October. It also featured Butterfly McQueen as Oriole and Percy Harris as Bill Jackson, the boyfriend with the fix-it shop. George Burns and Gracie Allen first came to television in their own show in 1950. George watched Gracie's scatter-brained

antics as both off-stage narrator and on-stage participant on this CBS show. Hal March and Bea Benaderet played the supporting roles of Harry and Blanche. Jack Benny also debuted on CBS-TV with a variety-situation comedy show that included Mary Livingston and Eddie Anderson as Rochester, Benny's long-suffering valet.

Several long-running TV quiz shows premiered in 1950. CBS began *What's My Line?* with host John Daly and *Beat the Clock* with Bud Collier. On *What's My Line*, which became the longest running quiz show in nighttime network television, well-known panelists grilled guests to determine what they did for a living. The panelists were blindfolded if the guest were an identifiable celebrity. On *Beat the Clock*, studio contestants performed unusual stunts, for prizes or cash. NBC inaugurated two long-lived shows. One was *You Bet Your Life*, which moved from radio. In it, Groucho Marx, with his trademark wit and long cigar, poked fun at contestants who answered questions, hoping to utter a secret word for a special prize.

In February the FCC approved Zenith's request for a Chicago area test of Phonevision, Zenith's version of pay television, but RKO and 20th Century-Fox refused to rent Zenith the films necessary for its 90-day test. Because the fundamental question about Phonevision concerned, in the words of Commander E. F. McDonald, Zenith Radio Corp. president, "how much movie entertainment will people pay for in their homes," the Zenith invention drew hostility from the movie people, already worried about the effects of commercial television on their business.

"Because our first allegiance is to the thousands of theater men who built up this movie industry," stated Spyros K. Skouras, president of 20th Century-Fox, "I regret very much to say that 20th Century-Fox will not supply motion picture film to Phonevision." Instead, Skouras touted "theater television," a system of national, big-screen television in the movie theaters that will create "a golden era for theaters unlike any they have ever known . . . It will provide undreamed of cultural and social advantages to the theater-going public; the finest productions with the greatest talent will be brought within the means of every citizen, denied now by time and distance costs; it will play to the greatest paying audience in history."

Skiatron Corp., New York, unveiled Subscriber-Vision, a method of pay television promoted as superior to Zenith's because the system eliminated the need for intervening telephone connections to unscramble the code (a special key inserted into the set would do), and the system eliminated "the menace of monopoly by Zenith's Phonevision." The menace had little time to develop because the successful boycott by the film industry forced Zenith to ask the FCC for more time to obtain a variety of film features needed to make Phonevision "truly representative."



PROGRESS report on strides made by Transit Radio Inc. in its two-year existence was delivered before 100 Washington retail and advertising agency executives who attended a sales meeting there Aug. 16. Principal speakers at the session were (l to r): Edgar Kobak, consultant, who discussed problems of new service; Ben Strouse, vice president and general manager, WWDC Washington and Washington Transit Radio Inc., who presided as chairman; and Hulbert Taft Jr., chairman of the TR board.

RADIO (and TV)

Are 'Audible Journalism' . . . Truman

PRESIDENT TRUMAN, just prior to his departure for his Pacific rendezvous with Gen. Douglas MacArthur, reiterated his faith in a free American radio, on equal footing with the press.

In a letter to BROADCASTING-TELECASTING on the occasion of the beginning of its 20th year of publication, the Chief Executive described both radio and television as the media that constitute "audible journalism." The letter, to Eol Taishoff, editor and publisher, urged the continued espousal of "free, competitive radio institutions in the established American tradition."

[Full text of letter is reproduced as the frontispiece of "Two Exciting Decades" special section of this issue which begins on page 59].

It was the second time since his assumption of the Presidency more than five years ago, that Mr. Truman paid tribute to radio. Like his radio-minded predecessor, Franklin D. Roosevelt, he underscored radio's importance to the national welfare and its indispensability to our free democratic institutions.

Hoover Lauds Radio

Former President Herbert Hoover, the only living ex-Chief Executive, also commended radio for its progress as "a mighty entertainment and moral force" in a letter to BROADCASTING-TELECASTING commemorating the anniversary. He was President when BROADCASTING was founded in 1931, and he too recognized in those days that our American Plan "has

WITHIN MINUTES after President Truman signed a letter saluting "audible journalism" and BROADCASTING-TELECASTING as it begins its 20th year, he was waving goodbye from National Airport. He left Washington Wednesday on the first leg of a flight to mid-Pacific to meet with Gen. MacArthur.



on page 63].

From others in public life and in industry BROADCASTING-TELECASTING received letters ushering the magazine into its third decade.

sents a running story, with contemporary art, of broadcasting events since 1931.

In his Oct. 11 letter, written just prior to for

he had written BROADCASTING-TELECASTING, admonishing that radio, with the press, "must give inspired leadership and lend its facilities to making more intimate and workable the relationship between the people and government." Then he said those observations are "just as valid today as we resist the enemies of democracy and liberty."

The letter of July 3, 1945, was prompted by radio's 25th anniversary.

"American radio is in good hands," the Chief Executive then wrote. ". . . The American system has worked and must keep working. Regulation by natural forces of competition, even with obvious concomitant shortcomings, is to be preferred over rigid governmental regulation of a medium that by its very nature must be maintained as free as the press."

Roosevelt Cites Faith

On June 17, 1935—two years after he entered the White House to become the first Chief Executive to use radio as the means of bringing government to the people via the "Fireside Chat"—President Roosevelt pronounced his faith in American radio. In a letter to BROADCASTING preceding the 13th annual NAB convention, he said:

Radio continues to play an increasingly important role in our daily life. Radio broadcasting has contributed much to the cause of national recovery.

I have previously expressed my very great faith in the American system of broadcasting. Recent events have increased rather than diminished that faith. Censorship has not and can

—Broadcasting, Oct. 16

Besides the skirmishing over pay TV, broadcasters were exploring the uncharted television terrain of UHF. In January NBC opened an experimental UHF TV satellite station in Bridgeport, Conn., to rebroadcast WNBC-TV New York programs in a 529-535 mc channel. By November RCA-NBC issued a report that cited voluminous problems with a UHF system. An RCA engineer commented: "Based on facts and not any loose conclusions, it will be most unfortunate if television expansion has to go into the UHF band." General Electric disagreed. It announced that it had developed a new, improved high-definition TV system that would be compatible with present receivers. DuMont Labs labeled NBC's report an "incomplete interpretation," containing errors that "present the darkest possible side of UHF as a television broadcasting medium."

The battle for current television dominance received FCC scrutiny. The FCC in October talked of rules designed to equalize the competition among TV networks by regulating the amount of network time that a sole station in a community could

utilize. The FCC claimed the "dominance" of CBS and NBC "tends to prevent competition and to deprive the public of program choice." DuMont and ABC, with less affiliate strength, obviously supported the proposal, while CBS and NBC vowed to fight.

FM still continued to have its problems in attaining circulation, and its proponents claimed receiver manufacturers for the most part tended to concentrate on making AM and TV sets. That in turn, they claimed, generated advertiser indifference to the medium. WTMJ-FM Milwaukee, the first FM station west of the Alleghenies, went off the air in March. WMIT-FM Milwaukee went off the air in April. Throughout 1950, some broadcasters forecast FM's imminent demise.

Divided on the issue of FM's viability, broadcasters hoped for resurgence in AM radio. With a war in Korea, uncertainty at home, and a demand for television, BROADCASTING in its Christmas 1950 editorial reminded the industry of radio's power: "Radio remains the last great voice of freedom in the world today. Its carol this Christmas season should be as always a

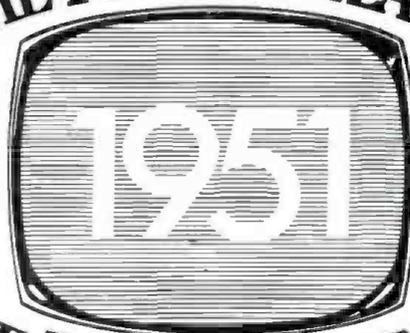
song of a free people. Its purpose, more surely taken in the disturbing days ahead: Sensitivity and courage and clarity in counseling and informing millions of Americans."

Stay Tuned

1. What system for broadcasting did the FCC come up with in the interest of national defense?
2. A televised picture of what witness's hands was a high point of the Kefauver committee hearings on crime?
3. How did the Supreme Court rule on color TV in 1951?
4. How did the Supreme Court rule on transit FM?
5. Why did Pulitzer Prize winning playwright Elmer Rice resign from the Playwright Theater Group?

The answers
in "1951."

THE FIRST 50 YEARS



OF BROADCASTING

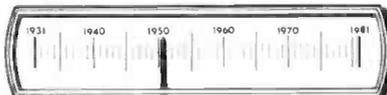
Korea, color TV and Communism occupied broadcasters' attention going into 1951.

The Korean war restored emphasis on broadcasting's role as both instrument of journalism and potential problem in wartime defense plans. Early in the year the FCC outlined preliminary procedures for an "alert-operational phase" of radio and television. The industry focused on issues of civil defense, news and voluntary censorship. To prevent enemy aircraft from using regular broadcasting signals as navigational aids or homing devices, the government developed Conelrad (control of electromagnetic radiation). In the event of an impending attack, stations would cease broadcasting on their normal channels. Broadcasts thereafter would be confined to either of two general channels that could not be associated with a specific station or location.

In a move without precedent even in World War II, the FCC summoned two representatives of each broadcasting facility to a classified meeting in March to discuss the value of radio silence. In October Congress adopted an amendment to the Communications Act to allow the President, "if he deems it necessary in the interest of national security or defense," to seize radio and television stations and suspend their broadcasts in the name of national defense. In another civil defense move, the government used closed-circuit theater TV for orientation of the public in proper civil defense procedures.

To provide Americans with reliable news, the networks sent their correspondents into the front lines. General Omar Bradley, chairman of the U.S. joint chiefs of staff, praised the industry for accurate news reports that he did not "hesitate to give ... to the President."

President Truman in September authorized the heads of government agencies to withhold information deemed injurious to the nation's defense. However, lack of clear guidelines evoked criticism. The American Newspaper Publishers Association said it opposed "an executive order which formally designates each head of a government agency an authority to classify information ... without definition of what breaches national security, and without appeal or review.



In January, a Frankfurt court sentenced Ilse Koch to life imprisonment for inciting the murder of a Buchenwald prisoner. In July, King Abdul ibn of Jordan was assassinated. Here in America, Julius and Ethel Rosenberg were convicted in March of transmitting atomic secrets to the USSR; they were executed in 1953. The 22d Amendment to the Constitution was enacted, limiting a President to election to no more than two terms. Johnny Ray helped to start a vogue for wailing ballads by popularizing "Cry," a million-disk seller for Columbia Records. But the real-life tears were in Brooklyn when New York's Bobby Thomson belted a three-run homer, with one out in the bottom of the ninth, to give the Giants a 5-4 win over the Dodgers in the rubber game of the postseason playoff for the National League pennant.

And in BROADCASTING ...

We feel that the net effect of this ... order would be to formalize the suppression of much news to which the public is entitled." BROADCASTING warned: "Even if every government official dealing with this question makes an honest effort to be objective—a condition without precedent, we must forlornly point out—there will still be wide discrepancies in judgment among departments. The working newsman may expect to encounter silence in one agency and garrulity in another on the same story." To further complicate matters, Truman called on all who disseminated news to use a "common sense" yardstick, rather than official guidelines, to suppress news that might

endanger national security. The request for voluntary censorship served only to draw more criticism. Elmer Davis, ABC commentator who had been World War II director of the Office of War Information, felt "the statements will lead to more confusion than already existed." Charles Collingwood, CBS White House correspondent, said "the President was obviously confused ... and clouded the basic issue of security regulations in government departments by introducing the separate issue of responsibility of news media for making public borderline information."

To cover what BROADCASTING called "probably the greatest news story since the death of Franklin Roosevelt"—President Truman's dismissal of General Douglas MacArthur as commander of U.S. forces in the Far East—networks and stations devoted hours of programing to the four days of MacArthur's homecoming. The coverage included on-the-scene descriptions of the general's take-off from Tokyo, his landing in San Francisco and his arrival in New York. DuMont claimed to televise the first pictures of MacArthur's arrival to viewers in the East and the Midwest. On the West Coast the resources of all 11 California TV stations were pooled to follow the MacArthur story. It was estimated that more than 44 million TV viewers watched some part of the proceedings. The MacArthur-Truman incident carried over to congressional hearings in May.

To conserve raw materials for war needs, the National Production Authority in October said broadcasters could ob-

tain raw materials such as steel and aluminum for building purposes, but prohibited the production of color television sets as "nonessential" to the Korean war effort. Broadcasters hailed the higher priority for materials as necessary for their competition with newspapers. CBS, complying with the color ban, halted both the broadcast of color programs and the manufacture of color sets, the latter an activity it was later to give up permanently. The NPA's ruling probably saved CBS from serious financial losses as its color sets, priced at \$1,000, were beyond the reach of most television viewers.

Prior to the NPA ban, the Supreme Court in May affirmed the lower court ruling that upheld the FCC's adoption of color standards (see 1950). RCA, unsuccessful in its attempt to prevent the official sanction of a CBS color system, continued public demonstrations of its "improved, compatible, all-electronic system." DuMont, contending that only an all-electronic system would be commercially feasible, denigrated the CBS system as impractical and inefficient.

Meanwhile, CBS on June 25 presented its first commercial colorcast, a variety show that starred Faye Emerson, Arthur Godfrey, Sam Levenson, Garry Moore, Robert Alda, the New York City Ballet and the Bil Baird puppeteers. General Mills, Lincoln-Mercury, Pabst, Revlon, Lipton, National Biscuit, Toni Home Permanent, Procter & Gamble, Standard Brands, Quaker Oats, Best Foods, Pepsi-Cola, and Liggett & Myers for Chesterfields sponsored the hour show. The colors of the Revlon nail polish, the amber Pabst beer, the red of the model's gowns, the flesh tones of the ballet dancers, and even the patina on Godfrey's ukelele fascinated the TV audience for this first color show. On the 10th anniversary of commercial television, a new medium had emerged.

"The biggest plus for video color," BROADCASTING editorialized, "is the economic factor. Technically, it costs little more to produce live TV color than it does black-and-white. There may be factors of production, lighting and rehearsal that will add to the cost, but these are in no wise comparable to the production of four colors by letter-press, rotary newspaper press or by Technicolor. . . . The commercials—all 16 of them—demonstrated that color TV advertising will deliver an impact unparalleled in advertising or demonstration."

Zenith Phonevision continued to promote its pay-TV service. From January through March Zenith tested Phonevision by offering a choice of three movies a day (at \$1 each) to 300 Chicago area residents with specially equipped TV sets. Commander Eugene F. McDonald Jr., Zenith's president, explained that Phonevision was "a new and distinct service" instead of a replacement for regular TV or movies. Nonetheless, movie and broadcasting interests carefully watched Phonevision's progress. By October Zenith informally requested permission



FREDERIC W. ZIV Co. last week announced a new transcribed, syndicated program, *Bold Venture*, to be released March 26. John L. Sinn (center), executive vice president of Ziv, meets with the co-stars of the new series, Humphrey Bogart and Lauren Bacall, of movie fame. The show will be sold to local and regional advertisers and stations.

—Broadcasting, Jan. 8

from the FCC to commercialize its system. Other pay-television ventures included Skiatron Corp.'s Subscriber-Vision, and Paramount Picture Corp.'s Telemeter.

On March 22, the FCC took another giant step toward lifting the freeze on television station grants that had existed since Sept. 30, 1948. The commission issued a proposed TV allocations plan to provide nearly 2,000 VHF and UHF stations for nearly 1,200 communities. It also proposed to switch 31 of the existing VHF stations in 63 cities to new VHF assignments.

But the most controversial part of the plan was the decision that a whopping 10% of the channels—in both VHF and UHF—should be earmarked for noncommercial, educational operation and withheld indefinitely from commercial use.

Since the beginning of the freeze on TV allocations, proponents of educational television had lobbied the FCC to reserve channels for educational use. Commercial broadcasters, led by the National Association of Broadcasters, opposed the idea, arguing that there was no reason or basis for preferential treatment and that it was a waste of resources to allow channels to lie fallow. Commissioner E.M. Webster, in a partial dissent to the plan, said he did not agree that there had been sufficient showing to warrant the educational reservation at all. He added that he would agree to a specific reservation in a community upon proof of sufficient need. Similarly, Commissioner George E. Sterling, in his partial dissent, felt no need for VHF educational reservations and maintained that educational institutions could compete on equal terms for any channel including VHF. Educational proponents, led by the Joint Committee on Educational Television, loudly opposed what they regarded as commercial suppression of television's

educational opportunities. While the NAB argued for most of the industry, FCC Commissioner Frieda Henneck argued for the educators. As part of its data, the National Association of Educational Broadcasters surveyed a week of TV programming in New York and said it found no educational programs aired on the seven stations. Schedules were 25% drama, 18% music and variety, 5% personality shows, 7% quiz, 31% information, 1% religion and 13% children's shows, the NAEB said.

The FCC's enunciation of a policy that reserved TV channels for educational assignments prompted BROADCASTING, speaking for many in the industry, to editorialize that "In an atmosphere beclouded by outlandish demands of educators who would make of the nation a sort of TV pedagogic state, the FCC . . . handed down a laborious third report on TV . . . To the extent that the plan provides for educational assignments on a 'reservation' basis, in both VHF and UHF, it constitutes a smashing victory for Madam Commissioner Frieda B. Henneck. It was she who single-handedly whipped up a fervor among the teachers and mothers of America that is without precedent in broadcast annals." The Henneck-educator alliance worked.

ABC's alliance with United Paramount Theaters proved to be another merger of influence and power. From the initial agreement in May through a set of hearings, the FCC weighed issues of media concentration, antitrust and ethics. The FCC wanted to distinguish between UPT and Paramount Pictures' role in a 10-year-old government antitrust suit, and to discern the character qualifications of the directors of the proposed company. "Confronting the commission," BROADCASTING wrote, "is the whole question of public policy stemming from the motion picture

consent decree, which forced the divorce of production companies from exhibition houses. The question, succinctly, is whether the joint ownership of TV stations and either movie production or exhibition interests tends toward a monopoly in public opinion." In the words of FCC Commissioner Robert Jones, "Substantially the same key officers were highly placed in Paramount Pictures Inc. . . . over a wide span of years, during which courts have characterized these corporations' business practices as 'willful,' 'unreasonable,' 'unfair,' 'discriminatory' and 'pre-datory.'"

In the proposed \$25-million merger, Leonard Goldenson, UPT president, was to be president of the new company; Robert Kintner, ABC president, would be president of the broadcast division, and Edward J. Noble, ABC board chairman and chief owner, would become chairman of the finance committee.

While ABC and UPT waited for FCC approval, the entire television industry waited for the FCC "freeze on allocations" to end, and for coast-to-coast television to begin. The FCC drew up a tentative allocation plan to resolve problems of service, interference and competition. DuMont opposed the FCC plan, arguing that it tended to foster monopoly by the bigger networks. The FCC plan allotted four or more VHF channels to only six of the top 25 U.S. markets, a total of 21 cities with a population of 48 million. DuMont argued that a TV network must have affiliates in most of the top markets to exist, and offered its own plan that would allow four VHF channels to 21 of the top 25 markets, a total of 53 cities with a population of 74 million. The FCC plan allocated 558 VHF channels to 342 communities, while the DuMont plan allocated 665 channels to 375 communities. There were 128 objections officially filed to the DuMont plan. They variously criticized the plan for failing to provide any VHF channel for given cities, for failing to provide enough VHF channels for given cities and for failing to meet the FCC minimum mileage separations of 70 miles for adjacent channels, and 180 miles for co-channels. As one station put it, "The DuMont plan is a plan of definite segregation . . . VHF for the large cities and metro areas and the crumbs of allocation, or UHF, for the farmers and rural areas."

With the freeze lift approaching, the television networks inaugurated coast-to-coast connections. President Truman's September address at the closing ceremonies of the San Francisco peace conference that officially ended the war with Japan opened the transcontinental video network supplied by AT&T at a cost of \$40 million. Regular use of the system began later that month. Some of the first shows telecast coast-to-coast included CBS's *See It Now* with Edward R. Murrow, NBC's *All-Star Revue* and ABC's *Paul Whiteman TV Teen Club*.

This accelerated growth in television

heightened FCC concern for standards of programming that would provide guidelines for program balance, eliminate excessive commercialism and insure good taste. Broadcasters, worried about another "Blue Book" threat, drew up their own code, which was ratified in October by the National Association of Radio and Television Broadcasters TV board. (NARTB was the new name adopted for the National Association of Broadcasters in February 1951.) In the preamble to the TV code broadcasters asserted: "The American businesses which utilize television for conveying their advertising messages . . . are reminded that their responsibilities are not limited to the sale of goods and the

March 1, 1952.

Besides coverage of General MacArthur's recall, the coverage of Senator Estes Kefauver's (D-Tenn.) Crime Investigating Committee's hearings provided spectacular material for TV audiences. Special New York Hooperatings showed that the Kefauver committee's televised proceedings at times captured 100% of the audience. Representative Jacob Javits (R-N.Y.) used this viewing data to support the reintroduction of his measure that would allow radio and television broadcasting of certain House sessions. The most memorable image of the Kefauver hearings resulted from witness Frank Costello's reluctance to be telecast.



JUSTIN MILLER (l), retiring president of the NARTB, greets Harold Fellows, president-elect, as they appeared at the opening convention session Monday.

—Broadcasting, April 23

creation of a favorable attitude toward the sponsor . . . [These responsibilities] include responsibility for utilizing television to bring the best programs, regardless of kind, into American homes. Television, and all who participate in it, are jointly accountable to the American public for respect for the special needs of children, for community responsibility, for the advancement of education and culture, for the acceptability of the program materials chosen, for decency and decorum in production and for propriety in advertising."

The NARTB code's sanctions included the removal of the "Seal of Approval" from an offender. Other provisions in the code, which the industry labeled as "stringent," included lists of programing do's and don'ts, advertising standards and practices, and the recommendation not to sell time to religious groups. Adopted in December, the code became effective

In deference to his wishes and out of respect for an undecided point of law, Costello's face never appeared on camera: instead, the camera trained on Costello's moving hands during his testimony, providing an image of pressure for the soundtrack of his testimony. The Kefauver hearings, as BROADCASTING wrote, "promoted television in one big swoop from everybody's whipping boy—in the sports, amusement, and even retail world—to benefactor, without reservations. Its camera eye had opened the public's."

However interesting for a curious public, the televised Kefauver hearings raised the legal issue of whether a televised hearing abrogated a witness's rights. Two witnesses, Morris Kleinman and Louis Rothkapf, declined to testify unless the TV cameras were removed. They argued that the televised proceedings—with the uncomfortable glare of

lights, the detailing of clothes and posture, the distortion in voice, and the use of film on newsreels—subjected the witness to “unfavorable comment,” from viewers, spectators and news commentators.

As ever, television audiences welcomed new shows. Several favorites were introduced in 1951. Roy Rogers and Dale Evans appeared as the owners of the Double R Bar Ranch in Mineral City. Other regulars of the *Roy Rogers Show*, which premiered on Oct. 4 for CBS, included Trigger, Roy’s faithful Palomino; Dale’s trusty steed, and Bullet, Roy’s canine vigilante. Lucille Ball made her debut as a wacky housewife on Oct. 15 on the CBS series, *I Love Lucy*, which also starred Desi Arnaz as Lucy’s husband, Ricky Ricardo, orchestra leader at the Tropicana Club; William Frawley as Fred Mertz, the Ricardos’ friend and landlord, and Vivian Vance as Ethel Mertz, Lucy’s co-conspirator. *The Amos ‘n’ Andy Show*, based on the radio program that was created and played by Freeman Gosden and Charles Correll, appeared on CBS on June 28. This 30-minute comedy show relating the antics of Andrew H. Brown, the slow-witted president of the Fresh Air Taxi Cab Co. of America, his hard-working and practical partner Amos Jones, and con artist George (Kingfish) Stevens, head of the Mystic Knights of the Sea lodge, gained the distinction of being the first television show to feature an all-Negro cast. *Amos ‘n’ Andy*, which starred Spencer Williams as Brown, Tim Moore as the Kingfish, Alvin Childress as Amos, Ernestine Wade as Sapphire Stevens, the Kingfish’s long-suffering wife, and Amanda Randolph as Mama, the Kingfish’s critical mother-in-law, drew unfavorable comment from the National Association for the Advancement of Colored People because of what the NAACP regarded as use of denigrating, black stereotypes.

Special broadcasts included ABC-TV’s 26-chapter, half-hour presentations of *Crusade in the Pacific*, a documentary on World War II narrated by Westbrook Van Voorhis, and the movie-theater-only telecasts of the Joe Louis-Lee Savold boxing match. The nine-theater showing in six cities drew capacity crowds, and criticism from broadcasters who felt, in the words of BROADCASTING, that “theaters are invading an area where they have no reasonable business.”

The growing audiences also watched such other new shows as *Foreign Intrigue*, a 30-minute NBC mystery detailing the adventures of foreign news service correspondents. Robert Cannon, played by Jerome Thor, and Helen Davis, played by Sydna Scott, and *Strike It Rich*, a 30-minute CBS quiz show that awarded a “heartline” of cash to the contestant with the saddest story. *Mr. Wizard*, an educational show for children, debuted in March. *Mr. Wizard* host Don Herbert performed and explained various scientific experiments. New variety shows included *Songs for Sale*, with hosts Jan Murray and Steve Allen, and *You Asked For It*, with

Art Baker and Jack Smith. On *Songs For Sale*, Margaret Whiting, Rosemary Clooney, Tony Bennett and the Ink Spots performed the songs of four songwriters on each show for judges Mitch Miller, Morey Amsterdam and Duke Ellington. On *You Asked For It*, ABC honored viewers’ requests for unusual entertainment acts after the opening announcer intoned, “Whatever it is, wherever it is, at home or around the world, you see it here, you asked for it.

Television was beginning to affect radio. Radio net time sales for the 2,300 AM and 564 FM stations on the air by the end of 1951 increased only \$3 million over receipts for 1950—to \$456,543,000—and the average radio home listened to radio 36 minutes less per day than in 1950. The increase in radio homes to 42 million partially offset the listening loss. Radio networks worried about losing sponsors to television, a medium that grew from an



Faceless Frank Costello

audience universe of 3.8 million or 9% of all households in 1950 to 10.3 million or 23.5% of all households in 1951. NBC in January, because of the opposition of its affiliates, discarded a proposed nighttime radio rate cut in television markets. Undaunted, the Association of National Advertisers renewed a quest for lower network radio rates, arguing that a survey proved: “For the individual stations affected by TV competition, radio time values show declines . . . that run as high as 60%. For the two full radio networks, including the stations in non-TV cities, the reduction in time values attributable to the inroads of TV amounts to 19.2% in the case of NBC, and 19.4% in the case of CBS.” First CBS and NBC fought back with comparative statistics of audience and cost that “proved” radio to be “the better buy in 1951.” Then, CBS, NBC and MBS cut their rates.

CBS announced in April that, effective July 1, radio network rates for the 1-8 p.m. period would be cut 10%, for the 8-10:30 p.m. period rates 15%, and for Sunday afternoon 25%. But morning rates remained the same. The affiliated broadcasters worried that radio, which in BROADCASTING’s words “for 31 years . . . has never taken a backward step” would take one now.

NBC in May followed CBS’s example and announced that, effective July 1, rates would drop 15% for the 8-10 p.m. period,

10% for the Sunday-afternoon period and 10% for all other periods after 1 p.m. Shortly thereafter MBS announced a similar cut of 10% for all time periods from 1 to 10:30 p.m. and varying cuts up to 50% for Sunday afternoons from 1 to 6 p.m.

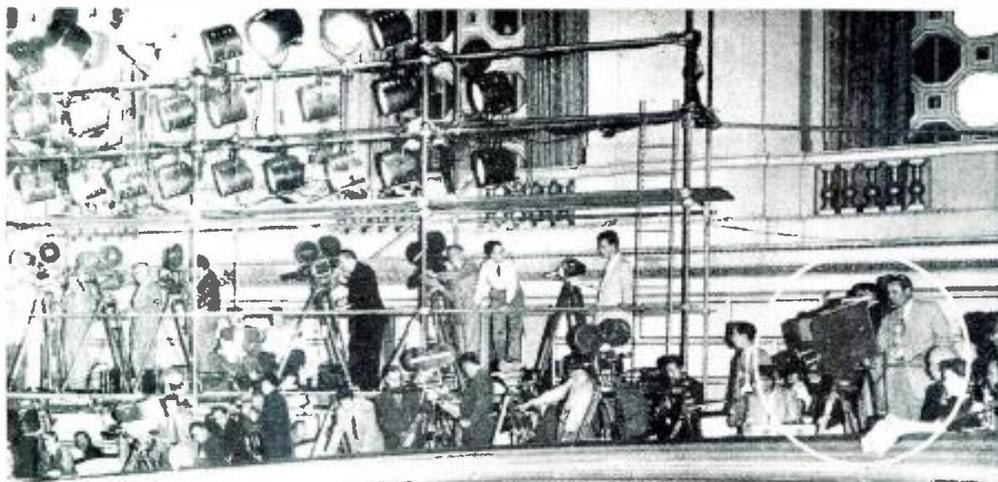
To compete with television programming, the radio networks resorted to big-name stars. NBC had Hollywood actor Cary Grant and his real-life wife, Betsy Drake, in *Mr. and Mrs. Blandings*, a comedy show with Gale Gordon and Sheldon Leonard in supporting roles. Humphrey Bogart and Lauren Bacall starred in *Bold Venture*, syndicated by the Frederic W. Ziv Co. in 1951 (the show started in 1950) to more than 400 markets. The show, set in Havana, featured Bogart as Slate Shannon, a Cuban hotel owner, and Bacall as Sailor Duval, left by her dead father in Shannon’s care.

FM languished in obscurity. Manufacturers had no incentive to make FM sets while demand for television receivers was so high and production of war equipment had priority.

FM radio suffered another setback when the U.S. Court of Appeals for the District of Columbia ordered WDC(FM) Washington and the Capital Transit Co. to cease commercial announcements in street cars and buses because those messages deprived “objecting passengers of liberty without due process of law.” Transit FM, the boon for a struggling system, lost its legal blessing. In an editorial, BROADCASTING summarized FM’s precarious situation: “First came the FCC foray against ‘beep’ services, such as storecasting and functional music, on the ground that they do not comply with regulations requiring sponsor identification. Then . . . the U.S. Court of Appeals dealt what could be the death knell of transit radio—just when that specialized operation was beginning to pull out of the red ink. . . . Despite the moderate success of some stations, FM has had a tortured existence from the start. . . . Now, when more prudent operators turn to specialized services to pull themselves out, both the courts and the FCC propose to pull the rug out from under them.”

While transistcasters readied their case for review by the Supreme Court, opponents of the system in their legal brief charged that “forced listening devices disrupt and endanger the American system of broadcasting. . . . Unless the listener or viewer is completely free to select what he wishes to hear or see in a freely competitive field, the American system of broadcasting is deprived of its vigor and becomes a sinister, formless thing.”

Some still worried about the sinister potential of Communist influence in broadcasting. CBS and NBC appointed executives specializing in security. The new post was promptly called the “vice president in charge of treason.” To cleanse the air of alleged Communists, Mrs. Eleanor Johnson Buchanan and her father, Laurence Johnson, a supermarket chain owner, conducted a successful letter-writing campaign addressed to sponsors and



ALTHOUGH TV stole the show with its epic making first coast-to-coast telecast of the Japanese Peace Conference its camera (circled) was nearly lost in this halter skelter array. The 23 lights in this picture were put there for the movie and news photographers. TV could operate efficiently without any of them.

roduced Secretary of State Dean Acheson. Stepping in front of the cameras to be seen as well as heard, Mr. Acheson followed the customarily brief form in introducing the President of the United States.

Mr. Truman, in striped tie and dark suit, read his address slowly and with more than his usual emphasis when he propounded treaty aims: To include Japan in a partnership for peace.

Cameras scanned the stage from time to time to pick up the Presidential party and the audience to watch reactions of the Russian delegation, headed by Deputy Foreign Minister Andrei Gromyko.

An unexpected note of informality came at the conclusion of the President's speech. Walking off-stage, Mr. Truman turned, gesturing to his party to follow him.

No master switch was "thrown" for the start of the first transcontinental telecast. "It was a little more complicated," according to George Matheson, who sat at the master control panel as general engineering supervisor for CBS-TV's San Francisco affiliate KPIX.

"There were several feeders which were cut in beforehand," he explained, "but the hundred-odd stations receiving our pictures didn't start transmitting it over their outlets until their time cut was given."

To insure fast identification of delegates, three spotters with binoculars were stationed on

COAST-TO-COAST TV

COAST-TO-COAST TV was made available to a potential audience of nearly 40 million U.S. viewers last Tuesday as President Truman's address before the Japanese peace treaty conference in San Francisco opened the new transcontinental microwave video network. 95% of the nation's TV sets are reported within range of the network.

The program was carried live on 94 of the country's 107 TV outlets, with most of the remaining 13 stations not yet connected to the circuit because of their more remote locations—receiving kinescopes of the ceremony for telecast later in the week.

All television networks offered only the Presidential speech at the 10:30 p.m. (EDT) time slot and, although definite results will not be known until station logs are in.



President Truman as he appeared on the TV screen.

Truman Inaugurates



... and as he appeared on the stage in San Francisco.

studios after Sept. 30. Availability of veteran guests—such as Burns and Allen and Jack Benny, who may appear on Mr. Cantor's first West Coast show—working with

tion as a public service and dispatched combined staffs of more than 100 people to the West Coast to announce, handle technical details and provide special

advertising agencies to pressure them into dropping stars and shows named in *Counterattack* and other publications carrying alleged exposure of persons with Communist associations.

Phillip Loeb's name appeared in *Red Channels*. Despite Gertrude Berg's insistence on retaining Loeb as Jake Goldberg in her show, *The Goldbergs* sponsor, Sanka dropped the CBS show, which reappeared later on NBC without Loeb and with a different sponsor. Elmer Rice, Pulitzer Prize-winning playwright, resigned from the Playwright Television Theater Group, the writers for ABC's *Celanese Theatre*, because of blacklisting. Although contract clauses gave the playwrights control over scripts, casting and production, Rice complained that "I now find that the names of actors selected by you [Stellar Enterprises] are submitted for approval to the Ellington Advertising Agency, whose client, the Celanese Corp. of America, is the sponsor of this program. The agency it appears, then submits these names to its attorney, Walter Socolow, for 'clearance' from the point of view of what is euphemistically called 'public relations.' What this means in

effect is that Mr. Socolow conducts an inquiry into the alleged political opinions and activities of the actors and bases his acceptance or rejection upon his judgment of the propriety of their political beliefs. ... As an anti-Communist and a militant opponent of totalitarianism, I have repeatedly denounced the men who sit in the Kremlin for judging artists by political standards. I do not intend to acquiesce when the same procedure is followed by political commissars who sit in the offices of advertising agencies or business corporations."

But the fear of censure remained unabated among advertisers.

In 1951, the hunt for Communists extended into government. The FCC withstood another search for "Red" influence as part of an investigation into Communist infiltration in all executive agencies conducted by the Senate Special Subcommittee on Internal Security. At the same time, a federal district court ordered KSFO(AM) San Francisco to make time available for Communist candidates despite public opinion since the station's refusal would constitute unlawful censorship.

At yearend, telecasters hoped for a lift-

—Broadcasting, Sept. 10

ing of the freeze on new stations. Radio broadcasters yearned for a return to higher radio rates and previous levels of listening. Educators hoped for reserved TV channels on both VHF and UHF.

Stay Tuned

1. How did Nixon use a national radio-TV broadcast to rescue his vice presidential hopes?
2. How did BBDO embellish Eisenhower's campaign speeches?
3. Who was the Texas Democrat who blocked broadcast coverage of public hearings of House committees?
4. What was the massive breakthrough for TV that occurred in April 1952?
5. Name the bill that provided the first sweeping changes in the Communications Act of 1934?

The answers in "1952."

THE FIRST 50 YEARS



OF BROADCASTING

It was the year that television was liberated from the FCC's freeze on station grants, the year that Richard Nixon saved himself from political disaster with a televised speech, the year that ABC and United Paramount sweated out FCC approval of their merger, the year that declining radio network audiences led to deeper drops in radio network advertising rates despite the vociferous opposition of affiliates. It was also the year in which television became indisputably the major national medium for political news coverage and political advertising.

The 1952 campaigns and election from which Dwight D. Eisenhower was to emerge as President were subjects of intensive news coverage by both radio and television.

Philco paid \$3.8 million to sponsor NBC's radio and television coverage of the political conventions and election. Admiral paid ABC \$2 million. Westinghouse bought \$3 million worth of sponsorship on CBS and the DuMont television network. Broadcast advertising also figured heavily in the Republican and Democratic parties' campaign plans.

Adlai Stevenson, the Democratic presidential candidate, summarized his party's position: "I am frank to say without embarrassment or self-consciousness that I think the Democratic national ticket will by no means be able to match the Republican campaign dollar for dollar." The Democrats spent \$1.2 million for radio and TV, while the Republicans spent more than \$2.5 million. Some of the Democratic expenditures included \$40,000 for a radio spot campaign and \$1 million for network simulcasts in October. In addition to unspecified sums for local radio and TV spots, the GOP spent \$1.5 million for a national spot campaign for General Eisenhower, and \$75,000 for vice-presidential candidate Richard M. Nixon's "Checkers" speech.

With almost 44 million American homes containing at least one radio and over 19 million homes with a television set, a candidate's broadcast image took on significance. Stevenson appeared as an "intellectual," with above-average vocabulary and speeches that often ran over allotted time. Eisenhower, in the hands of a renowned advertising agency, BBDO, appeared



To avert a strike, President Truman in April ordered troops to seize the nation's steel mills, an action ruled illegal by the Supreme Court in June. General Dwight D. Eisenhower resigned from the Army to become the Republican presidential candidate who soundly defeated Democrat Adlai E. Stevenson in November. That year, two other future Presidents moved nearer the White House: California Senator Richard M. Nixon was Ike's Vice President, and Representative John F. Kennedy took the Senate seat of Massachusetts Republican Henry Cabot Lodge Jr. Just prior to the election—and not reported at the time—the first hydrogen explosion took place at the AEC's Eniwetok proving grounds in the Pacific. A less violent, but more publicized explosion occurred in Philadelphia in September when Rocky Marciano knocked out Jersey Joe Walcott for the heavyweight crown. And in

BROADCASTING.

always as "the hero." His half-hour speeches lasted 20 minutes, with the other time allowed for a hero's arrival and departure before an enthusiastic crowd; a BBDO emphasized spectacle. When the Ted Bates agency created a saturation spot campaign for the two weeks prior to the election, Eisenhower again appeared as the knowing leader. After an announcer intoned: "Eisenhower answers the nation," a "concerned citizen" in one of 50 situations asked a brief question, and then received a brief, but determined reply. Stevenson refused to "be packaged like a breakfast cereal."

Richard M. Nixon's half-hour plea over a 67-station TV hookup and a lineup of several hundred radio stations cost the Republicans \$75,000, but

saved Nixon the vice-presidential spot. With his wife, Pat, Nixon answered allegations that he had misused campaign funds, denying that any of the \$18,000 in question went for his personal use. In a folksy manner, Nixon admitted that he did receive and keep one gift during the campaign, "a little cocker spaniel dog in a crate . . . [sent by a man] all the way from Texas. And our little girl—Tricia, the 6-year-old—named it 'Checkers.' And you know the kids love that dog and I just want to say this right now, that regardless of what they say about it, we're going to keep it." Nixon followed with a request for people to write or wire the Republican National Committee; the result was an overwhelming vote to keep him in the ticket.

BROADCASTING interpreted Nixon's Checkers speech as another example of the electronic media's power: "The Republicans were faced with the necessity of distributing one of the most critical messages a political party ever had to get across. Their decision to place Mr. Nixon's case on radio and television illustrated the unique advantages those media enjoy over other forms of communications. It must be kept in mind that the decision was based purely on the ability of the media to capture attention and provide the best platform for argument."

Radio in 1952 still made money, but it made less in proportion to the rise in television revenues. The 2,391 AM and 616

IT'S CHM. WALKER

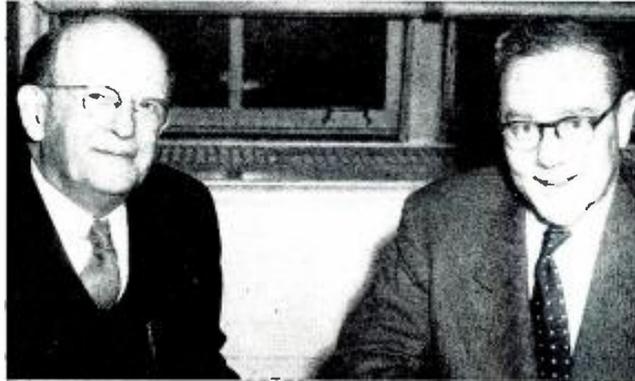
And Comr. Bartley, as Advertised (B • T, Feb. 25)

By SOL TAISHOFF

ON EVEN keel again with a new chairman and a new commissioner, the FCC this week resumes its consideration of the final TV allocations—its first order of business—with the hope of completing the job “with greatest possible dispatch.”

The quote is from Paul A. Walker, who last Thursday assumed the chairmanship in his own right by appointment of President Truman. He expects to have his seventh commissioner—Robert T. Bartley of Texas—on the job this week. But Mr. Bartley probably won't participate in the vote on TV allocations, now ready for final review after a 41-month solid freeze.

Mr. Walker, who climaxes his more than 17 years with the FCC by acquiring the coveted chairmanship, inherits this Herculean assignment from Wayne Coy, who resigned Feb. 21 to become Time Inc.'s consultant on radio-TV (see story this page). This appointment, announced last Thursday,



NEW FCC CHAIRMAN, Paul Walker (l), and new Commissioner-Nominee Robert T. Bartley met informally Thursday afternoon at FCC just after President Truman announced the appointments.

told BROADCASTING • TELECASTING last Thursday that he had sent a formal letter to the President endorsing Mr. Walker's elevation to

a “dark horse” in the Democratic Presidential race, should President Truman decline to run.

Nomination of Mr. Bartley was highly praised by Sen. Edwin C. Johnson (D-Col.) last Thursday, the day before his Senate committee scheduled the hearing.

Questioned by BROADCASTING • TELECASTING about the President's choice of Mr. Bartley to fill the vacancy on the Commission, Sen. Johnson said:

“From what I know of this chap [Bartley], it is a very good appointment. The President made an exceptionally good choice. Bartley has good judgment and is cool headed. I think he will prove to be a very valuable commissioner on the FCC.”

Neither the Walker nor the Bartley appointments came as a surprise [B•T, Feb. 25]. The Walker appointment, however, while in the “permanent” category, must be viewed in the light of his eligibility for retirement. Logically, it is expected that he will serve through November or possibly the

—Broadcasting, March 3

FM radio stations on the air by the end of 1952 accrued \$473,151,000 in net time sales, an increase of \$6,608,000 over 1951. Spot time sales rose 3.4% to \$123,658,000; local time sales increased 11.7% to \$239,631,000; regional network sales dropped 13.5% to \$7,334,000, but national network sales fell 10% to \$102,528,000, the lowest volume since 1943.

The radio networks debated and lowered rates once again. After much “grave concern” by the CBS affiliates, the network and those stations agreed in August to a 25% reduction in nighttime network advertising rates accompanied by a 15% cut in network compensation to affiliates and a restoration of the 1951 10% cut for daytime serials, along with an increase of 5.5% in affiliate pay for carrying those shows. CBS gave assurance that rates would not be cut again for at least a year and a half. NBC Radio followed in September with its own rate-cut formula, which averaged a 25% discount at night, with affiliates taking a 14% cut in compensation. NBC raised its daytime rate 11.1% to restore the 10% cut of 1951, while revising discounts so that the increase to advertisers was 4% in the morning, and zero in the afternoon.

“There was recognition” at the Chicago NBC-affiliate meetings, BROADCASTING wrote, “that the network, essential and desirable as it is, no longer constitutes the major sources of revenue for the station. National spot and local are the major breadwinners, not only for the affiliates, but for the network owned and operated outlets too.”

Following CBS and NBC, ABC Radio in September lowered its evening rates an average of 25%, but raised its morning rates by 5%. MBS, the only radio network to show a significant increase in revenues in 1952, reduced its nighttime costs 30% in TV areas, and 10% in other areas.

The expanding role of television had already prompted the 1951 merger agreement between ABC and United Paramount Theaters. That set the scene for the 1952 application for FCC approval and a hearing that progressively grew more complex before the commission gave its approval in February 1953. ABC contended that the merger was necessary for it to successfully compete with the other networks. DuMont, one of those networks and in a weak competitive position, contended that the merger would stifle competition.

ABC President Robert Kintner believed that “competition in radio and television will be increased by this merger. . . . It will give ABC added working capital, added earning power in order to take program risks, expand program structure and try new types of programming so that it can compete more effectively with the two principal operators in the field, NBC and CBS. . . . If increased competitive factors are let loose . . . through this merger, NBC, CBS, and DuMont will in turn increase their efforts to attract the public in programming, and out of that you will get an industry that will serve the public interest better. . . .”

United Paramount Theaters had been created Jan. 1, 1950, as a result of an earlier consent decree between Paramount Pic-

tures and the Department of Justice. In it, Paramount agreed to separate its studio production setup and its theatrical exhibition system, the latter under UPT.

Accordingly, the FCC hearing involved issues beyond the merger of ABC and UPT. There were questions about how completely the new UPT was separated from Paramount and if UPT was qualified to be in station ownership; whether Paramount (license of KTLA(TV) Los Angeles) was entitled to own TV stations in light of its antitrust history; whether any motion picture producing company or theater company should be permitted any activity in broadcasting.

The issues spilled over to Paramount's 25% ownership in Allen B. DuMont Labs, in turn holder of TV licenses in New York, Washington and Pittsburgh, TV station applicant in Cleveland and Cincinnati, and operator of a TV network. In addition, the application for transfer of Paramount's WBKB(TV) Chicago to UPT and the latter's TV applications in four other cities were pending at the FCC.

In an initial decision in November, FCC Examiner Leo Resnick maintained that the potential increase in competition outweighed any possible dangers of media control. Accordingly, Resnick found Paramount Pictures and UPT qualified to be broadcast licensees. He stated that Paramount Pictures did not control Allen B. DuMont Labs, and allowed CBS to purchase UPT's WBKB(TV) Chicago (for \$6 million) since ABC already owned WENR-TV there.

“No reasonable person,” BROADCAST-

simultaneously reproduce sight and sound with 100% fidelity in one-100th of a second following live action for both black and white and color programs.

RCA made similar claims for its system, which would be commercially available in two to three years. "In my life time I have witnessed many advances in radio, television, and electronics," said General Sarnoff, "but few have stirred my imagination more in recent years than color television and videotape recording. . . . Here is an electronic development endowed with a far wider horizon than its immediate purpose in TV broadcasting. It is a method that records and produces pictures in motion in black and white and in color with no intermediate steps such as film processing. The pictures can be viewed the instant they are taken."

While technology created new possibilities, some old problems remained, particularly the American Society of Composers, Authors and Publishers' uneasy peace with broadcasters. In May, ASCAP finally acceded to radio broadcasters' demands that network co-op programs should pay the local rate of 2 1/4% rather than the network rate of 2 3/4%. BROADCASTING commented, "Settlement of the more 10-year-old dispute between radio broadcasters and ASCAP over the co-op programs is more than a victory of one side over the other. . . . It is an outstanding example of reason triumphing where table-thumping oratory had notably failed. It is the best possible omen that could be asked for an equally happy outcome of negotiations now under way between TV broadcasters and ASCAP for a renewal of blanket licenses." Such reason, however, did not prevail. ASCAP requested that television stations renew their licenses at the old formula of approximately 10% above radio network rates, but broadcasters felt that the actual money involved remained too high.

While ASCAP and the National Association of Radio and Television Broadcasters negotiated, a splinter group of 33 ASCAP members, the Songwriters of America, filed a \$150-million damage suit against NARTB and Broadcast Music Inc. It asked for the dissolution of NARTB and divorce-ment of BMI from its broadcast ownership, charging that NARTB and BMI conspired to keep all but BMI music off the



Gathered around the AP conference table, discussing ways of improving news programming, are these members of the AP programming committee: (top row, l to r) Howard Pill, WSFA Montgomery, Ala.; Burl Ely, administrative assistant, AP New York; Lester Lindow, WFDF Flint; Oliver Gramling, assistant general manager, AP New York; Charles Crabtree, KWIK Pocatello, Idaho, and Donald D. Davis, WHB Kansas City. Seated (l to r): Les Mawhinney, KHJ Los Angeles; Dan Kops, WAVZ New Haven, Conn.; Jack Krueger, WTMJ Milwaukee, and John A. Aspinwall, AP general radio news editor, New York. The meeting was held last week in New York.

Broadcasting, Aug. 17

air. "The defendants," the suit charged, "have depressed the price of performance fees and have deprived the plaintiffs and other writers similarly situated of income . . . at the rate of not less than \$5 million per year."

"The fact is" BROADCASTING countered, "that despite the steady growth of BMI, most music on the air today bears the ASCAP label. Payments of radio and TV stations and networks to ASCAP amount to more than \$13 million a year, well over 80% of ASCAP's total revenue from all sources. True, those payments would be much larger were it not for BMI, which not only admits but proudly proclaims that the combined broadcaster payments to ASCAP and BMI total less than the amount asked by ASCAP alone in 1939, a demand that led to the formation of BMI and eventually to the Department of Justice action that brought about

the reorganization of ASCAP on a less monopolistic and more business-like basis."

Stay Tuned

1. What was the name of the Murrow-Friendly program that offered an expose of McCarthy tactics.
2. How did CBS respond to McCarthy's demand for time to reply?
3. What happened in the FCC's attempt to salvage its proposed giveaway regulations?
4. Who were the two senators who conducted separate but related investigations of broadcasting?
5. Why did the New York welfare department clash with *Strike It Rich*?

the answers in "1954."



These top network executives got new jobs in 1953. (l to r) Sylvester L. (Pat) Weaver Jr. became president of NBC and Robert W. Sarnoff executive vice president. Leonard Goldenson was named president of AB-PT resulting from merger of ABC and United Paramount

Theatres, and Robert E. Kintner was named president of ABC division. Chris J. Witting left the DuMont network to become president of Westinghouse Broadcasting Co., and Ted Bergmann succeeded him as DuMont managing director.

Broadcasting, Dec. 28

freeze last April there have been only 42 applications filed by educational institutions, as against 242 'reserved' assignments. Of these, 14 have been granted (12 UHF, two VHF) and most of these on wholly inadequate financial showings." Even though groups such as the Ford Foundation, Emerson Radio Corp., and the National Appliance and Radio-TV Dealers Association donated money to raise the public's ETV consciousness and to defray station operating costs, educational television developed slowly.

As an aid to television development, the FCC in November, over Commissioner Hennock's objections, proposed extending the TV license term from one year to three years, and in December the commission proposed amending the multiple ownership rules to permit common ownership of seven TV stations provided that at least two were UHF.

To the relief of radio and television programmers, a federal court in New York ruled, in a 2-1 decision, that the FCC's giveaway rules, adopted in 1949, misconstrued the lottery law and also represented a type of censorship prohibited by the First Amendment. Judge Vincent L. Leibell, author of the majority opinion, wrote that "the act of listening to a broadcast of a 'giveaway' program, or viewing it on television, does not constitute a 'price' or 'valuable consideration,' which is an essential element of a lottery. It is not the value of the listening



"FIVE-FOOT-SHELF" of National Television System Committee color documents filed with FCC Tuesday by Dr. W. R. G. Baker, General Electric Co., chairman of NTSC, in office of FCC Chairman Rosel Hyde. (r).

Broadcasting, Sept. 14

participants to the station or sponsor that is the valuable consideration contemplated by the lottery statute. It is the value to the participant of what he gives that must be weighed."

While both radio and television networks employed giveaways, specials and big-name talent to attract audiences, radio by 1953 had lost some of its power to television. Even though radio sets were in the most homes ever, 44.8 million, the average radio home listened 17 minutes

less per day than in 1952. In 1946 the average radio home had tuned to radio for four hours and 13 minutes a day, but by 1953 that figure dropped to two hours and 53 minutes.

In 1953, radio followed the pattern established in 1948: National network sales decreased, but spot and local sales increased.

The tension between radio networks and affiliates intensified. At an NBC Radio affiliates meeting in September, Brigadier General David Sarnoff pledged a "rehabilitation" of NBC Radio that would wage war on radio's three problems of "ratings, raidings and rebates." "The massive campaign of rehabilitation . . . should be proof enough that we regard the problem as one requiring not minor patching, but major revision. . . . I believe, however, that the field will remain large enough to support those networks which possess basic strength, a true sense of their obligations to the public, and a capacity to adapt themselves to the new facts of life."

More new facts of life surfaced for broadcasters when the FCC—at the urging of its new Republican member, John C. Doerfer—began hearings in October to determine the qualification of a group station owner with liberal leanings who had been tagged as a Communist sympathizer. Target of the probe was Edward Lamb and his stations, WTOD(AM) Toledo, Ohio; WIKK(AM)-WICU(TV) Erie, Pa.; WMAC(TV) Massillon, Ohio; WHOO(AM) Orlando, Fla., and Lamb's proposed purchase of WTVQ(TV) Pittsburgh. The wrath of McCarthy plagued Lamb because he had refused to let his stations carry McCarthy's speeches, because Lamb had been a Republican turned prominent Democrat, because Lamb had visited the Soviet Union and written a treatise on its economic system, and because Lamb's name appeared on certain lists of subversive groups.

Lamb, who expressed pride in his anti-Communist record, defended himself, saying he "never knowingly belonged to any Communist-front organization. I . . . never belonged to the Communist Party. I never registered or voted for a Communist. . . . Indeed, over the years, I developed a violent hatred for Communists and their tactics." Lamb also told the FCC that the delay in approval of his licenses, "unwarranted by any fact or responsible charge known to your petitioners," had caused two of his stations great financial loss. The hearings went into 1954.

The technological search for means of making high-quality recordings of television programs continued. Both Bing Crosby Enterprises and RCA developed and improved the use of tape to record live television performances. Crosby's video tape recorder system, first developed in 1952, showed marked improvements in recording fidelity at one-fourth the cost of motion-picture film. Crosby Enterprises claimed that VTR, which would be commercially available by early 1954, could



WHEN Sigma Delta Chi, professional journalistic fraternity, last Monday honored the "GI Reporter," Ernie Pyle, by dedicating a plaque to his memory at Indiana U., broadcaster-members of the fraternity were on hand at Bloomington. L to r, J. Leonard Reinsch, managing director, James M. Cox stations, who chairmanned the radio-television committee; Lee Hills, executive editor of the *Detroit Free Press* and *Miami Herald* (WQAM), national president of SDX, who presided; Robert K. Richards, administrative vice president of NARTB, publicity committee; Gen. Omar N. Bradley, Ernie's "GI General," principal speaker; and Captain Harry C. Butcher, KIST and KEYT (TV) Santa Barbara, who also spoke, telling of his experiences with Ernie while Naval Aide to Gen. Eisenhower. President Eisenhower participated through film transcription made by NBC for the event.

Broadcasting, Oct. 12

Steiger to fame.

Special programming became more commonplace. Both CBS and NBC telecast a two-hour Ford 50th anniversary program starring Ethel Merman and Mary Martin. ABC, NBC and CBS provided coverage of the atomic bomb blasts at Yucca Flats, Nev., in *Operation Doorstep*. ABC's Chet Huntley, CBS's Walter Cronkite and NBC's Morgan Beatty reported on the tests from a spot seven miles from the bomb site. The Civil Defense Administration, which had built two houses in the target area, attempting to promote "preparedness," asked television viewers to imagine that they were inhabiting one of the houses.

The coronation of Queen Elizabeth in June caused a trans-Atlantic race between NBC and CBS for the first U.S. telecast of the films. Both networks hired special planes to fly films of the event from London to Canada and then to Boston for showing in the U.S. ABC, which stayed out of the race, won by minutes by accepting a feed from the Canadian Broadcasting Corp. and sharing it with NBC.

Many viewers regularly watched either the NBC-TV *Camel News Caravan* with John Cameron Swayze or the CBS-TV *Television News* with Douglas Edwards, both 15-minute programs.

Two televised news events were indicators of the beginning of resistance to excesses of anti-Communism of the earlier fifties. In October Edward Murrow and Fred Friendly devoted one of their *See It Now* episodes to "The Case Against Milo Radulovich, A0589839." In November President Eisenhower accepted the B'nai B'rith Anti-Defamation League's Democracy League Award for his contribution to civil rights. The Murrow and Friendly broadcast explored the guilt-by-association case of Radulovich, an Air Force Reserve lieutenant whom the Air Force asked to resign because his sister and father had been accused by nameless attackers of reading subversive newspapers and engaging in "questionable" activities. No Air Force personnel accepted Murrow's offer to participate in the broadcast, and CBS did not promote the telecast because of its incendiary nature. Murrow and Friendly paid \$1,500 on their own to advertise the show in newspapers. After the telecast a vast majority of letters and calls congratulated the two for speaking out.

The Eisenhower award quickly turned into a media event. To provide entertainment for the televised proceedings, called "Dinner With the President," B'nai B'rith relied on Richard Rodgers and Oscar Hammerstein. Other well-known participants included Lucille Ball, Eddie Fisher, Rex Harrison, Helen Hayes, Ethel Merman, Lilli Palmer and Jackie Robinson. CBS-TV covered the event live, while NBC-TV, ABC-TV and DuMont aired a kinescope later that same evening. NBC and MBS radio also broadcast part of the event. The audience was estimated at 38 million television viewers and 20 million radio listeners. In a surprise move, Eisenhower rejected his prepared speech to



JUDGE Stephens administers the oath to new FCC Comr. Lee as Comr. Bartley holds the Bible.

EISENHOWER SURPRISES FCC, NAMES LEE AS COMMISSIONER

Months-long speculation over who would get the last vacancy came to a rapid finish last Tuesday with the appointment of darkhorse Robert E. Lee. The former FBI agent and auditor nosed out Robert Dean of KOTA for the job.

COMR. ROBERT E. LEE, an Irish Catholic with a Confederate name, goes to work full time today (Monday) as the newest member of the FCC, bringing its membership up to seven for the first time since June 30.

Comr. Lee was sworn in Tuesday noon as a recess appointee three hours after President Eisenhower had signed his commission. He will work without pay until the Senate can confirm a formal nomination when it meets again in January. Restoration of back pay would come with confirmation.

Appointment of Mr. Lee, director of surveys and investigations for the House Committee on Appropriations, is for a seven-year term. He succeeds Comr. Paul A. Walker, who left the commission last June after

to his House office for the day. He took part in the Commission meeting Wednesday morning but spent most of the remaining time last week clearing up his committee work, reporting on an inspection trip in Europe and aiding in selection of a successor.

Comr. Lee told B&T he "knows a lot about the FCC but not much about the industries it regulates." His familiarity with the Commission arises from work at the Appropriations Committee, where intensive investigations are made into the budgets for all federal agencies.

"I'll be doing a lot of homework for the next few months," he added. He refused to answer questions about his views on regulation of radio and tv, indicating he wants to become familiar with the industry.

Broadcasting, Oct. 12

speak on what made America great. Though some considered the speech mild, it criticized character assassination and was considered one of the first public stances against the smear tactics of McCarthyism.

In the midst of general prosperity for television, UHF was struggling. With less signal range than VHF's and fewer sets with UHF reception capacity, the U's found the going tough, especially against VHF competition. In search of a solution, four UHF permittees—WDHN(TV) New Brunswick, N.J.; WIP-TV Philadelphia; WELI-TV New Haven, Conn., and the Stamford-Norwalk Television Corp. of Stamford, Conn.—in August asked the FCC without further delay to authorize subscription TV, arguing that it was their only viable recourse. (Zenith Radio Corp.'s petition for subscription TV had been before the FCC since early 1952). The UHF petitioners warned that "an extremely serious economic problem faces many existing and prospective UHF

broadcasters in areas currently receiving service from VHF stations, which seriously threatens the future development of the UHF band. . . ." They said that "after very careful study of the problem, the only solution . . . lies in the new sources of programs and revenues which would be available through subscription television."

UHF owners in October formed the Ultra High Frequency Association, designed to promote UHF possibilities and attract big business. As one organizer put it, "Unless we sell networks, advertisers, agencies and the public on the worth of UHF, we'll all be just a bunch of 250-watt-ers."

Educational television stations had struggles of their own. While educational proponents requested and received an extension of their June 2 deadline of exclusive rights to file for certain station reservations, the growth of educational stations had been slow. As BROADCASTING noted: "Since the lifting of the television



FOUR top award winners at the Radio-Television News Directors Assn. convention accepted Medill School of Journalism station trophies (l to r): Ralph A. Renick, WTVJ (TV) Miami; Godfrey Hudson, CFQC Saskatoon, Sask.; Paul W. White, KFMB San Diego, and James A. Byron, WBAP-TV Fort Worth.

Broadcasting, Nov. 2

didn't want to produce, RCA, after the FCC approval, promised the public 14-inch color sets, in the \$800-to-\$1,000 range, in six months. The Nov. 22 broadcast of *The Colgate Comedy Hour* became the first color telecast of an NBC program. "The day on which the FCC approved standards for the commercial broadcasting for compatible color television," RCA's David Sarnoff declared, "will be remembered in the annals of communications. . . . Color television opens a new era in electronic communications and adds a new dimension to the entertainment arts."

The conquest of such frontiers did not come inexpensively; by the end of 1953, RCA's investment in color television totaled more than \$40 million, with \$25 million for research and development, and \$15 million to establish commercial color television.

Despite such sums and FCC approval,



BRIG. GEN. David Sarnoff, chairman of the boards of RCA and NBC (l), receives the plaque and key symbolizing the first annual Keynoter Award of NARTB from NARTB President Harold E. Fellows at the opening session of the convention in Los Angeles. (See story page 40).

Broadcasting, May 4

some in broadcasting remained skeptical of color TV's impact. Ted Bergmann, general manager of the DuMont TV network and director-designate of the broadcasting division of the Allen B. DuMont Labs, cautioned that color television would not "amount to much for several years" because of the relatively high cost of color sets, programing and advertising and the relatively low number of color viewers. "The reason for this reluctance," said Bergmann, "is simply the lack of a color audience in the foreseeable future. The best information that I can get persuades me that there will be only about 500 color sets by the end of 1953 in all the U.S., and the figure probably won't be over 100,000 at the end of 1954." Bergmann cited other costs of color programing. "Even to tie a local identification into a network program or to run a color film locally would call for an additional outlay of \$75,000 to \$100,000. . . . If a station were a little more ambitious and wanted to originate a live program in color it could easily sink \$500,000 to \$600,000 in equipping just one studio for such a purpose. In this connection, just let me make it clear that the equipping of one studio for live color would cost more than to put an entire station on the air with black and white.

With color yet to be exploited, black and white was being seen by increasing audiences. The popularity of CBS-TV's almost consistently number-one rated domestic comedy, *I Love Lucy*, created a trend. NBC in 1953 resurrected DuMont's *The Life of Riley*, casting William Bendix as Chester Riley, the rambunctious riveter, and Marjorie Reynolds as Peggy, his understanding wife, and NBC aired the Arbuckle domestic saga of *Ethel and Albert*, played by Peg Lynch and Alan Bunce. ABC presented *Make Room For Daddy*, the life and times of a fictional Danny Williams, star of the *Copa Club*, his wife, Marjorie, and their children, Ter-

ry and Rusty. Danny Thomas played the lead along with Jean Hagen.

New quiz shows included a short-lived run for Fred Allen as the host of *Judge for Yourself* (NBC), in which three studio contestants tried to match the ratings given by three professionals in judging undiscovered talent. *Name That Tune* (NBC), a musical quiz, debuted with Red Benson as host. Other shows with musical formats included DuMont's *The Music Show*, a musical variety with host Robert Trendler and regulars Mike Douglas and Elena Warner, and ABC's sustaining program, *Opera Versus Jazz*, a musical symposium with Don Cornell as the jazz specialist and Jan Peerce and Robert Merrill as the opera specialists.

In 1953 CBS inaugurated the historical dramatizations of *You Are There* with Walter Cronkite as host, as well as the celebrity interview show, *Person to Person*, with Edward R. Murrow.

During 1953 television presented a rich selection of serious drama that included *Kraft Television Theater* (NBC and ABC), *Studio One* (CBS), *Robert Montgomery Presents* (NBC), *U.S. Steel Hour* (CBS), *Revlon Theater* (NBC), *Medallion Theater* (CBS), *Omnibus* (CBS), *Crown Theater with Gloria Swanson* (syndicated), and *The Goodyear Television Playhouse* (NBC).

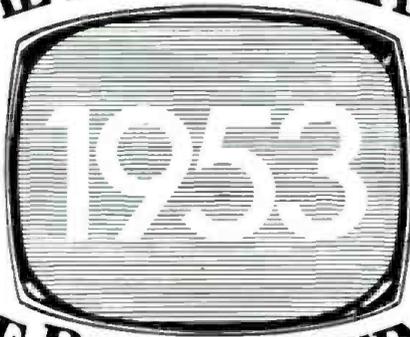
Eddie Albert appeared in a *Studio One* show of 1953, "The Trial of John Peter Zenger," based on the real-life libel trial won by the colonial printer. Eva Marie Saint and Frances Barclay appeared in *U.S. Steel's* "Wish On The Moon." Henry Fonda starred in the premiere broadcast of *Medallion Theater* on July 11 in an adaptation of Sinclair Lewis's novel, "The Decision of Arrowsmith." Other well-known *Medallion* stars included Ronald Reagan, Jack Lemmon, Claude Rains, Robert Preston, Martha Scott and Jan Sterling. Gary Merrill, Richard Kiley and Brian Keith starred in the premiere broadcast of the *U.S. Steel Hour*; "P.O.W." Rod Steiger's portrayal of "Marty" in the Paddy Chayefsky play of the same name for *Goodyear Television Playhouse* catapulted



MUTUAL Affiliates Advisory Committee's new officers for 1953-54, elected at MAAC's quarterly session Wednesday in New York, are (l to r): Bob McRaney, WCBI Columbus, Miss., secretary; Victor C. Diehm, WAZL Hazleton, Pa., chairman, and Rex Howell, KFXJ Grand Junction, Colo., vice chairman.

Broadcasting, Nov. 9

THE FIRST 50 YEARS



OF BROADCASTING

Having lifted its television freeze in 1952, the FCC pumped out television station grants in 1953. BROADCASTING noted: "Growth years have been the rule rather than the exception in the broadcasting business, but none has seen more dynamic growth than 1953."

Between Jan. 1 and the end of that year:

TV stations increased from 273 authorized (129 on the air) to 567 authorized (356 on the air).

AM's ranks grew from 2,524 authorized (2,391 on the air) to 2,636 authorized (2,521 on the air).

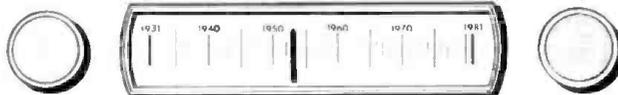
Only FM's number dwindled, dropping from about 600 authorized and on-the-air to 580 authorized (560 on the air).

These numbers were reflected in TV sales of \$384.6 million in 1953, up 35.9% from 1952. In radio, despite FM's retraction, time sales in 1953 were \$477.2 million, 1% above the preceding year.

A concomitant of this growth included the ABC-UPT merger and FCC approval of the National Television Systems Committee's compatible color standards. The first provided an infusion of ABC's competition with the other major television networks. The second provided a working peace among RCA, CBS and set manufacturers and provided a basis for color television's future dominance of black-and-white.

The FCC approved the merger of ABC and United Paramount Theaters in February in a 5-2 decision. Commissioner Frieda B. Hennock vigorously dissented. Commissioner E.M. Webster asked for further study of UPT's qualifications.

"The extensive financial resources of the other networks," the FCC majority opinion stated, "enable them to make greater program risks and to erect and staff more elaborate facilities. The lack of adequate and diversified resources has been the principal obstacle which has precluded ABC in the past from providing the vigorous competition which might have been expected from the establishment of ABC as an independent competitive network. Because of the necessity of investing its limited funds in physical improvements, ABC has been without the other funds needed for the development of a program service equal to that of its competitors ..."



Joseph Stalin died March 5 and Georgy Malenkov became prime minister of the Soviet Union. But in just weeks, Malenkov was forced to yield his top party post to Nikita Khrushchev. Other turmoil in the USSR saw the July 10 dismissal of Lavrenty Beria as chief of the Soviet secret police; he was executed Dec. 23 in a purge that also took the lives of six of his former aides. In Asia, Mount Everest was finally conquered May 29 by Sir Edmund Hillary of New Zealand and Tensing Norgay of Nepal. In Cuba, Fidel Castro failed in his "July 26 Movement" to take over the government and was jailed. In the U.S., major league baseball broke a structure that had existed for half a century when the National League Boston Braves switched to Milwaukee. In 1953, Van Heusen advertised its Century shirt for just \$3.95; print ads extolled the virtues of the nonwrinkling collar with a five-panel demonstration by Universal International star Ronald Reagan. And in BROADCASTING ...

ABC planned to use the \$25 million it acquired in the merger to seek new talent, affiliates and programs. Leonard Goldenson, AB-PT president, pledged that "with this approval comes a great responsibility. The American public is looking to a strengthened ABC for new and more varied programming on both radio and television. More entertaining, interesting and informative programs—these are the goals. It will, of course, take time, but we shall do our utmost in the coming years to keep faith with the public and the many radio and television station affiliates, stockholders, and employees who see in this merger an opportunity to build a vigorous, public minded and profitable broadcasting operation."

Hennock, the dissenting FCC commissioner, feared that instead of serving the public interest, the merger "portends harmful future consequences" for broadcasting by creating the potential for a monopoly. She reasoned that since television and motion picture theaters compete, there was a "substantial risk" that the merged company might engage in restrictive practices against TV, "particularly so when the company's greater investment in theaters may be an especially vulnerable or precarious position. ... It is simply too much to expect full, vigorous, and unrestricted competition between the separate arms of one company at the expense of consequent disadvantage and loss to the company's total operations." Nonetheless, American Broadcasting-Paramount Theaters Inc. existed with Leonard H. Goldenson as president and Robert E. Kintner as president of ABC in its new capacity as a division of AB-PT. Kintner was the choice of Edward J. Noble, board chairman of ABC and owner of 57% of its premerger stock, who became chairman of the new company's financial committee.

The FCC in December approved compatible color TV standards, which immediately affected RCA-NBC and CBS more than the newly rejuvenated ABC. The new FCC edict rescinded an earlier approval of the CBS system and endorsed the RCA-backed system supported by the National Television Systems Committee. While CBS had already learned that it could not persuade manufacturers to produce color sets they

tion, and the Fund for the Advancement of Education. To encourage educational stations, Emerson Radio and Phonograph Corp. pledged \$10,000 to each of the first 10 educational stations on the air.

The FCC's intermixture of VHF and UHF facilities in the same localities, while ostensibly treating UHF as an equal service, placed UHF at a competitive disadvantage, with its shorter range and a TV audience equipped with receivers containing no UHF capability. Nonetheless, the FCC received a substantial number of applications for UHF stations by the end of the year. In September KPTV(TV) Portland, Ore., became the first commercial UHF to go on the air.

By 1952 the average production cost of a prime-time network television program had risen significantly. In 1949, it had cost \$5,900 to produce a 60-minute variety show, but by 1952 it cost \$35,900. A 60-minute drama cost \$10,800 to produce in 1949, but \$21,100 in 1952. A 30-minute variety show in 1949 cost \$3,800, but \$16,700 in 1952. A 30-minute drama cost \$3,500 in 1949, but \$13,200 in 1952. A 30-minute quiz show cost \$1,730 in 1949, but \$9,640 in 1952. TV revenues were also increasing, to \$336.3 million, a 43% increase over 1951, with network business outpacing spot and local advertising. Still, 14 out of 108 stations were in the red.

Zenith continued to promote pay television. While some doubted the results of Zenith's Phonevision test, Zenith reported that the 1951 Chicago tests proved "the conviction shared by many outstanding leaders in the entertainment, educational, and cultural fields, that the public is willing to pay for certain types of high quality television programs otherwise not available to television set owners due to the inability or unwillingness of advertisers to meet the extremely high costs involved."

In starting its tests of Phonevision in 1951, Zenith had difficulty in obtaining the necessary "high quality" film needed for a fair experiment. Zenith wanted first-run films. But, the film industry, which for years had been apprehensive about TV's inroads and had withheld both its new and much of its old production from the new medium, simply viewed Phonevision as another TV threat.

Television as a whole was offered hope in its quest for Hollywood's output when the Justice Department in July filed an antitrust suit against 12 motion picture producing and distributing firms charging them with conspiracy to restrain interstate commerce in 16mm films; the television industry hoped that this action would make films for video use more easily obtainable. Twentieth-Century Fox, Warner Brothers, RKO Radio Pictures, Columbia Pictures, Screen Gems and others denied the allegation.

For some beleaguered owners of movie houses, theater television, the closed-circuit presentation of special events, provided one offset to the losses in movie revenues during that period. In 1952, the

FCC held hearings that focused on such theater TV issues as who would run theater TV, and how the bidding for productions would affect regular television fare. Nathan L. Halpern, president of Theater Network Television, testified that he foresaw "fabulous profits" for theater TV once more theaters installed equipment, and more productions became available. Theater TV events in 1952 included the September Rocky Marciano-Jersey Joe Walcott fight shown to 125,000 paying viewers in 50 movie houses, and the December full-length production of Bizet's opera, "Carmen," staged at the Metropolitan Opera House in New York and shown in 27 movie theaters. In FCC hearings during October, theater TV proponents asked the commission for an exclusive 360 mc band in the 5925-6875 mc common-carrier portion of the spectrum. After hearing the technical aspects of the



Nixon: the Checkers speech

petition, the FCC continued the hearings to January 1953.

Despite FCC approval of CBS color in 1951 and a partial lifting of the National Production Authority's color manufacturing ban, lack of industrywide support for the CBS system slowed the development of color TV. Finally, CBS in August joined the industrywide National Television Systems Committee to work on development of a compatible color system along the lines of the RCA model.

By 1952, the bulk of network programming consisted of variety shows. The networks devoted 249 quarter-hours of programming, 31%, to this mode; 64 quarter-hours to music, 8%; 196 quarter-hours to drama, 24%; 93 quarter-hours to quiz programs, 12%; 56 quarter-hours to news and information, 7%; and 145 quarter-hours, 18%, to other types of programming.

Two syndicated half-hour dramatic series that debuted in 1952 were *Death Valley Days*, an anthology of shows depicting the struggle of pioneers from Nevada to California, narrated by Stanley Andrews as the "Old Ranger," (later by Ronald Reagan) and *Favorite Story*, dramatizations of stories selected by guests, and hosted by Adolphe Menjou. *Sky King*, the adventures of the Flying Crown Ranch, while continuing on Mutual radio, made its television debut on CBS in September.

The comedic adventures of Bud Abbott and Lou Costello in *Abbott and Costello* won audiences on CBS-TV, as did every-

one's teacher. *Our Miss Brooks*, played by Eve Arden, with Gale Gordon as Osgood Conklin, the principal of Madison High School. *My Friend Irma* also came to CBS-TV after gaining popularity on radio.

New TV variety shows included Jimmy Durante on NBC's *Buick Circus Hour*, which aired every fourth week in place of Milton Berle's *Texaco Star Theater*, and Bob Hope with his own show for NBC which combined an opening monologue, skits and guest stars. *American Bandstand*, a new musical variety show that illustrated the growing favor of top-40 programming, appeared with Dick Clark as host from Philadelphia.

Two educational shows that were to have long runs appeared. One for preschool children, *Ding-Dong School* (NBC), presented Dr. Frances Horwich leading the groups of the very young in such activities as ring-a-round-the-rosy, finger-painting and milk-and-cookie eating. The other, for adults, *Omnibus* (CBS), presented Alistair Cooke leading home viewers through the delights of ballet, dance, history and drama.

Walter Winchell, a radio favorite, brought his 15-minute news commentary, *The Walter Winchell Show*, to ABC-TV. ABC also entered into the field of Washington news panel programs with *Crossfire*, hosted by Gunnar Back and simulcast on the ABC radio network. NBC experimented with a combination early-morning (7-9 a.m.) news, weather, sports and interview format by presenting *The Today Show* with host Dave Garroway. This innovation in programing, which cost \$35,000 per week to produce, proved to be a winner. The addition of J. Fred Muggs, a chimpanzee, proved to be one of the more successful gimmicks in TV promotion.

With such programing, the ostensible end of the color war between CBS and RCA, the imminent Paramount-ABC merger and President Eisenhower's visit to Korea, Americans by the end of 1952 anticipated peace, prosperity and an all-powerful television industry that included many new stations, new programs, and even color television.

Stay Tuned

1. Which FCC commissioner objected strenuously to the ABC-UPT merger?
2. What development occurred on the FCC's giveaway program rules?
3. What group sued BMI and NARTB for \$150 million?
4. What did the FCC do in December to foster the advent of color television?
5. Who received the NARTB's first Keynote Award?

The answers
in "1953:"

MEETING THE CRISIS

NBC Reinforces; CBS Stations Buck Cuts

THE biggest problem facing network radio—how to re-stabilize it—was approached in separate but significant moves last week by the management of NBC and a group of affiliates of CBS Radio.

● NBC, to coordinate its radio and TV activities more fully, put NBC-TV Vice President Sylvester L. (Pat) Weaver Jr. in charge of both the radio and TV networks and installed Frank White as vice president and general manager of both, almost simultaneously starting to promote the use of radio and TV in combination as the most effective advertising buy.

● Looking toward the July 1-2 "Crisis Conference" of CBS Radio affiliates and CBS officials, members of the affiliates' steering committee met in an agenda session whose tenor gave notice that the network faces a scrap if and when it undertakes any major reduction in rates.

The NBC realignment, calculated to result in "more use of radio in both radio-only and television



Mr. WEAVER

... heads radio and TV networks



Mr. WHITE

... vice president & gen. manager

made our NBC television network such a success. The NBC television audience will have the advantage of a coordinated schedule of enter-

prises a more exciting supplementary program schedule on radio. We expect the result to be more use of radio in both radio-only

and television as combined sales tools, and authorities expected that this would become standard procedure.

The 43-year-old Mr. Weaver, with NBC since August 1949, has won reputation as a new-program idea man. Some of the departures from standard programming concepts which he has installed at NBC-TV are represented in the Saturday-night *Show of Shows*, with its rotation of stars, and *Today*, the two-hour early-morning communications program.

He started his career with advertising copy writing in Los Angeles following graduation from Dartmouth College in 1930, moved next into radio program production with CBS-Don Lee network, and became program manager of Don Lee's KFRC San Francisco. Moving to New York in 1935, he produced the *Fred Allen Show* for Young & Rubicam. By 1936 he had become manager of the agency's radio department. In 1938 he joined American Tobacco Co. and a year later

—Broadcasting, June 23

rebroadcast rights to the FCC, but also feared that the new rule could violate their property rights in program ownership. Mounting pressure prompted the FCC in November to drop the mandate for an explanation, but the commission reiterated the need for a station to refrain from arbitrary refusals of rebroadcast privileges. Station owners breathed a bit easier when the FCC stated that the tightening of rebroadcast rules was not intended to jeopardize program rights.

Television's competition and the fact that the radio networks were turning back more and more time to local affiliates gave impetus to specialty programming that catered to audiences of different backgrounds and ages. The top-40 format was emerging. It featured disk jockeys with "in" talk and showmanship that appealed to the young, and a playlist rigorously confined to the top-selling records of the day. The pioneers were group owners Gordon McLendon of Dallas and Todd Storz of Omaha.

AM radio continued to air shows with big-name stars. New syndicated ventures in 1952 had Tyrone Power starring as an idealistic senator in *Freedom U.S.A.*, and Dana Andrews as an American spy in *I was a Communist for the FBI*. ABC hoped that Marlene Dietrich as Mlle. Madou, owner and chanteuse of the *Cafe-Istanbul* would lure listeners. The top evening network radio shows included several old favorites such as *Jack Benny*, *Lux Theater*, *Walter Winchell*, *Gangbusters*, *Arthur Godfrey's Talent Scouts*, *Bing Crosby* and *Gene Autry*. Despite such programming, a typical radio listener tuned to radio for an average of 28 minutes less each day than in 1951; but an increase of two million new radio homes partially offset this loss.

FM radio gained the potential for new listeners when the U.S. Supreme Court in June held that the District of Columbia Public Utilities Commission had acted within its rights in permitting radio programming on street cars and buses. The high court's decision set aside an earlier appeals court ruling that transcasting deprived riders of their liberty without due process of law. "The sweeping 7-1 decision," BROADCASTING commented, "opens a new radio vista. It sanctions the birth of a new advertising medium. It affords the opportunity to a substantial number of FM broadcasters to earn a return on their investments."

While the new ruling portended growth in FM, the passage of the McFarland bill, sponsored by Senator Ernest McFarland (D-Ariz.), and the FCC's issuance of its Sixth Report and Order presaged even more dramatic change. When President Truman signed the McFarland bill in July, he authorized the first major overhaul of the Communications Act of 1934. The salient provisions of the new act permitted the FCC to issue cease-and-desist orders in addition to license revocations; required the FCC to act on a case within three months of filing or six months after a hearing concluded, or to explain the reason to Congress; required the FCC to answer protests or petitions for rehearing within 15 days; placed on the FCC the burden of proof that a licensee was not qualified for renewal; forbade commissioners who resigned to practice before the FCC for one year after resignation; withdrew the FCC's automatic power to revoke licenses of those found guilty in federal court of antitrust violations; prohibited broadcasters from charging more for political advertising than for regular commer-

cial ads; prohibited staff personnel from recommending actions to commissioners, and permitted protests against grants to be made up to 30 days after the grant.

In its final form the enacted legislation represented a series of compromises that, as BROADCASTING summarized, "can be lived with, not only by the licensees, but the licensors. It isn't a broadcaster's bill, but it does give the broadcaster a better shake before the commission. It doesn't solve the broadcaster's dilemma on political libel in this feverish election year, but it does give him a headstart on remedial legislation at the next Congress. . . ."

The FCC's Sixth Report and Order, issued April 14, established a national television policy for the United States, ending the three-and-a-half-year television freeze. The salient provisions of this report provided 2,053 station assignments to 1,291 communities; designated 617 VHF and 1,436 UHF assignments; reserved 242 noncommercial educational channels, including 80 VHF; and determined maximum power for channels 2-6 as 100 kw, for channels 7-13 as 316 kw, for channels 14-83 as 1,000 kw. Going into 1951, there were only the 108 pre-freeze stations operating; but by the end of the year the FCC received 700 applications and issued 90 authorizations for new television stations.

The Sixth Report's rules on educational reservations and on UHF allocations caused the most repercussions. The FCC reserved the educational assignments for only one year, after which the educational proponents would have to compete with commercial applicants. To establish local campaigns to raise support and funds for educational TV, the Ford Foundation provided money to the Fund for Adult Educa-

ING editorialized, "can disagree with the measured logic of FCC Examiner Leo Resnick recommending the merger of ABC and United Paramount Theaters . . . The Resnick recommendation should make the FCC course easy. In its 139 pages, plucked from a million-word record more than a year in the making, is the first case analysis of the relationship of motion pictures, both production and exhibition, to television broadcasting, in all their ramified aspects."

Despite Resnick's measured argument, both the FCC's Broadcast Bureau and DuMont Labs filed objections to the merger, repeating that the risks of a potentially monopolistic combination of radio, TV, and motion picture interests outweighed potential benefits.

In other network news, CBS celebrated its 25th anniversary, and Congress scrutinized programing. The CBS radio network had begun with a 16-station hookup on Sept. 18, 1927, when Major J. Andrew White, a popular announcer, introduced the network and its premiere show, *The King's Henchman*, an American opera by Deems Taylor and Edna St. Vincent Millay. By the end of 1953 CBS had 217 affiliates and a powerful voice in network affairs.

By 1952 broadcast programing was coming under renewed scrutiny in Washington. Senator Estes Kefauver (D-Tenn.) conducted an inquiry into the relationship between radio-TV violence and juvenile delinquency, while the House conducted an investigation into "immoral or offensive" radio and TV programing. Kefauver suggested that the violent role models found in shows might encourage children to act violently. The House sat through testimony about the alcoholic advertising (then as now for nothing stronger than beer or wine), drinking scenes, low necklines and licentious behavior. ABC Commentator Paul Harvey, based in Chicago, told House committee members that the root of the problem lay in the concentration of broadcasting in New York; comedians felt a need to reflect "the bawdy nightlife" of Manhattan in their TV acts.

The National Association of Radio and Television Broadcasters continued to fight for the right of broadcasters to regulate themselves. The NARTB's TV code review board in October, shortly after the House probe began, warned telecasters to exercise caution in scheduling mystery and crime shows during children's programing hours. At the end of the six-month hearing, FCC Chairman Paul A. Walker testified to Congress that "no code can, or should, relieve the subscribing stations of their individual responsibility to operate in the public interest. It is not a sufficient answer to valid criticism . . . for a station to say that it has lived up to the standard established by an industrywide code. . . . Codes should not and cannot be allowed to act as a prescription for nationwide uniformity, or as the automatic touchstone for determining how in-

dividual licensees should meet the particular programing needs and objectives of their . . . communities."

As a conclusion, the House committee, led by Chairman Oren Harris (D-Ark.), supported voluntary industry censorship. This industry victory was dimmed when the House committee concluded that the government possessed the right, if needed, to legislate programing control, a statement that stirred broadcasters' anxieties.

Programing made more news in 1952 on Capitol Hill. Speaker of the House Sam Rayburn (D-Tex.) blocked radio and television coverage of public hearings of House committees while permitting newspaper coverage. BROADCASTING responded that "the great goal of the future . . . must be the admission of radio and television to all public meetings of the Congress, on a basis of equal access with the press. What this would mean would be, in the truest sense, the admission of the public to public meetings, on a scale made possible only by the miracles of radio and television."

To test the FCC's three-year old ban against giveaway shows, a three-judge federal statutory court met in New York in December. ABC, CBS, and NBC had secured a stay order in September 1949 before the FCC's rules could be implemented. Although 1952 saw significantly fewer quiz shows than 1949, the FCC defended its decision, reasoning that the giveaway shows involved "consideration" since the audience was "bought" by the lure of prizes. The networks countered

that the FCC possessed no authority to interpret lottery laws.

In its brief, ABC argued that the FCC lacked the right to revoke or renew a station's license based on the sole criterion that the station broadcast a program that conflicted with the FCC's interpretation of the lottery statute. CBS stated that although it had invested hundreds of thousands of dollars in these fairly lucrative giveaway shows, the network had been unable to attract new sponsors because of the FCC ban. NBC based its objections on two points: that the FCC order was void because the commission did not have the authority to censor program content, and that the FCC order incorrectly interpreted Section 1304 of the criminal code. The FCC scheduled further hearings for 1953.

In an incursion into the field of rebroadcast rights, the FCC in May issued a new policy that required a station that refused to allow another to rebroadcast a program to provide a cogent explanation to the FCC within 10 days of the refusal, or face sanction for failure to comply with the public interest. Speaking for many in the industry and calling the FCC ruling "legalized larceny," BROADCASTING criticized the FCC for adding "a provision that would not only subject stations and networks to constant jeopardy, but which also defies every legal concept ever enunciated on the sensitive matter of private property rights. . . . For crass unreasonableness if not stupidity, there's nothing like this in regulatory annals." Broadcasters not only worried about the time, expense and paperwork of explaining every denial of

you'll see it first thing . . .

“**today**”

7:9 AM EST

Before you leave home in the morning . . .
even before you finish your second cup of coffee . . . you
are going to become an ear and eye witness to
every major world event—as it happened while you slept,
as it happens now. This is the NBC Television program called
“Today”. This is the program that *entertains* as it informs.
This is the morning briefing-session that will
arm you with information to meet the day—
more fully than any citizen has ever been armed before.

See “today’s” debut. January 14, 1952, 7 to 9 am EST

NBC TELEVISION

AMERICA'S NO. 1 NETWORK FOR ENTERTAINMENT, NEWS AND INFORMATION
A Service of Radio Corporation of America

prosecution for perjury if she deviated from the prescribed script. As a result, Lamb's attorney requested that all of Natvig's testimony, including her allegations of Lamb's Communist ties, be stricken from the record, and that the case be dismissed on the grounds that the FCC failed to substantiate its charges.

Instead, the FCC pursued its case by calling Lamb as a witness. Lamb denied consorting with Communists, and defended his association with the National Lawyers Guild, an organization labeled by the FCC as being Communist-dominated. "I make no bones about it," Lamb commented on his association with the NLG, "I'm proud that it was because of fellows like myself that you had a New Deal and a Fair Deal." The FCC, as BROADCASTING noted, "is in serious trouble in the Edward Lamb license renewal case—perhaps the most serious in its tempestuous history."

FCC Hearing Examiner Herbert Sharfman in December issued an initial decision recommending that Lamb's WICU be renewed. Sharfman explained that "... there is no proof that Lamb personally engaged in any subversive activity. Lamb's possible naivete in allying himself with these groups ... cannot, on this record, be transformed into something more sinister; his professed sympathy with the underdog, his espousal of 'liberal causes' and his prominence in the community undoubtedly made him attractive to certain organizations, and the first two factors must also have made him personally susceptible. But to say that he was starry-eyed is not to conclude that his eyes must also have been shot with malevolent gleams. ..."

The Lamb case ended in 1955, not with a bang but with a reasoned dismissal of the government's charges. "In all FCC history," BROADCASTING commented, "it would be hard to find a case originated, conducted and concluded with such little regard for due process of law, such frenzied political maneuvering and, on the part of Mr. Lamb and his associates, such vigorous utilization of publicity. ... Aside from the incredible performances of witnesses, the conduct of other parties in the hearing was deplorable. ... It would be nice to forget the Lamb case, but we suspect that other licensees may find it difficult to put from their minds the image of potential prosecution at the whimsy of the FCC."

Another investigation involving the film industry came to a close in 1955, that of Justice Department's antitrust suit against major motion picture distributors. For years, television had hungered to get into Hollywood's vaults of past releases to supplement TV programming. The major motion picture producers steadfastly refused to help a medium they felt was directly competitive. They also held that sales to TV would kill reissue and remake potential of their films. While the government pressed its charges of restraint of trade, Jack L. Warner, vice-president in charge of production at Warner Brothers, admitted



MARIE NATVIG

—Broadcasting, Feb. 14



WITNESS LAMB

—Broadcasting, April 11

that from 1948 to 1950 Warner Bros. refused to release any movies to television. "If people can get something for free," Warner testified, "I see no reason why they should want to pay for it." Warner as well as Charles Feldman, Universal-International sales executive, and John Desmond, head of United World Film Corp., argued that not only did a TV showing destroy the reissue and remake value of a film, but that TV had caused over 5,000 theaters to close in the last few years. Chief U.S. District Judge Leon Yankowich upheld the withholding by five motion picture companies (20th Century-Fox Film, Warner Bros., RKO-Radio, Columbia Pictures, Universal) of films from television release, stating that the Sherman Antitrust Act condemns only "unreasonable restraint," and that competition is not "an absolute under American law and economy."

As film became an ever-increasing need for TV programming, networks cultivated other sources. ABC, for example, paid \$1.5 million to the British J. Arthur Rank Company for 100 feature films for use on the network's *Afternoon Film Festival*.

According to a BROADCASTING survey, filmed programming on television (movies and filmed TV shows) in the six months between spring and fall 1955, rose from 32 hours and 38 minutes to 42 hours and 40 minutes each week, or from 36.8% of the stations' air time to 45%. Nonnetwork stations devoted the most time to film, 51 hours and 35 minutes, or 72%, while non-interconnected affiliates ranked second in use of film with 41 hours and 31 minutes, or 64.2% of their time, and interconnected network affiliates utilized the least filmed programming, averaging 30 hours and 24 minutes a week, or 31% of their total time.

DuMont, losing ground in the network competition, announced in January that it had developed a combination live-film network system. DuMont executives, citing statistics that the DuMont network had never shown a profit, blamed the situation in large part on the "excessive" cost of producing live programs and transmitting them by cable to affiliated stations. To reduce those costs, DuMont developed its "Electronicam," a single-unit combination of a motion picture and a television camera. "Our new development," DuMont declared, "is a wedding of electronic equipment and motion-picture cameras. It permits the instantaneous and continuous recording on high quality motion picture film of all programs at greatly reduced cost. In this way it should be possible to eliminate cable costs ... except for occasional uses to carry profitable current events, or live sports or other important live shows."

By April DuMont switched to a predominantly film network that utilized the Electronicam, stressing the rerun possibilities of its high quality film as compared with the lower quality kinescope.

But despite DuMont hopes, its network star continued to dim. By the middle of September, Monday night boxing was the only network show surviving. And a proposal was made to stockholders that the Allen B. DuMont Labs and the broadcast division, which still included two TV stations, become separate divisions.

Another programming concern, resurrected by Senator Estes Kefauver's (D-Tenn.) hearings, centered on a possible causal relationship between television and juvenile delinquency. Most witnesses called for a long-range study, and most broadcasters cited the need for continued self-regulation as opposed to government intervention in programming. Joseph Heffernan of NBC expressed the feeling of the latter group when he declared: "We are opposed to government censorship and to any device by which government is empowered to check the expression of opinion. We believe that in the long run any attempt to regulate program content by decree will prove both unwise and unworkable. In taking this position we feel it

until a solution could be found to the UHF situation. "The scheme," BROADCASTING editorialized, "is hare-brained. Its proclaimed purpose is to maintain the *status quo* of the UHF situation during the interim when the commission is considering possible remedial action. . . . The FCC is under pressure from Congress to do something for UHF. But it can't pass miracles. It should be evident that neither UHF or VHF, standing alone, can provide optimum, saturation service. VHF has the greater coverage and can provide service to rural and remote areas which could not be served economically by UHF's situated in the larger cities. . . . Transition to UHF would mean the loss of even fringe service to those who are most—the remote dwellers."

However, the FCC did not suggest a freeze when, in late March, it replied to the Magnuson committee on the Plotkin and Jones memorandums.

While Senator Magnuson's opposition to such a freeze ended that as a remedy, many broadcasters looked to a form of deintermixture as a practical solution. The FCC, despite Commissioner Frieda Hennock's opposition, proposed deintermixture in four cities: Evansville, Ind.; Hartford, Conn.; Madison, Wis.; Peoria, Ill., and (later) in Albany, N. Y. In each city the educational station would switch to VHF, while the commercial stations would become UHF. Hennock objected on the grounds that the UHF problem was national and could only be solved by a "nationwide reallocation plan."

FCC Commissioner Doerfer in July proposed deintermixture for major television markets such as New York, Chicago and Los Angeles, arguing that the big markets were the places to test UHF's capabilities. According to his plan, New York's seven VHF stations would become UHF. "Admittedly the cost of conversion in and around New York City," Doerfer conceded, "may well approximate \$500 million. But the accumulated costs are not the standards by which to judge the respective equities of the television viewers. Why . . . should a resident in New York City be permitted to enjoy a choice of seven channels without conversion costs and a farmer in Wisconsin, Illinois, Indiana, Connecticut and New York be denied any television service?"

FCC Commissioner Robert E. Lee presented another approach. He recommended that the FCC give up on UHF. Instead, he said, the commission should attempt to obtain more channels for VHF television from existing military allocations and by relaxation of existing FCC regulations on mileage separations. The FCC in October formally requested that the Office of Defense Mobilization exchange some of its VHF frequencies for UHF.

BROADCASTING commented on the situation and the FCC's seemingly contradictory responses: "In gravity and intricacy the UHF-VHF problem exceeds any other now before the FCC . . . On the

JOHNNY CARSON SHOW

CBS-TV's summer entry in the most-likely-to-be-discovered-comedian-of-1955 sweepstakes is Johnny Carson. Tall, thin, dark, with outstanding ears and an engaging grin, young Mr. Carson is neither particularly handsome nor home-ly. When he first appears on his program, alone before the camera, he impresses the viewer as a pleasant person who probably will be fun to know.

Format of the July 14 telecast closely resembled that of a Bob Hope show. There was an opening monologue by the star, a couple of songs by the guest singer—in this case the lovely-to-look-at, easy-to-listen-to Lisa Kirk—a comedy routine, some dialogue with the guest, a quartette number and a hasty closing to get things wound up before the final commercial.

But the program's format was its only resemblance to the Bob Hope show. Mr. Hope is a high pressure comic, spouting gags at machine-gun tempo.

Excerpt, "In Review," *Jr* 25

one hand, the FCC through its chairman, put in motion an attempt to obtain more VHF channels from the military and, on the other, fixed Oct. 17 as a date to consider all the deintermixture petitions now before it. To some extent those actions appear to contradict each other. The effort to obtain VHF space from the military is the first to be undertaken officially by the FCC. Hence the official action suggests that the commission regards VHF as more desirable than UHF. . . . The UHF petitioners in the deintermixture cases cannot be expected to feel that their pleadings will be considered with special sympathy by a commission that has already implied skepticism about the worth of UHF."

By November the FCC changed direction. Denying the five petitions for deintermixture, the commission decided instead to consider a revision or possibly a retirement of the 1952 Sixth Report and Order, the basis for the current system of frequency allocations, because "... if

deintermixture, even on a partial basis, should finally be determined to be a useful method of resolving the overall problems, the particular communities for its application should not be selected merely because of the fortuitous circumstance of whether a VHF station has commenced operation in any particular community." And so the UHF-VHF conundrum persisted.

Meanwhile the FCC, with Richard Mack as the replacement for Frieda Hennock (who failed to receive renomination from President Eisenhower), laid the foundations for a broad investigation that BROADCASTING reported as one that "threatens to be the toughest in 15 years and to embroil advertisers, agencies, station representatives and talent." According to a staff directive, the study focused on, among other things, network affiliation policies, program production and distribution, station representation, common ownership of radio and TV networks, multiple ownership of stations, the economic potential of advertising-supported broadcasting, and the availability of national advertising for network and spot broadcasting. According to a November FCC statement "the network study will concern itself with the broad question of whether the present structure, composition and operation of radio and television networks and their relationships with their affiliates and other components of the industry tend to foster or impede the maintenance of a nationwide competitive radio and television industry."

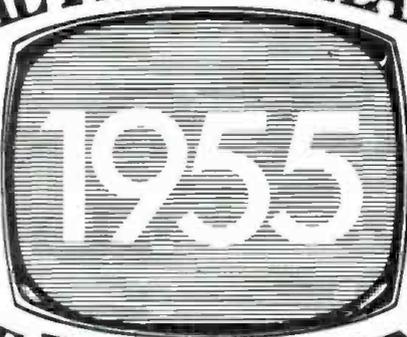
The long and often melodramatic FCC hearing on the renewal of WICU Erie and the qualification of owner Edward Lamb took another bizarre turn in February. A key FCC witness against Lamb, Marie Natvig, recanted, charging that former FCC counsel Walter R. Powell Jr. had "brainwashed" her into giving false testimony and had threatened her with



PRESIDENT EISENHOWER, who addressed NARTB convention delegates last Tuesday morning, meets Clair R. McCollough (c), Steinman Stations, and Henry Clay, KWKH Shreveport, La., co-chairmen of the 1955 convention.

—Broadcasting, May 31

THE FIRST 50 YEARS



OF BROADCASTING

There were fireworks for broadcasters on Capitol Hill, at the FCC and in the courts throughout 1955.

Although the Senate had shifted from Republican to Democratic control, Chairman Warren G. Magnuson (D-Wash.) promised to continue the Senate Commerce Committee's investigation of TV networks and UHF-VHF problems that had started in the summer of 1954 under then-Chairman John W. Bricker (R-Ohio).

To study such network practices as affiliate relations, option time and program syndication, the FCC appointed a task force of Chairman George C. McConaughy and Commissioners Rosel Hyde, Robert Bartley and John C. Doerfer.

To decide whether Edward Lamb's WICU(TV) Erie, Pa. should be renewed, the FCC continued to call witnesses and sift through increasingly inconsistent testimony about Lamb's alleged Communist connections.

To complete an antitrust suit against some Hollywood major motion picture producers that were withholding movies from TV, the Justice Department submitted final arguments in what was to be a losing cause.

To analyze a possible connection between TV programming and juvenile delinquency, Senator Estes Kefauver (D-Tenn.) called a long list of witnesses to testify before his Juvenile Delinquency Subcommittee.

The Magnuson committee in February promised to conduct "the toughest investigation of broadcasting in 21 years" when it released a memorandum of suggested reforms proposed by Harry M. Plotkin, one-time assistant general counsel of the FCC who served as minority counsel to the Bricker committee. The FCC and the Justice Department were ordered to report on how they intended to implement the Plotkin reforms. The committee set public hearings for FCC and Justice Department testimony, appointed Senator Clarence C. Dill, co-author of the Communications Act of 1934, to suggest needed revisions of that act and appropriated \$75,000 for "highly trained professional people" to conduct inquiries.

Some of the reform measures in the controversial Plotkin memorandum included: the elimination of network option time on the theory that it gave network advertisers an advan-



In England, Winston Churchill resigned and Anthony Eden succeeded him April 6. Argentina's president-dictator, Juan Peron, was ousted Sept. 19 after a military revolt. The Federal Republic of West Germany became a sovereign state May 5. In the United States, President Eisenhower suffered a coronary thrombosis in Denver Sept. 24. On Dec. 1, Martin Luther King Jr. came to greater national attention as he led a black boycott of the Montgomery, Ala., bus system. On Dec. 5, the American Federation of Labor and the Congress of Industrial Organizations merged into a 15-million-member AFL-CIO under President George Meany. Hollywood turned to its erstwhile enemy, television, for source material and came up with the Academy Award winner as the best picture of the year, "Marty."

And in BROADCASTING ...

tage over spot advertisers and that it mitigated against a variety of program sources; the discouragement of station representation by networks; the forcing of an FCC study of AT&T line charges; a review of multiple station ownership rules with a possibility of reverting to the prewar limit of three; and a study of the separation of the ownership of radio and television networks.

CBS proved to be one of the strongest critics, declaring "that many of the proposals of the Plotkin memorandum, insofar as it deals with network television, are mistaken, unpractical and unwise. If these proposals were to be adopted, network television as it is known today would be

gravely crippled and the public's investment of \$13.5 billion in receivers would be substantially depreciated."

While the controversy raged over the Plotkin measures, Senator Bricker released the Jones Report, a companion piece compiled by Robert F. Jones (former Republican special counsel to the committee and a one-time FCC commissioner). Jones found network practices deplorable and UHF in serious financial trouble, but recommended little immediate action until further study. Several of Jones's recommendations included further study of Senator Bricker's network regulation proposal, further study to find a way to place UHF on a better footing with VHF, the abandonment of a proposal to shift all VHF to UHF, and more uniform and consistent affiliation policies by networks. Warning "that a little knowledge is a dangerous thing," Jones recognized the UHF problem without advocating a particular reform. "Any action to make UHF service competitive with VHF," he reasoned, "would require a wholesale reassignment of VHF channels and entail staggering capital expenditures by VHF permittees and licensees. Deintermixture also would entail staggering capital expenditures for every VHF station located in proposed UHF-only cities and by millions of VHF-only set owners in the proposed deintermixed UHF-only areas."

But those opening fireworks heralded a hearing that never got off the ground in 1955; Magnuson finally rescheduled it in January of 1956.

UHF's problems and proposed solutions persisted. An FCC staff report in March recommended a VHF television freeze

proof that Hollywood's hackneyed press agency and program formats are bad television."

Reversals and problems surfaced in other areas of the industry as well. Edwin Armstrong, 63, the inventor of frequency modulation, beleaguered by his patent dispute with RCA and saddened by his wife's estrangement from him died in a fall from his 13th floor New York apartment. Police listed his death as a suicide. "Major Armstrong, in life," wrote BROADCASTING, "erected for himself a monument that is timeless. Every time one turns on his radio or television set he is paying tribute to Edwin Howard Armstrong. Others gave radio a voice; he gave it sensitivity and amplification."

Edward Lamb faced problems too, as the FCC continued its license renewal hearings, charging Lamb with Communist associations. To counter the allegations, Lamb offered \$10,000 to anyone who could disprove his affidavit in which he denied any connection with the Communist Party or Communist sympathizers. "Obviously," Lamb said, "no decent American citizen enjoys being a victim of a smear campaign or a victim of a frame-up, even when such an attack is motivated by one's competitors or other jealous persons." The FCC argued that Lamb lied about his Communist affiliations, favored Communist communications and gave money to Communist causes. Despite Lamb's repeated denials and requests for a speedy hearing, the case dragged on with no decision being made by Christmas recess.

In addition, the Department of Justice proceeded with two antitrust probes that touched broadcasting. One involved a suit alleging monopoly by several film distributors in the release of 16 mm movies for TV, and the other involved a preliminary inquiry into advertising business practices. The FCC officially changed its composition as Robert E. Lee and John C. Doerfer both received confirmation for full seven-year terms (see 1953), and George E. Sterling resigned. President Eisenhower in September appointed Ohioan George C. McConaughy as FCC chairman. Ike made his choice in the belief that "government should exert a minimum of interference with the lives and fortunes of its citizens." Rosel H. Hyde, who had served as chairman since April 1953, reverted to a commissionership.

The future of radio networks was further indicated by events that took place later in the year. In one, RCA-NBC Board Chairman David Sarnoff told an affiliates meeting in Chicago that network radio may eke out a "poor existence" and that its survival depended on new patterns, new selling arrangements and new types of programs. Sarnoff's remarks were part of an overall assessment of major issues in broadcasting.

The changing pattern dictated for radio networking was also underscored by MBS President Thomas O'Neil. Speaking at an October testimonial luncheon on MBS's 20th birthday, O'Neil said: "We have to



FOLLOWING installation of Oliver Treyz (4th l) as the first president of Television Advertising Bureau, seven of the 10 members of the TvB board of directors pose with their new president. L to r: George B. Storer Jr., Storer Broadcasting Co.; W. D. Rogers Jr., KDUB-TV Lubbock, Tex.; Richard Moore, KTTV (TV) Los Angeles, and board co-chairman; Mr. Treyz; Clair R. McCollough, WGAL-TV Lancaster, Pa., also TvB board co-chairman; Merle S. Jones, vice president, CBS-TV New York; Lawrence H. Rogers, WSAZ-TV Huntington, W. Va., and chairman of the TvB membership committee, and Roger W. Clipp, WFIL-TV Philadelphia. TvB directors not present were Campbell Arnoux, WTAR-TV Norfolk; Kenneth L. Carter, WAAM-TV Baltimore, and H. W. Slavick, WMCT (TV) Memphis.

—Broadcasting, Oct. 13

bury the past. This means a reappraisal on the basis of where our listeners are, what type of people are included in these listeners and what have been their changing listening patterns because of the inroads of television." He added that MBS would "prevail for many more 20 year spans," but with little resemblance to existing operations.

By the end of the year the FCC and broadcasters still needed answers to that problem and other issues that included VHF-UHF coexistence and a lingering fear of subterranean Communist influence. The American public looked forward to better programming, and more affordable color TV sets. BROADCASTING, in its December forecast for the coming year entitled, "1955: Lumps, Bumps, and Business," predicted more money for broadcasters and more investigations as well: "Broadcasting is becoming big business. It will be bigger in 1955. Because of bigness there are more brickbats than bouquets being thrown—legislatively, businesswise and otherwise. . . . Many wonders are destined to emerge from the laboratories. Color TV should get rolling. . . . Nationally, it would appear that radio has suffered because it has become the poor relative living under the same roof with its more affluent TV cousin. Locally, radio continues to do pretty well. . . . Business prudence dictates full divorcement of radio and TV in selling and creative programming. On the Washington front, the forecast is for inclement weather with storms of hurricane force on Capitol Hill. . . . The question is no longer whether there will be an investigation, but whether there will be two or more running simultaneously, and covering substantially

the same ground. Because TV has become of almost inestimable public importance, it has attracted the politicians' interest. Similarly, the blue-nosers and the reformers are swarming like the termites they are. . . . It is the regulatory and legislative picture that's most alarming. In spite of being plagued by the reformers and plundered by some politicians, we'll predict, the broadcast media will wind up 1955 as first in the hearts of their countrymen."

Stay Tuned

1. What network reforms were suggested in the Plotkin memorandum from Senator Magnuson's committee that was investigating TV networks?
2. How did the shape of the DuMont Television Network change in 1955?
3. What adult western debuted on CBS-TV in the fall, became a long-running success and was mainly responsible for a new trend in programs?
4. Who was the Democratic senator from Tennessee who probed for a possible link between TV and juvenile delinquency?
5. What television special, starring Mary Martin, captured an audience of 65 million?

The answers
in "1955."



Mr. Lamb (l) and Sen. Kefauver . . . at Comr. Doerfer's nomination hearing before Bricker committee.

—Broadcasting, Aug. 16

first three to five years—be confined to UHF.

As a solution, the FCC announced that after Sept. 1, it would consider applications for two new kinds of stations: a UHF satellite station that would rebroadcast the parent station and that could be either UHF or VHF, and a UHF budget station, an independent local UHF outlet that would operate virtually nothing but a transmitter and telecast only film or network material. Such options, the FCC hoped, would enable existing UHF stations to expand their coverage and would allow low-cost independent UHF stations to get started in areas currently without service.

Commissioner Hennock dissented loudly, feeling that such rules provided a "death blow to UHF." Comparing UHF to FM, Hennock argued, "In both FM and UHF, stations . . . were starving for network programming—their lifeblood. In both the same vicious circle inevitably insured—no sets, no audience, no advertising revenue. And now the last piece of the FM pattern is being fitted into the UHF jigsaw puzzle—the reduction of the whole service to the role of an auxiliary. Nothing more is lacking and the stage is set for the complete stultification of UHF."

With apparently no remedy acceptable to all, Senator John W. Bricker (R-Ohio), chairman of the Senate Commerce Committee, in late summer announced a full-scale probe of television broadcasting to focus on the practices of networks, the FCC and UHF. The investigation, Bricker said, would be a continuation of the Potter subcommittee hearing "which brought some of the problems of UHF to light, but came up with no basic solutions." The investigation stemmed from a Bricker bill earlier in the year that had sought regulation of networks only.

Many in the industry remained hostile to the probe. BROADCASTING editorialized: "What will be accomplished by the Bricker investigation of all things broadcasting is as much of an enigma as the inquiry itself. If past inquiries in this field are any criteria, the answer will be exactly nothing, except for an abysmal waste of time and money by private groups as well as money."

Just as UHF proponents hoped for a solution to their problems, educational broadcasting advocates prayed for the economic fortitude to endure. April 14 marked the second anniversary of the FCC's adoption of the Sixth Report which reserved 242 channels for noncommercial educational TV, but despite Ford Foundation efforts, the educational station growth was minimal. BROADCASTING, in an April editorial, commented: "The grand total of educational stations on the air is four. The total number of construction permits authorized for educational stations is 29, most of them on flimsy financial showings. The total number of applications filed is 52, out of 242 reservations (this number has been increased since to 250). What has happened to the 200 uncalled-for channels? They're vegetating, many of them in areas where there are qualified commercial applicants and where additional service is needed."

By July, seven educational TV stations—KUHT Houston; KTHE Los Angeles; WKAR-TV East Lansing, Mich.; WQED Pittsburgh; WHA-TV Madison, Wis.; KQED San Francisco and WCET Cincinnati—were on the air.

The Joint Committee on Educational TV in October issued a report citing "the extensive degrees of progress made in so short a time." Educational TV stations on the air were serving 12 million people and would serve another 10 million people in areas where nine ETV's were under construction.

Competition among the commercial television networks was heating up. To compete with the highly publicized color specials of NBC and CBS, and at the significantly lower production price of \$100,000 a show, ABC signed Walt Disney studios to film a black-and-white family series starring the Disney entourage: Mickey Mouse, Donald Duck, Pluto, Goofy and company. To compete with NBC's *Today Show*, CBS inaugurated *The Morning Show* with Walter Cronkite as anchor, Charles Collingwood as news reporter and the Bil Baird puppets as some

of the entertainers. To capture late-night viewers, NBC's *Tonight Show* with host Steve Allen lengthened its format from 40 to 105 minutes. To attract children, CBS launched *Lassie*, a world of adventure, boyhood and danger that was neatly resolved with the help of the resourceful collie.

The networks continued to air what they hoped would be dazzling specials. In a January episode of *Hallmark Hall of Fame*, NBC presented a two-hour version of "Richard II" with Maurice Evans. CBS, for one of its color extravaganzas as part of the December *Shower of Stars* series, aired a special version of Charles Dickens's "A Christmas Carol" with Fredric March as Ebenezer Scrooge and Basil Rathbone as Jacob Marley's ghost.

All four networks participated in a 425 TV station hookup in October to air a two-hour special celebrating the "Diamond Jubilee of Light." This 75th anniversary program cost the electrical industry more than \$1 million for time, talent and facilities. Despite a cast that, among others, included Judith Anderson, Lauren Bacall, Walter Brennan, Joseph Cotten, Eddie Fisher, George Gobel, Helen Hayes, Harry Morgan, David Niven and Kim Novak, it failed to live up to its potential. BROADCASTING wrote: "Unfortunately the anniversary of the electric light turned into (1) a free plug for pleasant but elderly clips from Hollywood shelves; (2) an array of disjointed scenes whose waste of writers, actors and money perhaps surpassed any previous mish-mash in television history; (3) examples of bad taste in pitting amorous scenes against faith and hope, and (4) further



THE RECORD \$9,750,000 purchase of DuMont's WDTV (TV) Pittsburgh by Westinghouse Broadcasting Co. IB•T, Dec. 61 is signed for by four principals (l to r): seated, Chris J. Witting, WBC president; Dr. Allen B. DuMont, president, Allen B. DuMont Labs, and, standing, E. V. Huggins, vice president of corporate affairs, Westinghouse Electric Corp., and Ted Bergmann, director of broadcasting for the DuMont Television Network.

—Broadcasting, Dec. 13

are within the law. . . . It must be decided whether they are in good taste, whether they advance or retard the art of programming, whether they are economically sound. Some, we admit, could not survive investigation on those grounds."

Critics of giveaway shows often pointed to *Strike It Rich*, (CBS-TV, NBC Radio), a game show that awarded cash, including money donated by listeners, to contestants with stories of misfortune, as a prime example of poor taste in programming. Contending that *Strike It Rich* solicited money from listeners, New York City Welfare Commissioner Henry L. McCarthy informed Walt Framer, owner and producer of the program, that the show needed a license as a welfare agency to keep operating. Framer denied solicitation and said that a "Heart Fund" had been set up as the result of spontaneous donations from listeners. McCarthy also called the show "a national disgrace," contending that more than 55 destitute families had come to New York in search of money from *Strike It Rich* only to become part of the city's welfare rolls. A New York state legislative committee disagreed that the show needed a license as a welfare agency. The show continued with, in the words of BROADCASTING, "its present execrable standards."

On a higher plane, NBC and CBS began the big-budget era of television programming. New NBC President Pat Weaver in March announced plans for 90-minute color "spectaculars." CBS planned "extravaganzas." These shows, costing up to \$300,000 each for time and talent, relied on big name stars such as Helen Hayes, Fredric March, Ethel Barrymore, Betty Grable, Betty Hutton, Ginger Rogers, Ann Southern, Frank Sinatra and Tyrone Power.

Satins and Spurs, NBC's first color spectacular, was aired Sept. 11 at a production cost of \$200,000. It received good reviews for its star Betty Hutton, but only mixed reviews for the colorcasting since the color values changed when the TV cameras did.

BROADCASTING commented: "The first NBC-TV spectacular scheduled last Sunday night, may be said to identify the true beginning of the color television era. From now on color will be on schedule and in increasing quantity. . . . Color will enable television stations to go after local accounts which have been space users in newspapers. . . . At present stages of mechanical development, newspapers cannot prepare color as fast or as faithfully as color TV. Color TV will also attract national advertisers who now are using color ads in national magazines. The difference in cost between black-and-white and color television will be infinitely less than the difference in cost between black-and-white and color printing."

CBS-TV Vice President Hubbell Robinson Jr. estimated that in three to four years, with an increase in color sets and market penetration, the cost of colorcasting would exceed that of black and white



MULTI-MILLION DOLLAR contract signifying entry of Walt Disney Productions into tv is signed with ABC-TV by Mr. Disney, as (l to r) Robert E. Kinter, ABC president; Sidney M. Markley, ABC vice president and Roy O. Disney, president of Walt Disney Productions, prepare to affix their signatures to the document. Most immediate of the contract stipulations is the production of 26 hour-long tv programs by the 18-time "Oscar" winner, which will be telecast by ABC-TV starting in October.

—Broadcasting, April 12

by only 10%.

CBS's fall schedule of three color shows each week included the *Best of Broadway*, sponsored by Westinghouse, the *Shower of Stars*, sponsored by Chrysler, and such regularly scheduled shows as *Toast of the Town*, *Life With Father*, *Meet Millie* and many others that were colorcast on a rotating basis. NBC planned at least one color show each evening of the week for at least 60 hours of color programming each month, and also envisioned a "comprehensive national color TV network." Because of the initial expense and limited audience, ABC and DuMont, the smaller networks, planned no color programming for 1954.

A concern of many in 1954 was that UHF would prove unable to compete with VHF television, particularly in areas where the two were intermixed. It prompted a call for another freeze on television licensing pending a resolution of the issue. A steering committee of UHF operators and grantees made its request in May before Senator Charles E. Potter's (R-Mich.) Senate Commerce Subcommittee on Communications. "So that the problem of survival of a competitive system will not have been rendered academic by the extinction of all UHF broadcasters in mixed markets, and in order to avoid complicating a solution to the intermixture problem," the UHF group said, "there should be an immediate suspension of all further grants of applications for new television permits and for changes in existing television authorizations affecting

coverage."

Other remedies included FCC Commissioner Frieda Hennock's request that all grants be frozen (a position from which she later retreated), all VHF's be reduced in power and that there be no mixture of UHF and VHF service in a market. DuMont suggested that the four TV networks should be "equalized" in the top 100 markets as to the number of VHF and UHF affiliates.

While FCC Chairman Rosel H. Hyde defended the FCC's stand on intermixture, Commissioner Hennock asked Congress to share the blame for the UHF problems, saying it was congressional pressure on the FCC that produced quick grants. Hennock vowed to fight "the monopoly of the two big networks, CBS and NBC." Later, Hennock told a National Association of Radio and Television Broadcasters panel that "I am now firmly convinced that only the eventual move of the TV service into the UHF band can save the patient."

CBS President Stanton urged a deintermixture study, but ABC Vice President Ernest Lee Jahncke Jr. said: "It is too early to conclude that it is necessary to abandon as unworkable our present allocation concept of using both VHF and UHF stations." ABC supported many of the DuMont proposals and recommended that the FCC should revise the multiple ownership rule to permit multiple VHF owners to acquire UHF stations. ABC's Jahncke also suggested that color—possibly for the

"Hats off to CBS and NBC," commented BROADCASTING, "for turning thumbs down on the untenable demand of Senator Joseph R. McCarthy for equal time . . . The networks have taken a position . . . that they will not become pawns of the politicians, no matter how highly placed or vindictive."

All of this was prelude to the McCarthy Army hearing that began in April and ran for 36 days. In that time the deteriorating image of the Wisconsin senator was mercilessly exposed by the TV camera's eye as he sought to prove charges of subversion against Army officers and civilian officials. Viewers became more aware of the pounding tactics of McCarthy and his aide, Roy Cohn, and the bully impression was further enhanced by the quiet, chivalrous demeanor of Joseph Welch, the Army's elderly counsel. When the Republicans lost control of the Senate in the November 1954 midterm elections, McCarthy was replaced as chairman of the investigating subcommittee. Then came a 67-22 vote by the Senate to condemn him for "conduct contrary to Senate traditions."

The Army hearings were televised live in their entirety by ABC and DuMont and in filmed segments by NBC and CBS. The daily telecast gained praise and popularity. Because the Senate Permanent Investigations Subcommittee refused to allow the hearings to be sponsored, ABC, with the fewest daytime sponsors among the three biggest networks, was in the best position to allocate large blocks of sustaining time to the hearings. BROADCASTING



NARTB Distinguished Service Award for 1954 is presented to William S. Paley (l), CBS board chairman, by Harold E. Fellows, NARTB president, at the convention's opening. Mr. Paley delivered the keynote address.

—Broadcasting, May 31

estimated the coverage for the hearings cost the networks over \$10.5 million, including the cancellation of regularly scheduled commercial programs. The audience it attracted helped to move ABC into a more competitive position with CBS and NBC.

Television and political figures further developed their love-hate relationship. The 1954 election campaigns brought the

anticipated mixture of money and complaints. As part of the Republican push for media coverage, the Eisenhower cabinet appeared on TV, the first time such a meeting had ever been televised. The Democrats immediately asked for equal time, but received denials from all the networks except NBC, which settled the dispute by granting a half hour each to both parties.

AS BROADCASTING wrote: "Though it certainly did not damage the Republican cause . . . the cabinet telecast was not, in the true sense of the phrase, a political broadcast. . . . Hence, the Democrats' appeal for equal time was wholly unjustified. . . . The answer of Frank Stanton [of CBS] to the Democrats' demands was eminently sound: 'Our established policy has not been to provide time to reply to the President of the United States or members of his cabinet appearing and speaking as such, or reporting to the people on their official activities over our facilities. . . . We have applied [this policy] alike to Republican and Democratic administrations.' The night after Dr. Stanton issued that statement, a Democratic candidate for Congress from New Jersey was granted an appearance on *Strike It Rich* (a game show) on CBS-TV because his Republican opponent had appeared on the show earlier. Aspirin, anybody?"

Giveaway show proponents in 1954 marshalled special arguments for the Supreme Court which agreed to review the FCC's proposed rules that would make such shows illegal. ABC, CBS, and NBC contended that listening to or watching a program did not constitute "consideration," the premise upon which the FCC based its proscriptive interpretation. NBC maintained that "Not a single case has ever found that a lottery price is paid by a contestant being required to give, in his own home, attention to a contest program. Not a single case has suggested that exposure of a contestant in his own home to advertising could be considered the equivalent of buying the commodity advertised." Yet the FCC argument rested upon just such a premise as FCC Assistant General Counsel J. Roger Wollenberg assailed giveaway shows as "evil lures" designed to attract listeners and viewers for the benefit of sponsors.

The Supreme Court, in April in a 8-0 ruling, found that the FCC had exceeded its authority in defining listening to a radio program or watching a TV show as "consideration."

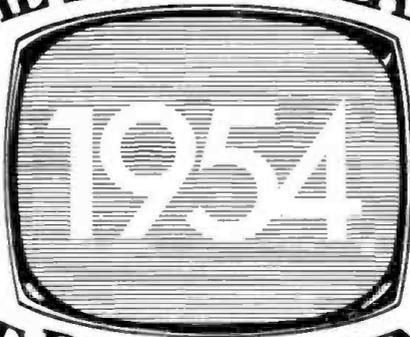
"Last week's Supreme Court decision against the FCC's giveaway rules," commented BROADCASTING, "must be regarded as a victory for the cause of free radio and television. It must not, however, be regarded as an invitation for further abuse of the freedom thus gained. . . . Now that the decision is on the books and the legality of giveaways established, it remains to be seen whether broadcasters and telecasters will apply to a number of existing programs a test somewhat more severe than that of deciding whether they

THE \$3 million sale of the *Lone Ranger* radio-tv property by George Trendle and associates H. Allen Campbell and Raymond J. Meurer [B*T, Aug. 9] is finalized by (l to r) Mr. Campbell; Mr. Trendle; Jack Wrather, and Mr. Meurer. Mr. Wrather purchased the property in association with his mother, Mrs. Mazie Wrather, and John L. Laeb & Assoc.



—Broadcasting, Aug. 16

THE FIRST 50 YEARS



OF BROADCASTING

Television time sales in 1954 surpassed radio's total for the first time. TV increased 39.9% from \$384,692,000 in 1953 to \$538,122,000 in the next year. Eclipsed temporarily by America's enthusiasm for television, radio recorded a decline of 5.4% from time sales of \$477,206,000 in 1953 to \$451,330,000 in 1954. National radio networks suffered the most with a 15% decline to \$78,917,000, the lowest since 1940.

The television universe was expanding. Stations on the air totaled 439 by the end of the year, up from 356 at the beginning. Though FM operating stations again declined, from 560 to 532, AM's on the air rose from 2,521 to 2,669. Radio was in the process of transformation forced by TV's phenomenal success.

Part of television's success stemmed from political specials that captured the public eye in 1954 as well as the introduction of color "spectaculars." Sylvester L. (Pat) Weaver, NBC's new president, was primarily responsible for the latter type of programming, which offered 90-minute entertainment specials in expanded time slots, on varying nights of the week.

Much of the political excitement involved Senator Joseph McCarthy (R-Wis.) and his continuing campaign against the Communist influence that he perceived to infest the U.S. government. Although in early 1954 McCarthyism retained much of its power, CBS's Ed Murrow and Fred Friendly, who had put the spotlight on McCarthy's tactics on a 1953 *See It Now* program, televised another expose on March 9, 1954. When CBS, again, refused to promote the broadcast, Friendly and Murrow paid for a *New York Times* ad themselves. This time *See It Now* aired films of the Wisconsin senator as he interrogated and bullied witnesses during a hearing. The show contained minimum comment, letting the senator's behavior speak for itself. It drew a large audience and much praise from public officials and the press.

Representative Melvin Price (D-Ill.) told the House, "It is indeed a rare thing when a TV network will stick its neck out by initiating . . . a hard-hitting, honest, unvarnished report on a highly charged, completely controversial issue. We have learned to expect television to pull its punches in a situation



War and peace in the world happened in 1954 when the French surrendered at Dien Bien Phu to Ho Chi Minh's Vietminh army on May 7; France accepted peace terms at Geneva on July 21. France's world position further deteriorated in November when Algeria began its war for independence. Independence for Puerto Rico was the shout of four men and one woman March 1, as they wounded five members of Congress, shooting pistols from the House spectators gallery. Across the Capitol Plaza on May 17, the U.S. Supreme Court unanimously ruled that segregation in public schools was unconstitutional. It was also the year in which Dr. Jonas Salk began inoculating children against polio and in which England's Roger Bannister, competing at Oxford, became the first human to run a mile in less than four minutes. And in

BROADCASTING . . .

were reversed, the network still would have fulfilled its functions as an organ of expression and public service. Mr. McCarthy's ability to insult and calumniate those who oppose or criticize him is well known. By refusing to be bullied, the broadcasters will assure their own future and help to guarantee America's."

CBS gave McCarthy time to reply to Murrow on April 6. For his rebuttal McCarthy prepared a film that cost \$6,336.99 (paid for by CBS). In it he attacked Murrow as a "symbol, the leader and the cleverest of the jackal pack that is always found at the throat of anyone who dares to expose Communists and traitors."

CBS responded by expressing its confidence in "the integrity and responsibility of Mr. Murrow as a broadcaster and as a loyal American." Phone calls and telegrams from the public endorsed the commentator's stand by a three-to-one ratio over that of McCarthy. President Eisenhower, at a news conference, stated he had known Murrow for years and considered him a friend.

Earlier, McCarthy had attempted to get time to respond to a March 6 speech by Governor Adlai Stevenson, but was denied by CBS as well as NBC even though McCarthy had threatened "to teach" the law to the networks. Instead, Vice President Richard M. Nixon was given free time to respond to Stevenson's remarks. The rationale was that Stevenson had spoken on a program given to the Democrats and that any opportunity to reply should be accorded an official Republican spokesman.

like that in order not to offend any articulate section of the population, or the sponsor. . . . Last night, however, the Aluminum Co. of America again sponsored and CBS again carried . . . the kind of objective analysis of a hot—really hot—issue which . . . redeems television journalism and puts it into the journalistic big time." The *New York Herald Tribune* editorialized: "Doubtless the . . . *See It Now* will provoke Mr. McCarthy even further. The half-hour show was a sober and realistic appraisal of McCarthyism and the climate in which it flourishes. . . . Apparently, the audience response was overwhelmingly in favor of Mr. Murrow and against Mr. McCarthy, but even if the returns



FACING A NATION: Nikita S. Khrushchev is interviewed in the Kremlin for the CBS tv-radio presentation June 1 by (l to r) Stuart Novins, moderator of *Face the Nation*; B. J. Cutler, Moscow correspondent for the *New York Herald Tribune*, and Daniel Schorr, Moscow correspondent for CBS News. Network's Ted Ayers was director.

—Broadcasting, June 18

... The \$64,000 Question has given away \$1,219,168 in the 88 weeks it has been presented. That averages out to under \$14,000 a show. Is there any other program type which could have brought Revlon so big an audience so cheaply? It is for this reason—the promise of high ratings at low program cost—that we confidently, but morosely, predict an increase in the number and munificence of television giveaways. There will be more and bigger giveaways before there are less, but there definitely will be less eventually. To substantiate that last prediction, one needs only to refer to radio of 10 years ago. In 1948, when the radio giveaway craze was at its silliest, at least a million dollars worth of prizes was distributed. In the summer of that year no fewer than 48 giveaways were regularly scheduled on the radio networks. On so rich a diet, listeners became jaded, and the giveaways virtually disappeared." Meanwhile prize money and contests proliferated.

Police and detective shows and westerns created their own fascination. Whodunits already on the air before 1957 included *Dragnet* (NBC), *Big Town* (NBC), *The Falcon* (syndicated), *The Lineup* (CBS), *Rocket Squad* (syndicated) and *The Vise* (ABC). The year 1957 saw, among others, the debut of *Official Detective* (syndicated) with Everett Sloane, *M Squad* (NBC) with Lee Marvin, *Meet McGraw* (NBC) with Frank Lovejoy, *Perry Mason* (CBS) with Raymond Burr, *Richard Diamond* (CBS) with David Janssen and Mary Tyler Moore, *Suspicion* (NBC) with Dennis O'Keefe, *Scotland Yard* (ABC) with Edgar Lustgarten, and *The Thin Man* (NBC) with Peter Lawford and Phyllis Kirk.

The collection of official and unofficial sleuths and infallible lawyers was matched only by TV's cowboys, Indians, small town vigilantes, sheriffs and dusty do-gooders. Westerns already appearing before 1957 included *Adventures of Jim Bowie* (ABC), *Broken Arrow* (ABC), *Cheyenne* (ABC), *Cisco Kid* (syndicated), *Davy Crockett* (ABC), *Death Valley Days* (syndicated), *Frontier* (NBC), *Gunsmoke* (CBS), *The Lone Ranger* (ABC), *Tales of the Texas*

Rangers (ABC), *Wild Bill Hickok* (ABC), *Wyatt Earp* (ABC), and *Dick Powell's Zane Grey Theater* (CBS). To those the networks in 1957 added: *The Californians* (NBC) with Adam Kennedy, *Colt 45* (ABC) with Wayne Preston, *Have Gun Will Travel* (CBS) with Richard Boone, *Restless Gun* (NBC) with John Payne, *Sugarfoot* (ABC) with Will Hutchins, *Tales of Wells Fargo* (NBC) with Dale Robertson, *Tombstone Territory* (ABC) with Richard Eastham, and *Trackdown* (CBS) with Robert Culp.

Psychologists analyzed the western's appeal as that of a folk art that presented a moral tableau in which good usually, if not always, subdued evil. "The western," psychologist Dr. Ernest Dichter commented in a BROADCASTING interview, "is simple, direct. . . . Because it is divorced from the urbanity and the sophistication of other types of entertainment, it necessarily holds its own niche in the entertainment world. Intellectualized critical standards do not apply to the western. In fact, its appeal is, in part, this very simplicity of plot and character which allows us to identify with an earlier and more primitive life—a life that was more real and somehow better than life today."

Of the top 25 television shows in the



A GOVERNMENT career man—with six years at the FCC as an attorney—becomes an FCC commissioner. Frederick W. Ford (r) is shown talking the oath of office, last Thursday from U. S. District Judge John J. Sirica (l). Holding the Bible is FCC Chairman John C. Doerfer.

—Broadcasting, Sept. 2

1957-58 season, nine were westerns, four were quiz shows, and two, mysteries.

The late 1950's also saw the beginning of a decline in sponsor-created programming. Sponsors produced about one-third of the network shows, as did the networks themselves, but packagers, who developed or bought a program idea and produced the pilot, also produced about one-third of the network shows.

As television reached its 10th birthday, BROADCASTING wrote that it "can count itself a man. Its prospects are bright. . . . Taking day and night together, there's no getting around the fact that television is the medium that attracts more national advertising dollars than any other. There can be no question that it will remain number one in advertiser investments, or that the dollars spent in television in 1957-58 will exceed those spent in 1956-57—no inconsequential accomplishment for a 10-year-old."

The total time sales for the three networks and their 16 owned-and-operated TV stations in 1957 equalled \$369,600,000, while the time sales for the other 485 TV stations equalled \$499,100,000, for total time sales of \$868,700,000.

Along with this prosperity and new programming, came familiar problems of pay television, network rivalry and educational television's uncertainty. Since Zenith's 1949 request for authorization for pay television, the FCC had alternately pondered and ignored the issue. Finally, in October 1957 the commission issued guidelines for national tests of toll TV.

According to the FCC, any station, UHF or VHF, could participate in the tests as long as the station was in a community that received at least four grade A TV signals; in addition, any system of pay television could be used.

The networks, long opponents of the pay TV system, railed against this FCC measure that they felt would siphon off free programming and undermine the current advertiser-supported system. However, they expressed a readiness, as NBC President Robert Sarnoff put it, "to follow the tide [since] the pressures behind pay TV may succeed in putting it over on the public. If it does eventually develop, we, like the public, will have no choice. . . . With the prime television attractions bought away, with little left to hold a national mass audience, the free broadcasting enterprise would wither away."

Although the FCC established guidelines for pay TV experiments, the commission wanted the final decision about pay TV to be made by Congress. BROADCASTING summarized this attitude: "The fate of on-the-air subscription television. . . will be decided in the U.S. Congress and not by the FCC. Indeed, the FCC wants it that way. Its 'First Report' outlining conditions under which it would consider applications for toll TV franchises was a clear invitation to Congress to take the whole question off the commission's hands. . . ."

The pay TV controversy began in 1949

to uphold the Constitution this week undertake perhaps their most important assignment. It calls for fortitude and wisdom."

The three-year battle of Edward Lamb for vindication formally ended in 1957 when the FCC freed him of charges of Communist activity and renewed his license for WICU-TV Erie, Pa., accepting the proposed decision of Hearing Examiner Herbert Sharfman (see 1955). Feeling that his belated victory afforded "some reassurance of the integrity of our courts and administrative agencies," Lamb decried the conduct of the government in putting on trial "my ideas and activities. . . . One good result of our defense of this case must be that we have stopped, let us hope forever, this despicable practice."

One practice that the Justice Department hoped to stop forever was the forced block-booking of feature films to television stations by film distributors. To that end, the department filed antitrust suits against Loew's Inc. (MGM feature films), C&C Super Corp. (RKO), Screen Gems (Columbia), Associated Artists Productions (Warner Bros.), National Telefilm Associates (20th Century-Fox) and United Artists. All firms issued denials of collusive or unfair practices.

Television in 1957 continued its tradition of special programming. One event attracting particular attention was Nikita Khrushchev's appearance on *Face the Nation* (CBS-TV), taped in Moscow. Answering questions from Daniel Schorr and Stuart Novins of CBS, and B.J. Cutler of the *New York Herald-Tribune*, Khrushchev emphasized his theme of "peaceful competition." *Time* magazine called the broadcast "the season's most extraordinary hour of broadcasting." *The New York Times* said: "The Khrushchev interview was in our best tradition, and CBS is to be congratulated for its enterprise." *The Dallas Times-Herald* felt that "The program carrying the Red boss's debut on U.S. television was most interesting and CBS is to be highly congratulated for arranging it."

But the show also generated controversy. Several members of Congress criticized it as well as a subsequent CBS *See It Now* broadcast in which Edward R. Murrow interviewed Yugoslavia's Marshal Tito. They contended TV was providing a forum for the espousal of dangerous doctrines. Representative Ray J. Madden (D-Ind.) introduced a resolution that all questions to be asked of officials of Communist countries or Communist-dominated nations be submitted first to the secretary of state for approval. President Eisenhower subsequently refused to support the concept of government clearance for TV interviews.

The Wall Street Journal commented, "Opinion of some people is that the Khrushchev interview shouldn't have been presented here at all. Aside from the implicit censorship, any American who doesn't see through the artful dodges of Khrushchev's replies isn't old enough to



IN this first—and only—group picture of the FCC's Network Study Staff, taken in New York in November 1955, all members are shown except three. Seated (l to r) are Ashbrook P. Bryant, Dr. Louis H. Mayo, Dean Roscoe L. Barrow, Hyman H. Goldin and Dr. Jesse Markham. Standing (l to r) are Peter Gerlando, Harry J. Nichols, Dr. Warren Baum, James B. Sheridan (acting chief of the FCC's economics division who is not a member of the study staff), Edward R. Eadah, and J. F. Tierney. Dr. Charles H. Sandage, Ellis Crocker and Robert D. J. Leahy were not present when this picture was taken.

—Broadcasting, Oct. 10

watch television." The *Los Angeles Times* wrote: "Those who swallow bunk whole no doubt enjoyed the performance, but those who remember how the streets of Budapest ran red a few short months ago [in the Soviet's military action to crush a Hungarian revolt], had a few qualms." David Lawrence of the North American Newspaper Alliance said, "Khrushchev has suffered a defeat of his own making. By his television address, he has retarded rather than forwarded the cause of world peace. . . the Sunday speech by the Communist leader has restored suspicion and distrust. . . ."

Nonetheless, the presentation of such shows emphasized television's power, as did the airing of entertainment specials. CBS claimed that its March 31 colorcast of *Cinderella*, starring Julie Andrews and a Richard Rodgers score, drew more than 100 million viewers, the largest number ever for an entertainment program. Other notable 1957 specials included the 90-minute *Producer's Showcase* (NBC) presentation of "Romeo and Juliet," starring Claire Bloom and John Neville; an adult, 60-minute version of *Pinocchio* (NBC), starring Mickey Rooney and the dance team of Mata and Hari; the hour-long *Edsel Show*, featuring Bing Crosby, Louis Armstrong, Frank Sinatra, Rosemary Clooney and Bob Hope; the 90-minute *The Standard Oil Company's 75th Anniversary Show* (NBC) with Marge and Gower Champion, Donald O'Connor, Jimmy Durante, Jane Powell and Duke Ellington; the 90-minute *Prince and the Pauper* (CBS), starring Christopher Plummer, Rex Thompson and Rosemary Har-

ris; and a two-hour, \$600,000 production of *Annie Get Your Gun* with Mary Martin and John Raitt.

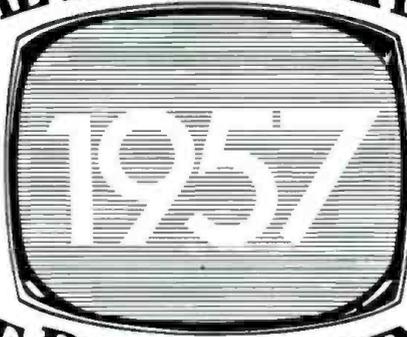
Quiz shows, mystery programs and westerns dominated regular programming. Because of the incredible popularity of quiz shows, sponsors made money by giving it away. The bigger the jackpot, the bigger the TV audience. In March, Pharmaceuticals Inc. on NBC's *Twenty-One* gave away one of the biggest prizes ever, \$129,000 to Charles Van Doren. Not to be outdone, CBS's *The \$64,000 Question* raised its jackpot to \$256,000.

Producers of the shows dug deep to get unusual personalities on their programs. Randolph Churchill, son of Sir Winston, tried his luck on *\$64,000 Question*, but came away penniless. More fortunate were 10-year-old prodigy Robert Strom who won \$64,000 on that program, and an 11-year-old Wall Street authority, Leonard Ross, who won \$100,000 on *The Big Surprise* (NBC-TV) and \$64,000 on *\$64,000 Challenge* (CBS-TV).

As the president of Pharmaceuticals attested, "Television has always been successful for us, but the best return on any TV dollar we ever spent has been realized on *Twenty-One*, with some products showing a 68.9% gain over a 12-week period."

Despite such lucrative returns, BROADCASTING warned, "It requires no special foresight to predict that the giveaway craze on television is about to get out of hand. . . . For the moment the quarter-million dollars that is *Question's* new prize is the biggest on the air, but we have no doubt that the producers of other quiz shows are even now seeking the financing to top it.

THE FIRST 50 YEARS



OF BROADCASTING

The investigations of broadcasting continued. The names Moulder, Schwartz, Celler and Barrow conjured accusations, explanations and punitive actions. There were other names—color videotape, chroma key, Sputnik—that promised new techniques for broadcasting.

Representative Morgan Moulder (D-Mo.), chairman of the House Subcommittee on Legislative Oversight, studied the FCC and other regulatory agencies. With his special counsel, New York University law professor Bernard Schwartz, Moulder made

Congress and the FCC uncomfortable by citing conflicts of interest. Schwartz found that some congressmen in a position to influence broadcasting legislation also held financial interests in the broadcasting industry. He also accused FCC commissioners of “double billing,” charging the government for travel expenses while collecting lecture fees from private organizations under the assumption it was a natural privilege of office.

Representative Emanuel Celler (D-N.Y.), chairman of the House Antitrust Subcommittee, released a 148-page study of network practices in June. The report praised NBC and CBS for their achievements in building broadcasting, but emphasized: “It is clear that CBS and NBC have a dominant position in the industry” and exercise “vast influence” over TV broadcasting. The Celler committee questioned network ownership of stations and the FCC’s UHF policy. It recommended that the Justice Department study the “curious” relationship between networks and advertisers, the effect of network participation in program production and the music-licensing business to see whether antitrust violations exist. The Celler report, *BROADCASTING* analyzed, “adds up in the main to a recommendation that the Justice Department conduct investigations that it has already been conducting—some for as long as 15 years. Indeed the most important question raised by the report is why the subcommittee spent so much time investigating the possibilities of antitrust violations in television when the Department of Justice had a force of investigators intensively exploring the same field. Of the two investigations, that of the Justice Department promises to be the more thorough and objective. . . . All in all, it [the Celler report] is not a report that will provoke much if any action.



In October, the Soviets launched Sputnik and Ford launched the Edsel. Nine black students finally were permitted to enter Little Rock’s previously all-white Central High School after a court order and the dispatch of federal troops by President Eisenhower. In other chilling news, labor problems intensified and an economic recession began to set in. But America’s spirits were bolstered by the stirring “76 Trombones” in Meredith Willson’s “Music Man” and the presentation of a Pulitzer prize to Senator John F. Kennedy for his book, “Profiles in Courage.” And in

BROADCASTING . . .

Broadcasters and others who were summoned as witnesses may be pardoned for wondering if their time couldn’t have been better spent.”

Another long-awaited report arrived in October 1957 when Roscoe L. Barrow, dean of the University of Cincinnati Law School, on leave to conduct the FCC’s network study, released a 1,485-page report. Among Barrow’s recommendations: outlaw option time; outlaw must-buy station lineups; restrict networks from serving as national spot representatives for stations not owned by the networks; impose controls over

ratemaking to prevent undue network influence; tighten multiple ownership rules; require networks to make public all affiliation agreements; give the FCC power to levy fines against stations for infractions of its rules.

BROADCASTING commented: “It is a tough report, recommending for scrutiny by the FCC, Congress and even the Department of Justice, practically all of the network practices, real or imagined, that have figured in speculation over many months. The ponderous report—two years in the making—can be expected to bring volcanic eruptions from the old-line networks and many of the multiple owners. If implemented as written, which is highly unlikely, it will affect the operations of all stations and expose publicly the contractual relations of the networks and stations, invading an area always regarded as beyond the regulatory domain. It would permit imposition of fines, and would make extremely difficult, if not almost impossible, the buying and selling of station properties.”

Although the networks issued “no comment” statements, legislators involved in broadcasting reviews were more outspoken. One was Representative Celler who said: “It is significant that the Barrow group . . . has independently reached conclusions concerning restrictive practices in television broadcasting which are similar in material respects to findings previously arrived at separately by the House Antitrust Subcommittee [Celler report], and by the staff of the Senate Interstate and Foreign Commerce Committee [Cox report].” The battle had begun, and as *BROADCASTING* reminded those concerned: “Before the FCC attempts to reach definitive conclusions, it must as a matter of right invite comments and perhaps hear arguments from those whose economic lives are at stake and who have not yet had their day in court. . . . Seven men sworn

sion, on fresh new programs designed for the medium, and on the development of color. We believe this is the way to maintain television's momentum and vitality."

In 1956 David Sarnoff celebrated 50 years in the industry. BROADCASTING wrote: "The storybook story of David Sarnoff—from immigrant messenger boy to the head of a billion dollar business—was retold last week as 80,000 RCA-NBC workers, and leaders of art and industry paid him tribute on his 50th anniversary in radio, television, and electronics. . . . David Sarnoff more than any one else is responsible for the development of broadcasting. He didn't invent it. But he did prescribe it. It was his idea that there would be a 'music box' in the home that would pluck signals from the air and translate them into music, information, and entertainment. Here is a combination of philosopher, business leader, engineer, broadcaster, soldier, and patron of the arts. A dreamer who made his dreams come true."

It was BROADCASTING's 25th year. Its editors reported: "We round the bend into our second quarter century proud of the field we serve. Our constant effort is to do a better job of reporting the news of our field. And we'll continue to express our own views in these columns as constructively as we know how, without grinding anybody's axe." About BROADCASTING's birthday the *Washington Post and Times Herald* wrote: "It is a privilege to join the communications industry in congratulating BROADCASTING • TELECASTING on its 25th anniversary, celebrated this week. This distinguished publication, . . . makes a solid contribution to the improvement of broadcasting. It maintains a healthy critical attitude toward the practices of broadcasting enterprises at the same time that it maintains a sturdy defense of the freedom and independence of broadcasters. Its commercial success is the more gratifying in that it has so eminently deserved success."

Stay Tuned

1. What New York University law professor was counsel to Representative Moulder's subcommittee on oversight that pointed a finger at members of Congress and the FCC?
2. Who became the new chairman of the FCC?
3. What impetus did the FCC afford pay television in 1957?
4. What foreign leader participated in an extraordinary *Face The Nation* interview?
5. What long-awaited report was issued by the FCC?

The answers
in "1957."

Videotape recorder debut. It took six men four years to develop it, and when it was finally and dramatically introduced at the National Association of Radio and Television Broadcasters convention in Chicago in April, 1956, broadcasters literally stood up and cheered Ampex's revolutionary machine: the first practical videotape recorder that was to expand the world of television.

And they did more than applaud. They lined up to order the new machines. By the end of the month, there were orders for 82 units, at \$45,000 each, to be delivered early in 1957. That did not include orders for prototypes, at \$75,000 each, from CBS and NBC to be delivered in 1956. In all, the sales totalled over \$4 million.

The reaction of the broadcasters was predictable. Laboring with the costly and technically awkward kinescope, broadcasters had been eagerly awaiting the commercial development of the machine. The Ampex recorder was designed to be used in exactly the same way an audio recorder was used in radio. A self-contained unit, it took a TV program off the network line, recorded it and then played it back at a later time just as in radio. In addition, the station could feed its own production into it for presentation later.

The first application of videotape and the Ampex recorder was CBS's broadcast on Nov. 30, 1956, of *Douglas Edwards and the News*. CBS in Hollywood recorded the feed and replayed it three hours later.

The key to the Ampex recorder was the rotating head. Instead of developing a machine with a high-speed tape transport, Ampex worked on a low-speed transport with a rapidly rotating recording head. Ampex's unique concept permitted the recording of the wide video bandwidths without using enormous amounts of videotape.

That Ampex came up with the first practical video recorder was not wholly surprising. It after all had introduced the first practical audio tape recorder in 1947. But it was surprising in that Ampex was competing against companies far richer in research and development funds and broadcasting experience, including RCA and the British Broadcasting Corp., Bing Crosby Enterprises, Armour Research Foundation, Brush Development Co. and Magnecord Inc.

The five-year technical struggle that ended at the Chicago convention began in 1951 when Charles Ginsburg joined Ampex for the sole purpose of recording pictures on tape. His early efforts were aided by Ray Dolby; they were joined in 1953 by Charles Anderson, Alex Maxey, Fred Pfost and Shelby Henderson. The basic technical concepts worked out by these six men under fierce competitive pressure are still integral elements of all videotape recorders. Much of the credit for the machine must go to former Ampex chairman, the late Alexander M. Poniatoff, who took the financial risks necessary to bring it to fruition.

A quarter of a century later, Ampex is still a leader in the development and manufacture of videotape recorders. It introduced a one-inch helical scan recorder in 1976 and since then has sold 4,000 of them. And Ampex fully intends to remain a leader. It is one of the several firms actively developing a digital videotape recorder, which all expect will sweep the analog machine out of the marketplace.



THIS is the new Ampex television tape recorder. Development of the project was in charge of Charles P. Ginsburg (l), senior project engineer in charge of video development, and Phillip L. Gundy, manager of the audio division, here inspecting the magnetic head assembly.

—Broadcasting, April 16

difficulties in 1956. By the last week of December, only 91 commercial UHF stations remained on the air, compared with 377 VHF stations. The FCC, to foster UHF development, ordered 83 UHF permittees to justify extensions of their construction permits or give them up. In April the FCC organized a study group to determine whether all television facilities throughout the country or in a major geographical area could feasibly be moved to the UHF spectrum. Delegates from five industry groups, the NARTB, Committee for Competitive TV, Radio-Electronics Television Manufacturers Association, the newly formed Association of Maximum Service Telecasters and the Joint Committee on Educational TV, met in September. As one of the conferees stated, "[the] need for engineering facts has been emphasized by the FCC. . . . Our organization welcomes and enthusiastically supports a thorough, careful, objective and energetic study of the engineering data necessary to determine how the UHF can be made and kept an integral part of the broadcast band . . ."

As an immediate remedy, broadcasters in December called for Congress to repeal the 10% federal manufacturer's excise tax on all-channel TV sets. BROADCASTING noted: "While the experts desperately seek an answer to the vexatious problems of the UHF station operators, they apparently are all but ignoring the one sure way in which to bring a large measure of prompt relief. This is the elimination of the 10% excise tax on TV receivers which will tune the entire TV range so that manufacturers will find it just as profitable to make and merchandise the nontaxed all-band receivers as to manufacture VHF-only sets on which excises would still be paid. . . . If an excise tax on all-band sets is withdrawn . . . , we predict most of those 83



HUGH B. TERRY (r), president and general manager of KLZ-AM-TV Denver, shows his Paul White Memorial Award (the first annual award) to KLZ News Director Sheldon Peterson (l) and CBS newscaster Robert Trout. The citation was given for Mr. Terry's fight against Canon 35 barring radio-tv from the courts and cites him for having made "the most significant contribution to radio and tv journalism" during 1956 [B•T, Nov. 19].

—Broadcasting, Nov. 26

nonoperating UHF's that have been given an ultimatum by the FCC . . . will reactivate, and that new applications will be filed in increasing numbers."

Such solutions awaited the new year, but the perennial arguments for pay TV reached a hearing on Capitol Hill in April. Colorado Governor Edwin C. Johnson's testimony typified that of pay TV's supporters. The one-time senator said that "under our system of free enterprise, government should be the last to attempt

to prevent the television industry from taking the new product of subscription TV to the marketplace." He said the existing system of TV "falls far short of fulfilling the potential of serving the public which it has the technical ability to accomplish—a failure which is particularly pronounced in Colorado and other Western states." Harold Fellows, NARTB president, voiced the rebuttal of most broadcasters when he described pay TV as based "on the fallacious promise that through the revenues accruing to the system, the American public will receive a type of programming superior to that it now receives." Fellows warned that "under pay television . . . there will be no more free World Series, dramas, musicals, etc., and the only loser will be the public."

Pay TV or not, television continued to expand with the TV home count reaching 36.7 million. Television's total billings came to \$823.1 million, up 20.8% over 1955.

Radio increased its revenues as well, with net time sales reaching an all-time high of \$491,707,000, a 7.7% increase over the figure for 1955. Local advertising rose 9.9%, to a record \$297,822,000; spot rose 20.8%, to a record \$145,461,000. Network time sales declined for the eighth consecutive year to \$44,839,000, a 25.6% drop.

The number of AM radio stations increased from 2,824 on Jan. 1 to 3,008 at yearend. FM radio continued its slide, with the number of stations down 10 to 530.

It was another banner year for changes at the top echelon of the networks. Some of the more notable:

- In April, MBS President and Chairman Tom O'Neil relinquished his presidency to devote more time to his position as president of the parent RKO Teleradio Pictures Inc. He was succeeded by John B. Poor, formerly Mutual's executive vice president.

- In September, NBC Board Chairman Sylvester L. (Pat) Weaver resigned and four executive vice presidencies were created under NBC President Robert Sarnoff.

- In October, Robert E. Kintner resigned as ABC president in a policy tussle with Leonard H. Goldenson, president of the parent American Broadcasting-Paramount Theaters, who took active command of the broadcast division. Oliver Treyz was taken from the Television Bureau of Advertising to become ABC vice president in charge of TV, succeeding John H. Mitchell, who was made vice president and special assistant to Goldenson. Kintner very shortly thereafter was appointed an executive vice president of NBC, effective Jan. 2, 1957.

- As the year ended, J. L. Van Volkenburg retired as CBS-TV president. He was succeeded by Merle S. Jones, an executive vice president of CBS-TV.

In 1956, NBC celebrated its 30th anniversary. In an anniversary address, NBC President Robert Sarnoff announced: "We shall continue our emphasis on live televi-



THE NEW triumvirate at ABC is headed by Leonard H. Goldenson (c), president of AB-PT and now in direct charge of the network. Don Durgin (l) will head the radio network; Oliver Treyz (r) the tv network.

—Broadcasting, Oct. 22

the largest sale of a motion picture library to that date, PRM Inc., a Canadian investment firm, paid \$21 million to Warner Brothers for 750 sound features, 100 silent features, and 1,500 cartoons and short subjects produced before 1948.

The film purchases continued. In May National Telefilm Associates, which had acquired the total assets of UM&M Corp., including Paramount's entire short-subject library, signed a 10-year lease arrangement with 20th Century Fox to distribute 52 feature films to television, among them "How Green Was My Valley," "Les Miserables," "The Ox-Bow Incident" and "Mother Wore Tights."

None of movies released to television had been made later than 1948. By September telecasters were bargaining with the Motion Picture Producers Association for the release of post-1948 material.

The influx of film worried some network officials. RCA President David Sarnoff warned that a "film invasion" of television would cause television to "ride a toboggan of decline" since "television's future lies along the route we now chart... emphasis on live television, on fresh new programs designed for the medium, and on the development of color."

In addition to its offering of new movies, television continued to present special programming. Among 1956 presentations: a two-hour, \$150,000, NBC *Opera Theater* production of Mozart's "Magic Flute," with material by W. H. Auden and Chester Kallman, choreography by George Balanchine, and a cast that included Leontyne Price, Laurel Hurlley, and Adelaide Bishop; a 90-minute, \$200,000 CBS colorcast of *Ford Star Jubilee* that presented Noel Coward's "Blithe Spirit" starring Claudette Colbert; a 90-minute, \$100,000 NBC *Hallmark Hall of Fame* production of Shakespeare's "Taming of the Shrew" with Lilli Palmer and Jerome Kilty; a 90-minute, \$100,000 NBC production of "The Barretts of Wimpole Street" with Katherine Cornell and Anthony Quayle; a 90-minute, \$200,000 NBC colorcast of *The Music of Gershwin* with a cast that included Ethel Merman, Alfred Drake, Tony Bennett and Cab Calloway; a 90-minute, \$150,000 NBC colorcast of *Jack and the Beanstalk* with Celeste Holm, Cyril Ritchard, Arnold Stang and Joel Grey; and a 90-minute, \$130,000 NBC *Hallmark Hall of Fame* production of Lillian Hellman's "The Little Foxes" starring Greer Garson, E. G. Marshall, Eileen Heckart and Peter Kelley.

Another special event occurred in 1956: Elvis Presley, the rock n' roll superstar-to-be, appeared—but only from the waist up—on the CBS-TV *Ed Sullivan Show*. Presley launched a generation of rock n' rollers.

Quiz shows continued to be popular in 1956. Three new varieties included *Do You Trust Your Wife?* (CBS) in which host Edgar Bergen aided by his dummy cohorts (Charlie McCarthy, Mortimer Snerd, and Effie Klinker), determined whether questions were to be answered by



KEYNOTER Robert E. Kintner (l), president of ABC, is congratulated on his award by NARTB President Harold E. Fellows at the general session officially opening the Chicago convention last Tuesday morning.

—Broadcasting, April 23

the husband or wife part of a team as they competed for the top prize of \$100 a week for a year; *To Tell the Truth* (CBS) in which emcee Bud Collyer introduced to a celebrity panel (Polly Bergen, John Cameron Swayze, Dick Van Dyke and Hildy Parks) three contestants who all claimed to be the same person and challenged the panel to decide who told the truth; and *Treasure Hunt* (ABC) in which host Jan Murray quizzed contestants for prizes and cash up to \$25,000.

The combination news and romance spectacular of 1956 was the Grace Kelly-Prince Rainier wedding in Monaco. About David Schoenbrun's special half-hour CBS report, BROADCASTING wrote that he brought "just the right mixture of

enthusiasm, sanity and good humor... With his cameramen he turned out a document that reflected the awe and solemnity, the fantasy and gaiety of one of the country's biggest news stories. Seen by the CBS camera eye:... the spectacle of the palace courtyard ballet, with the royal pair viewing from above. Trumpet rolls and military bands playing American songs. A fat man in the middle of the crowded palace grounds, chewing a cookie and clutching his champagne at the public reception. The bride helping slip on her wedding band indicating... her voluntary acceptance according to Monacan custom."

RCA, with more than \$70 million already invested in color television, announced a new color promotion that included the marketing of a 21-inch color set for \$495, \$200 below the prevailing price. General Electric also announced a similarly priced set.

Starting with the fall of 1956, NBC planned to increase its evening schedule of color TV programming by 50%. CBS planned increases as well, but ABC still was reluctant to enter the color field. In addition to color spectaculars, NBC's plans called for one major color program for every night of the week. Despite the increase in color advertisers and color home sets, color television still ran at a financial loss. RCA, for example, admitted a net loss on color production of \$6.9 million in 1956. The company called it "a reasonable expenditure to lay the foundation for a business that promises substantial profits in the near future."

UHF continued to experience



NEW board of directors of Assn. of Maximum Service Telecasters met following formal organization meeting of the full-power tv station trade group in Chicago Aug. 10 [AT DEADLINE, Aug. 13]. L to r: Seated (officers), Ken Carter, WAAM (TV) Baltimore, second vice president; Jack Harris, KPRC-TV Houston, president; Charles H. Crutchfield, WBTV (TV) Charlotte, N. C., first vice president; Harold Gross, WJIM-TV Lansing, Mich., secretary-treasurer; standing, P. A. (Buddy) Sugg, WKY-TV Oklahoma City, Okla.; John H. DeWitt, WSM-TV Nashville, Tenn.; Howard Lane, KOIN-TV Portland, Ore.; John S. Hayes, WTOP-TV Washington, D. C.; Harold C. Stuart, KVOO-TV Tulsa, Okla.; Harold V. Hough, WBAP-TV Fort Worth, Tex.; Payson Hall, WOW-TV Omaha, Neb.; Messrs. Sugg, DeWitt, Hayes and Hough are members of executive committee. Board members absent when the picture was taken included Robert D. Swezey, WDSU-TV New Orleans; David Baltimore, WBRE-TV Wilkes-Barre, Pa.; Don Davis, KMBC-TV Kansas City, and Joe Bernard, WGR-TV Buffalo.

—Broadcasting, Aug. 20

analyze network-station relations, the Magnuson committee sent a nine-page questionnaire to all network affiliated TV stations.

While this data was being amassed, Senator John W. Bricker (R-Ohio), ranking Republican on the Commerce Committee, charged domination of television by CBS and NBC. Making public statistics that the networks had given the FCC on the promise of confidentiality, Bricker argued that the 1954 gross revenue of CBS and its three owned stations amounted to more than one-fifth of the 1954 revenue of the entire TV industry, as did the revenue of NBC and its five owned stations. Bricker proposed to give the FCC power to regulate the networks, reduce the service of VHF stations in high-density population areas, restrict market straddling through reductions in power and antenna heights, and revise the FCC's multiple ownership rules. Bricker wanted to permit common ownership of any number of television stations as long as their combined coverage did not exceed 35% of the country's population.

Network spokesmen denied the charges of monopolistic practices in TV. "To curtail or destroy the networks' unique quality of instantaneous national interconnection," CBS President Dr. Frank Stanton warned, "would be a colossal backward step." To regulate networks, NBC President Robert Sarnoff argued "is to take the first step down the road to government decision on whether advertiser A or advertiser B should occupy a particular network time period." Robert E. Kintner, ABC president, urged that "the major attention of the Senate committee and of the FCC should be directed to the scarcity of stations, because with its solution, alleged monopolistic practices in the in-

dustry will disappear, just as they disappeared in radio when the factor of a too limited audience was removed."

While the Magnuson committee in July issued a report supporting the FCC proposals of selective deintermixture, and urged speed to help the UHF stations, several other studies of broadcast operations were in progress in Washington.

Roscoe Barrow, dean of the University of Cincinnati Law School, continued his FCC mandated network study, hoping for a final report in June 1957.

The House Transportation and Communications Subcommittee, led by Representative Oren Harris (D-Ark.), held hearings on bills to prohibit FCC discrimination against applicants with newspaper interests and on bills to provide relief for broadcasters from current libel laws.

Acting on material gleaned from questionnaires, Representative Joe L. Evins (D-Tenn.), chairman of the House Small Business Subcommittee, charged that RCA-NBC and CBS controlled the FCC. "These allegations," stated Evins, "... to the effect that the networks have the power to hire and fire those who do not vote or speak in the networks' interests are a serious matter and demand an immediate and thorough investigation." As one investigation begets another, Evins' allegations led to the subpoena of CBS and RCA-NBC records, further study, and the publication of eight of those documents in September as part of an official hearing record. Calling the publication procedure "outrageous, inexcusable, and novel," a CBS spokesman objected to the selection of eight documents out of 8,000-12,000 in order to establish a public record.

In another investigation, the House Antitrust Subcommittee, led by Emanuel

Celler (D-N.Y.), questioned why the FCC approved the swap of NBC's WTAM-AM-FM and WNBK(TV) Cleveland for Westinghouse's KYW(AM) and WPTZ(TV) Philadelphia after the Justice Department had said that the transfers were being investigated. Celler also got into music licensing. Executives of the American Society of Composers, Authors and Publishers testified that Broadcast Music Inc., the industry-supported music-licensing organization formed in 1940 to combat escalating ASCAP fees, constituted a monopolistic control of the music industry and "seriously impaired the freedom of music in America." "Mr. Celler's investigation of the music licensing field," BROADCASTING editorialized in November, "is ... a tourist's junket into an area where all the exploring has been done. The Justice Department has carefully watched both BMI and ASCAP for years, and only ASCAP has run afoul of the law in that time. Unwittingly or not, Mr. Celler was used by the ASCAP songwriters to advance their campaign against BMI."

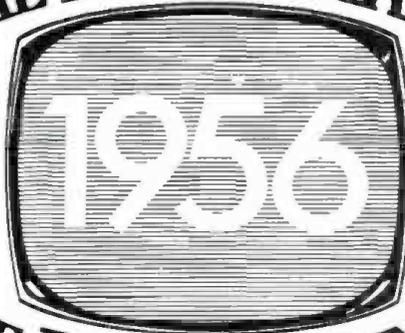
As the Celler investigation wound down toward the end of the year, the Justice Department filed a civil antitrust complaint against NBC and RCA for alleged coercion of the Westinghouse Broadcasting Co. in the Philadelphia-Cleveland station swap. BROADCASTING analyzed the importance of this case: "The suit, which comes as a grotesque 30th birthday gift to NBC, is the first dealing with the relationship of networks to their affiliates. Its importance cannot be overestimated because a decision sustaining the government's contention would affect the whole broadcasting economy. It is not a suit against NBC alone because all network affiliate relationships would be affected. ... Trading in television properties has reached a high level in recent months. The factor of network affiliation is the most important single consideration next to acquisition of the license itself, running in excess of the value placed upon equipment and real estate. If a test must be had, it is perhaps better to have the rules known now rather than at a time when the stakes will be infinitely greater, and the public interest as well as the private interest of licensees would be more severely affected."

The first major television purchases of feature films were made in 1956. RKO Teleradio Pictures sold 740 feature films and 1,000 short subjects for \$15.2 million to the C&C Super Corp., which later released them to television in barter deals through which C&C built up a huge bank of television advertising time. Among the properties released were "Citizen Kane" with Orson Welles, "Crossfire" with Robert Mitchum, "Hunchback of Notre Dame" with Charles Laughton and Maureen O'Hara and eight Fred Astaire and Ginger Rogers musicals. Columbia Pictures released 104 features to television through its subsidiary, Screen Gems; CBS negotiated to buy Terrytoons for about \$5 million; Paramount Pictures released 1,600 short subjects for television, and in



OFFICERS and directors of the newly-formed Broadcasters Promotion Assn. include (l to r): seated, Haywood Meeks, WMAL-AM-FM-TV Washington; Samuel Elber, WERE Cleveland, Ohio; David Partridge, Westinghouse Broadcasting Co., president; Montez Tjaden, KWTU (TV) Oklahoma City, second vice president; Charles Wilson, WGN-AM-TV Chicago, first vice president; Bruce Wallace, WTMJ-AM-TV Milwaukee; and standing: Ray Pedersen, WDAY-AM-TV Fargo, N. D.; Marion Annenberg, WDSU-AM-TV New Orleans; Jae Hudgens, KRNT-AM-TV Des Moines; Foster Brawn, KMOX St. Louis; Paul Wadland, WGAL-AM-FM-TV Lancaster, Pa. Not present were board members Gene Gadt, WCCO-AM-TV Minneapolis; Jae Zimmerman, WFIL-AM-FM-TV Philadelphia; John Keyes, WMAQ-AM-FM, WNBQ (TV) Chicago; and Howard Meagle, WWVA-AM-FM Wheeling, W. Va.

THE FIRST 50 YEARS



OF BROADCASTING

The Senate Interstate and Foreign Commerce Committee in 1956 was the center of legislative interest in broadcasting. Before the congressional recess in July, nearly 150 witnesses testified in 31 days of hearings under the chairmanship of Senator Warren G. Magnuson (D-Wash.). More than a dozen other hearings and studies of broadcasting and the FCC were also conducted that year on Capitol Hill.

The year 1956 also saw several developments that were to reshape television programming. Motion pictures at last began to flow from producers' vaults to TV. Ampex

unveiled its videotape recorder at the National Association of Radio and Television Broadcasters convention (page 133).

It was also a presidential election year, and television matured into a major vehicle of political news and advertising.

Adlai Stevenson, again the Democratic candidate for President, professed to dislike merchandising of politicians, but he appeared in five-minute spots called "The Man From Libertyville," prepared by Norman, Craig & Kummel. President Dwight D. Eisenhower and Richard M. Nixon stayed with their 1952 agency, BBDO. They too concentrated on five-minute spots inserted at the end of regular programming.

A special report by the Senate Election Subcommittee, released in early February 1957, showed that \$9,907,000 was spent in radio and television in behalf of political candidates—presidential down through local offices—from Sept. 1, 1956, to Nov. 6, 1956. Of that figure, the Republicans spent \$5,381,891 and the Democrats \$4,120,712.

The networks reported that sponsors paid between \$15 million and \$16 million for the coverage of the national conventions, which BROADCASTING reported as "the most extensive coverage of any event in electronics history."

NBC had 400 persons, three mobile units and more than 40 cameras at each convention. Chet Huntley, David Brinkley and Bill Henry worked as the anchor team, an assignment that led to Huntley's and Brinkley's replacement of John Cameron Swayze as anchor of the NBC-TV early evening news.

CBS had a crew of 350 and 22 tons of equipment. Its news team was led by Sig Mickelson, vice president in charge of news and special events.

ABC had a staff of 350, led by John Daly, vice president in



Joseph Stalin and the cruelties of his regime were denounced in February by Nikita Khrushchev and other Soviet leaders who declared a policy of peaceful co-existence with the West. Egypt seized the Suez Canal on July 26 under a new nationalization decree. Israel invaded the Sinai Peninsula Oct. 29, touching off fighting that lasted until Nov. 8. A Hungarian revolt against that country's Soviet-dominated regime was crushed Nov. 4. In the U.S., President Eisenhower handily turned back the presidential challenge of Adlai Stevenson in November. A month earlier, New York Yankee Don Larson turned back the Brooklyn Dodgers with the first perfect no-hit no-run game in World Series history. And in BROADCASTING ...

charge of news, and a new system of audio-receivers called "page boy" and "audiopage" to maintain communication between staffers and ABC's base of operation.

BROADCASTING observed: "There are two sure bets about the political conventions of the next three weeks. ... One is that the work of nominating candidates for President, starting with the Democratic convention in Chicago next week and continuing with the Republican sessions in San Francisco a week later, will be witnessed and heard by more millions than ever before. ... The

other is that the networks which present these quadrennial dramas will lose money in doing it. ... The mechanics of TV-radio coverage ... are vast almost beyond description. Preparations have been under way for more than a year. ... In all, more than 1,000 network people will be employed at the scene—and most of them will have to make the quick switch, along with equipment of fantastic tonnage, from Chicago to San Francisco virtually overnight. ... What will be the result? American viewers and listeners ... will get an insight into fundamental affairs of state such as would be impossible by any other means, including personal attendance. ... The networks will have taken a beating financially ... but they will have put on one of the most mammoth 'educational public service' programs conceivable—a thought that detractors of 'commercial' programming would do well to keep in mind."

The nation relied heavily on television for the election returns. Between 8:30 and 9 p.m. (when NBC had not yet started its coverage), ABC and CBS received a Trendex rating of 40.8, or 65.2% of the sets in use. Then, all three networks from 9 to 9:30 received a Trendex rating of 55.2, with 63.4% of all sets in use. By 8 p.m., Univac, Remington Rand's high-speed computer, used by CBS, had predicted a landslide victory for Eisenhower. Because of this and other early predictions for an Eisenhower victory, audience viewing dropped after the first hours of coverage.

When Senator Magnuson's Commerce Committee started hearings in January, testimony on TV allocations, VHF-UHF deintermixture and pay TV spilled over to more areas. Soon the committee heard testimony that TV network option time and "must buys" violated antitrust laws. In an attempt to

The President Opens His News Conference to TV



TRADITION was shattered and history made Wednesday when tv and newsreel cameramen and still photographers from newspapers and magazines covered the President's news conference, theretofore the exclusive prerogative of the pad-and-pencil reporters.

Later the same day, within hours of the conclusion of the session, the American public, via tv, witnessed the major part of what went on in the conference room of the executive office building when the President "met the press." In line with established procedure, under which the President is quoted directly only when he authorizes such quotation, live tv coverage was not permitted, but some two-thirds of the complete session was promptly cleared for tv and newsreel use.

CBS-TV had the full half-hour sound film on the air at 7-7:30 that evening. NBC-TV also telecast the complete film report approved by the White House at 11:30-12 midnight. ABC-TV and DuMont telecast excerpts of the pooled filmed coverage from the four cameras which jointly served as tv-newsreel reporters and so as the eyes and ears of the public. DuMont repeated the film Thursday, 10-10:30 EST.

Fear that the presence of the cameras would bring out the latent histrionic tendencies of the press, with individual attempts to "hog the camera" destroying the purpose of the meeting, proved groundless. The unusually large number of blue shirts, allegedly easier on the camera's sensitive eye, was the newsmen's sole apparent acknowledgment that the cameras were there.

Best proof that there was nothing disturbing about the tv coverage of the President's news conference came later Wednesday in an announcement by James C. Hagerty, White House press secretary, that from now on all of President Eisenhower's news conferences will be available for camera and sound coverage.

Summing it up for the viewers who watched the CBS-TV telecast of the official film on Wednesday evening, that network's White House correspondent, Charles von Fremd, said: "For the television news industry, what occurred today . . . is both a historic milestone and a convincing victory. A milestone because for the first time millions upon millions of people can actually see how a Presidential news conference is conducted . . . a victory . . . because the news conference today couldn't have been more average . . . There was no mugging at today's news conference."

NARTB'S PLAUDITS

NARTB President Harold E. Fellows Thursday wired President Eisenhower the association's "appreciation and congratulations" on his decision to authorize tv film coverage of the news conference. The message:

The historic event yesterday, in which you authorized television film coverage of your news conference, is being applauded by broadcasters and television viewers throughout the nation. May I add to their commendation the appreciation of the members of the National Assn. of Radio & TV Broadcasters, who recognize this broadcast as a great step forward in the development of television as a public service to the people of America. We are indebted to you, Jim Hagerty, and the other members of your staff for this farsighted step.

NBC, ABC and CBS vigorously opposed pay TV, but Zenith continued to press for the right to market this service. CBS's Dr. Frank Stanton argued that "CBS opposes pay television because it would hijack the American public into paying for the privilege of looking at its own television sets. This is a betrayal of the 34 million families who have already spent \$13.5 billion for their sets in the expectation that they would be able to use them as much as they wanted without paying for the prerogative of watching." RCA-NBC's David Sarnoff emphatically stated that free and fee TV could not coexist: "We believe that pay television would degrade and ultimately destroy the present system of free television." Observers predicted a long and bitter fight waged before the public and the FCC for pay television's approval or rejection.

Among top-echelon changes that took place as the year wound down:

In November, Donald H. McGannon was named president of Westinghouse Broadcasting Co., succeeding Chris J. Witting, who became a vice president of the parent Westinghouse Electric Corp. and manager of WEC's consumer products division.

In December, Robert W. Sarnoff was advanced from executive vice president to president of NBC, succeeding Sylvester L. (Pat) Weaver, who became chairman.

BROADCASTING summarized the year as one of "big plans, big gains, big problems. . . . It was a year of peak TV billings and a rise in radio revenues. . . . a year of record station sale prices; a year of congressional concern for radio-TV problems, but with no legislation passed in this field; . . . It was a year when the FCC wrestled with the VHF-UHF coexistence problem in vain, finally calling for industry help in completely overhauling the present allocation plan; a year when DuMont's withdrawal left only three TV networks; a year when "spectaculars" got the biggest audience, but *\$64,000 Question* got top week-in, week-out ratings, and when *Monitor*, *Weekday*, and *New Sounds for You* set new patterns in radio. . . . It was, in short, another normal year for broadcasters, full of threats and promises that turned out better than many had feared, though perhaps not as well as they hoped."

Stay Tuned

1. What ad agency designed Adlai Stevenson's "The Man From Libertyville" campaign?
2. Name the three-person NBC anchor team for the '56 presidential convention.
3. Name two congressional investigations that accused the networks of monopolistic practices.
4. What major swap of broadcast stations came under the scrutiny of the Department of Justice?
5. Who was the singing superstar Ed Sullivan presented on TV?

The answers in "1956."



SIGMA DELTA CHI bronze plaque, commemorating KDKA's "historic broadcast" of the 1920 election returns, is presented to Westinghouse officials by Charles C. Clayton (2d r), *St. Louis Globe-Democrat* executive and past SDX president. L to r: Chris J. Witting, president of Westinghouse Broadcasting Co.; L. R. Rawlins, KDKA general manager; Mr. Clayton, and D. H. McGannon, Westinghouse Broadcasting Co. vice president.

SDX MARKS KDKA AS 'HISTORIC SITE'

National journalistic fraternity commemorates original spot in Pittsburgh where 35 years ago the Harding-Cox election returns were broadcast on the Westinghouse station.

RECOGNITION came to radio as a full-fledged journalistic medium from the nation's largest organization of newsmen in a ceremony last Tuesday evening at KDKA Pittsburgh. The historic spot that

table was Mrs. Frank Conrad, widow of the late Westinghouse engineer who was instrumental in launching KDKA and who thus became known as the "father of radio."

Mr. Clayton said the presentation marked the first time SDX had given recognition to radio. He characterized the event as one "whose historic significance probably will be more clearly discerned by future generations."

Describing the event as one which recognizes "the birth of a new and powerful medium of communication," Mr. Clayton said that

—Broadcasting, Nov. 11

puts more, and not less, responsibility on the broadcaster himself. . . . The adoption of NBC of its code of broadcast standards was a recognition of the responsibility we bear. . . ."

Kefauver's committee in August released a report critical of both television and the FCC. The committee had been unable to prove a direct link between television and juvenile crime, but neither had it been able to find "irrefutable evidence that young people may not be negatively influenced in their present day behavior" by TV crime and violence. Therefore, the Kefauver committee urged that the FCC establish minimum standards for children's programs, increase its monitoring activities, and enforce fines and the revocation of licenses when necessary—a program that evoked cries of censorship from broadcasters and programmers. In addition, the Kefauver committee recommended that all broadcasters join the National Association of Radio and Television Broadcasters and subscribe to its TV code, that the NARTB increase its monitoring function, that the National Science Foundation conduct research into the effects of TV programming on children, that the President appoint a commission to study the effect of mass media on children and that citizens form local listening coun-

cils to keep a close watch over children's programs.

Not all TV programming met with adverse criticism. NBC achieved much praise for its two-hour March presentation of Mary Martin in *Peter Pan*. Over 65 million people—by NBC's count "the greatest audience ever assembled to watch any event on a single network"—saw the \$450,000 color production. Calling the production "a milestone," the *New York Herald Tribune* commented that "having put on *Peter Pan* so brilliantly, the television industry is entitled to take its own bows. But it should remember that shows of this type set a high standard for the future. . . ."

NBC continued to push color by increasing the number of live color shows to 37 for October 1955 from seven in October 1954. In one year the number of TV stations equipped to colorcast network color programs tripled from 60 in midsummer of 1954 to nearly 200 in midsummer of 1955.

CBS-TV scored a coup in June with its airing of *The \$64,000 Question*. Within a month, this show, sponsored by Revlon and offering the largest jackpot of any quiz show, became the most popular program on the air. *Gunsmoke*, a CBS Radio favorite, expanded to TV on Sept. 10. This adult western not only climbed to the top

of the ratings and stayed there, but sparked a trend to adult westerns that was to dominate network programming for years.

ABC, which trailed the other networks in the color race, expanded on its success with Walt Disney by introducing the black-and-white Disney-designed *Mickey Mouse Club*. This late-afternoon series, replete with mouseketeers, cartoons and special features successfully captured a significant share of the audience and contributed to ABC's emergence as a profitable arm of American Broadcasting-Paramount Theaters in 1955. After losses in 1953 and 1954, ABC reported operating income of \$18,117,000 in 1955, an increase of \$10,693,000 over the previous years. ABC-TV gross time billings in 1955 had increased 53%. AB-PT, in releasing this report, clarified its position on color TV by saying that once there is a "sufficient number of color sets to justify public and advertiser interest," ABC would be prepared to broadcast in color.

As television's popularity grew, so did its time sales. By August 32 million homes had television sets. For the year TV time sales rose another 26.6% to \$681.1 million.

Radio also experienced a rise in sales in 1955. The combined net time sales for radio stations and networks equalled \$456,481,000, \$5 million ahead of the 1954 totals, and only slightly below the all-time (1953) high of \$477,206,000. While network sales dropped nearly \$19 million below the 1954 figure, local sales rose almost \$25 million.

The radio networks struggled. Both Mutual and CBS Radio established a single rate for daytime and evening programming. NBC introduced *Monitor*, a weekend, 40 hour magazine format for radio that offered talks, interviews, news and music.

The number of operating television stations at the end of 1955 had risen from 411 to 441 commercial stations and from 11 educational to 18; the number of AM stations on air increased from 2,669 to 2,824, but the number of operating FM stations continued to decline, from 552 in 1954 to 540.

In an attempt to help FM, the FCC in March authorized functional music and related "subsidiary" services by FM stations on both a simplex basis (for one year) and a multiplex basis, effective May 2. This plan would allow an FM station to broadcast its regular programming for the public, and by the use of special equipment, gain added revenue through the multiplexed services which included special programming for supermarkets, restaurants, banks, etc.

In other FM news, RCA-NBC finally reached a settlement in the patent suit that Major Edwin Armstrong had brought against that company six years ago. The \$1-million settlement that RCA agreed to came one year after Armstrong's suicide (see 1954).

In 1955, the perennial issue of pay TV again came before the FCC. The NARTB,



GOING, but not forgotten: Bernard Schwartz leaves his Capitol Hill office after being fired as counsel of the Legislative Oversight investigation.

—Broadcasting, Feb. 17



IN preparation for hearings starting Jan. 14 on pay tv. W. E. (Ed) Williamson (l), chief clerk of the House Commerce Committee, and Rep. Oren Harris (D-Ark.), chairman of the committee, go over past records.

—Broadcasting, Jan 6

determine the propriety of FCC commissioners' conduct and whether there had been ex-parte relationships with litigants; whether the FCC had been inconsistent in its comparative TV cases to the detriment of smaller entities; whether the FCC had failed to exercise responsibility in the anti-trust field and, in some cases, had given licenses to antitrust violators; whether the FCC had failed to consider the patent situation and had contributed to RCA's position in patent licensing; whether the FCC had aided monopoly by a 1956 Press Wireless-Western Union case in which Press Wireless was denied permission to make a feed to its subscribers from the Democratic national convention, a request opposed by Western Union.

All were among the subjects of the memorandum by Schwartz. However, the enterprising counsel was soon fired by the subcommittee, not so much for his findings as for his methods of disclosure: the final House Oversight report agreed in large part with Schwartz's allegations. Issued in April, the report stated: "Our hearings to date have revealed certain highly improper activities in connection with the FCC. . . . Accordingly, we are . . . referring the record to the Department of Justice for appropriate action with respect to the violations of law."

The subcommittee also suggested "further exploration" in four fields:

- "The method of selecting or designating chairmen of independent regulatory commissions. . . . Present provisions authorizing the President to designate the chairmen of most of these commissions appear to be in conflict with the objectives of bipartisan, political neutrality.

- "The powers of the chairmen of independent regulatory commissions.

- "The powers of the budget with respect to independent regulatory commissions.

- "The terms of office and the salaries of the members of independent regulatory commissions."

In addition, the House Oversight report called for the establishment of a code of ethics for commissioners, the removal of the provision in the 1952 amendment authorizing the acceptance of honorariums, the abolition of all ex-parte contacts with commissioners, and the establishment of the President's power to remove commissioners for "neglect of duty or malfeasance in office, but for no other cause."

One FCC commissioner, Richard Mack, came under a shadow when the FBI conducted an investigation into charges that Mack had sold his vote in a Miami channel 10 grant to a subsidiary of National Airlines. Despite the evidence of checks signed by Miami attorney Thurman A. Whiteside and cashed by Mack, he claimed innocence, refusing to quit. From 1953 to 1956, Mack, who was given by Whiteside a one-sixth ownership in the Stembler-Shelden insurance agency, received \$9,896.58 in payments. In addi-

tion, Whiteside gave Mack sole ownership of Andar Corp., which paid Mack \$2,000. Mack referred to those arrangements as generous business deals and personal loans; others referred to them as conflicts of interest and bribery. Still protesting innocence, Mack resigned in March: "I have done no wrong [but] my usefulness as a member of the FCC has been brought into question." In September a federal grand jury indicted Mack on charges of selling his vote.

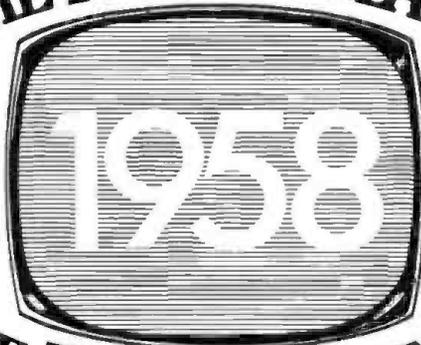
Other investigations involved RCA, the House Un-American Activities Committee, and the producers of the quiz program *Twenty-One*. RCA and the Department of Justice, in late October, ended a four-year civil antitrust suit as RCA signed a consent decree to establish a nonroyalty patent pool for its 100 key color TV patents, and agreed to a \$100,000 fine.

The House Un-American Activities Committee in June called two employes of television, Charles S. Dubin, director of the NBC-TV quiz program, *Twenty-One*, and Joseph Papirofsky (Joseph Papp), a CBS-TV floor manager, and other entertainers as witnesses, grilling them about alleged Communist connections. Since both Dubin and Papp remained "uncooperative" by invoking the First and the Fifth Amendments, both were summarily fired by nervous networks. The NBC statement stated that "The National Broadcasting Co. does not knowingly employ Communists nor permit their employment on programs broadcast over its facilities. Persons who refuse to testify as to their present or past affiliation with the Communist Party render themselves unacceptable as regular employes on NBC programs." The CBS statement was even more terse: "The circumstances surrounding the case of Mr. Papp are such that we have decided to dismiss him from our employment." (Papp was later to become one of the foremost theatrical producers in New York.)

Besides this altercation, *Twenty-One's* producers became embroiled in a controversy over the show's honesty. It resulted in the cancellation of that quiz show, but it further focused the public's attention on the legitimacy of giveaways.

Based on the complaints of dissatisfied contestants, a New York district attorney began an investigation of *Twenty-One* and *Dotto*, a connect-the-dots giveaway show that was canceled by sponsor Colgate-Palmolive in August. Despite the negative publicity, an NBC Trendex survey in September indicated that quiz shows maintained a high level of popularity. However, by the end of October NBC canceled *Twenty-One* because of poor ratings, and CBS, by the end of November, canceled *The \$64,000 Question*, the 1955 progenitor of the television quiz craze. CBS stated that "the integrity of the first . . . big quiz show was not an issue in the replacement," but that it had become the victim of "declining quiz show audiences." Soon after the beginning of the quiz investigations, more than 20 quiz shows were can-

THE FIRST 50 YEARS



OF BROADCASTING

The investigative revelations and recriminations continued in 1958 as Congress, the FCC, the networks and broadcasters reacted to the Barrow Report, the House Legislative Oversight Committee report, a grand jury indictment of an FCC commissioner, and a New York investigation of a quiz show.

The FCC-authorized study of network practices, under Dean Roscoe L. Barrow of the University of Cincinnati Law School, proposed drastic changes in network operations. Among the recommendations: that networks be licensed directly by the FCC, that option time and must-buy station lineups be outlawed, that networks be required to make public all affiliation contracts, that networks be prohibited from acting as national spot representatives for stations other than their own, that multiple owners be divested of all but three stations in the top 25 markets, and that the FCC should have the power to levy fines against stations for infractions of rules.

Broadcasters responded quickly and vehemently. Westinghouse Broadcasting Corp. President Donald H. McGannon called the FCC's Barrow Report "a quantum step" toward the destruction of television, and argued that "if the Barrow Report is adopted . . . the industry would be set back a decade or more, and there would be imposed a degree of governmental restriction and control of the greatest creative arts that would deprive the American public of its ultimate benefits . . . all for no warranted or necessary purpose." American Broadcasting-Paramount Theaters President Leonard Goldenson argued that the divestiture of any of the five ABC-owned VHF stations would bankrupt the network. "The business of networking," Goldenson maintained, "is a hazardous one involving the commitment of vast sums of money on what amounts to a speculation in the public taste."

CBS President Dr. Frank Stanton attacked the Barrow Report's "lack of understanding" of network operations, and the report's conclusions that "arise from the shadows of speculation." Stanton, in a defense of option time, defined it as "the thread which transforms 191 separate television stations into the unit known as the CBS Television Network. . . . Option time . . . permits the network to afford assurance to potential users of the network that it will have stations adequate in num-



In Rome, death claimed Pope Pius XII. His successor, John XXIII, brought far-reaching changes in Catholicism. Arab nationalist rebels seized the Iraqi government, killed King Faisal II and proclaimed a republic. Shortly thereafter, President Eisenhower sent Marines into Lebanon to forestall an alleged attempt by the Soviet Union and the United Arab Republic to overthrow that nation. In the United States, the Army launched the first U.S. earth satellite from Cape Canaveral. First class postage went to four cents; it had been three cents since 1932. Baseball truly became the national pastime as the New York Giants headed West to San Francisco and the Dodgers deserted Brooklyn for Los Angeles. And in BROADCASTING . . .

ber and properly located to insure the desired nationwide circulation for certain periods. . . . Option time is not a grant by the government or an extortion from the stations. It is the result of a voluntary relationship between networks and affiliates, freely given by the affiliates because they want the network schedule. . . . It is a two-way street, built jointly and enthusiastically by the residents on both sides." NBC President Robert W. Sarnoff, defending option time, owned and operated stations and must-buys, attacked the Barrow Report because it "takes off on a theoretical flight; argues a series of abstract doctrines, and arrives at conclusions unrelated to the facts and unsupported by them."

Nonetheless, the FCC took the Barrow report's recommendations under advisement. Though a few of the proposals were destined to be discarded, others were implemented in later years.

The House Legislative Oversight Committee report, at first under the direction of Representative Morgan Moulder (D-Mo.) and later Representative Oren Harris (D-Ark.), when Moulder resigned the chairmanship under pressure from the senior Harris, created controversies of its own, as did Bernard Schwartz, the committee's chief counsel. In a widely publicized leak to the press that came after the subcommittee rejected Schwartz's plan to open hearings with an intense investigation of the FCC, Schwartz charged several of the FCC's commissioners with "malfeasance." "There is serious doubt," BROADCASTING commented, "that the Moulder subcommittee is qualified to carry on its investigation of the FCC and other government agencies. So far, the subcommittee has been unable to discipline itself or its staff. The result has been a series of news leaks—'plants' would be a better word—that have created the impression that (1) members of the FCC are incompetent, crooked and servile to the industries they regulate, and (2) an energetic subcommittee staff is being cruelly suppressed in its patriotic desire to bring the culprits to justice. . . . At the moment the Moulder subcommittee is party to a smear. It must either disavow its chief counsel and his memorandum, or it must provide a prompt and proper hearing to the men whom he has accused."

Both occurred. The subcommittee held public hearings to

substantially lessened Philco's sales of black-and-white sets, with consequent loss of profits."

The suit alleged that RCA's David Sarnoff in 1946 had persuaded GE and AT&T to withhold patents from Philco until Philco signed a licensing agreement with RCA.

In other developments, Zenith, after 11 years in five courts, won its patent suit against RCA, with a settlement of \$9-11 million. The Internal Revenue Service ruled that network affiliations could not be depreciated. FCC Commissioner John C. Doerfer moved up to the chairmanship, and Frederick W. Ford, one-time FCC attorney, returned from the Justice Department to become an FCC commissioner.

Throughout 1957, technology continued to expand broadcasting's possibilities. RCA demonstrated a new color videotape recorder. NBC began using chroma key, a device that picked up images from two color cameras and

merged them so that actors could be shown against unusual backgrounds. The Soviet's Oct. 4 launching of Sputnik, the first man-made satellite to orbit the earth, immediately touched off speculation among American broadcasters about the

Stay Tuned

1. Why was Bernard Schwartz relieved of his duties as counsel for the House Oversight Committee?
2. Which FCC commissioner resigned after he was charged with misconduct in connection with a Miami TV grant?
3. Name two quiz shows that were investigated as questions began to arise about giveaway shows?
4. What FCC proposal to reallocate TV channels created broadcast anxiety?
5. Who on Capitol Hill released a report that took the FCC to task for seeking only "a piecemeal solution" to allocations problems?

The answers in "1958."

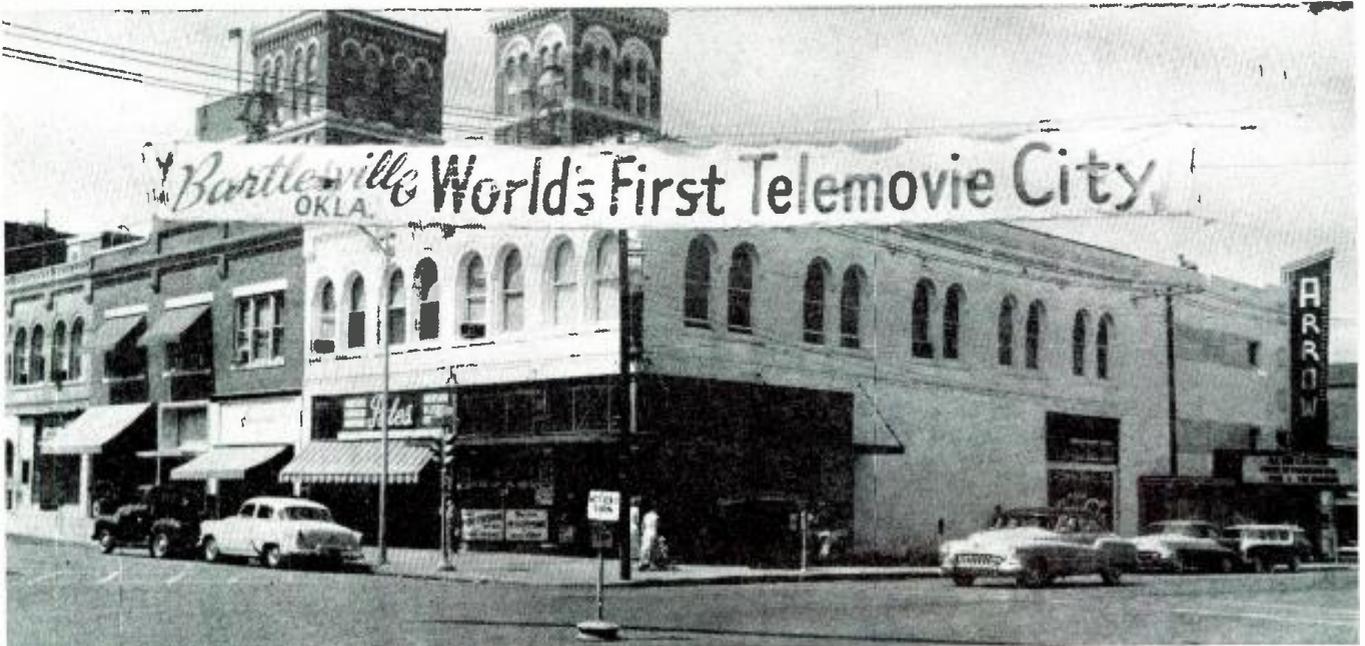
role of satellite communications in the future as well as the probability of more demands on the spectrum by such coming technology.

Broadcasting's domain now seemed as limitless as the infinity of space itself.

—Broadcasting, Jan. 24

BENCHMARK IN BARTLESVILLE

- Wired subscription tv starts its first test in Oklahoma market
- B•T, on the scene, reports the play, the players, the reaction



A 200-theatre Southwest movie chain has taken the idea of subscription tv and made it its own.

Video Independent Theatres—a major circuit in Oklahoma, Texas and New Mexico and with interests in two tv stations and a dozen community tv systems—began merchandising motion pictures into the home last Tuesday.

The place this revolutionary and potentially competitive tv form is underway is Bartlesville, Okla., an oil center and rich agricultural county seat in western Oklahoma.

The month of September is a test period, during which those who are connected will be able to view top run films—as well as re-runs.

Among the up-to-date features which will be piped into Telemovie homes during the rest of September are "Night Passage," with Jimmy Stewart; "Great Man," with Jose Ferrer; "Band of Angels," with Clark Gable; "Jeanne Eagels," with Kim Novak; "Face in the Crowd," with Andy Griffith; "The D.I.," with Jack Webb, and "Prince and the Showgirl," with Marilyn Monroe and Lauren Olivier.



NEWLY elected officers of the Society of Television Pioneers, organized in Chicago in April at the annual convention of the NARTB, pose behind their slogan as "old timers" in tv. Left to right: Harold Hough, director of WBAP-TV Fort Worth, second vice president; W. D. (Dub) Rogers, president of KDUB-AM-TV Lubbock, Texas, president; John E. Fetzer, president of the Fetzer Broadcasting Co., first vice president.

—Broadcasting, July 1

when Zenith proposed a system that involved a scrambled picture telecast over the air with a decoding key transmitted via telephone wires. Zenith later was joined by Skiatron Electronics & Television Corp. and International Telemeter Co. (subsidiary of Paramount Pictures).

The two late starters in the toll TV sweepstakes were Teleglobe Pay TV Systems and Blonder-Tongue Labs. Both filed proposals at the FCC just before the commission issued its September 1957 order. Teleglobe, under Solomon Sagall, former head of Britain's Scophony Ltd., proposed a system that involved a clear picture (to induce subscribers) but with scrambled sound.

Meanwhile, Bartlesville, Okla., in September became the testing ground for wired pay TV in cooperation with the Video Independent Theatres. Viewers paid a flat fee of \$9.50 a month—in advance—for the right to view such movies as "Night Passage," with Jimmy Stewart; "Great Man," with Jose Ferrer; "Band of Angels," with Clark Gable; "Jeanne Eagels," with Kim Novak, and "The Prince and the Showgirl," with Marilyn Monroe and Laurence Olivier. The films originated from a street-front, \$100,000 studio in Bartlesville and were fed to the individual homes by coaxial cable attached to the television receiver's antenna inputs.

Despite the Bartlesville experiment, four separate public opinion polls concluded that the majority of viewers opposed pay TV. A mail poll conducted by KSBW-TV Salinas, Calif., and KSBY-TV San Luis Obispo, Calif., found that 5,002 viewers opposed pay TV while only four favored it. Senator William Langer (R-N.D.) surveyed the residents of Bartlesville, finding 1,930 to be against

pay TV and only 163 for it. A *TV Guide* mail poll of its readers found 43,361 (97%) opposed to pay TV, and 1,527 (3%) in favor of it. A Pulse study, commissioned by BROADCASTING, of 1,409 people in 10 geographically diverse cities found that 939 (66.6%) were against pay TV, while 470 (33.4%) were for the service. BROADCASTING concluded that subscription television would cause "the free service to which the public has become accustomed [to] degenerate, perhaps disappear. . . . If the public is made aware of that prospect, it will not take kindly to those in its government who advocate the approval of toll TV. . . . We doubt that any congressman will wish to participate in an action which more than nine out of 10 viewers oppose."

While viewers waited for toll TV to change broadcasting, executives at NBC and CBS eyed ABC's growing strength. Leonard H. Goldenson, president of ABC's parent American Broadcasting-Paramount Theaters, targeted Frank Sinatra, Mike Wallace, Walt Disney, and a new young singing sensation, Pat Boone, as audience attractions. ABC executives, planning color programing for the fall of 1958, proclaimed that their goal was to achieve the evening TV ratings lead by April of 1958.

Another perennial issue—the role of educational television—was reappraised in a BROADCASTING special report in November. In its fifth year, educational television represented a \$60-million investment consisting of 22 VHF and 6 UHF operating stations. By the year's end six more VHF and three UHF stations were scheduled to be operating. As BROADCASTING summarized things, these stations represented "a monumental

achievement, ETV advocates feel. A job 90% incomplete after five years, its critics suggest." Commercial broadcasters still wanted to utilize the spectrum space reserved for ETV, while ETV broadcasters contemplated partial commercialization. BROADCASTING analyzed the situation: "Educational television . . . is apparently here to stay . . . Since the proposal to reserve stations for educational use was first made, we have believed that it would be less costly and more efficient for educators to use commercial facilities than to build and run their own. We still think so. . . . The \$60 million has been spent, and more money will be. In that direction lies the next problem of educational TV. Where is the money to sustain these stations to come from? We foresee proposals that noncommercial stations turn commercial. . . . That, of course, is a development to be avoided. The educational franchises were granted with the explicit condition that they would not compete for advertising. It would not only be unfair but also illegal to change that condition now or in the future."

If the future for educational television seemed uncertain, radio's prognosis appeared better as total billings rose 9.3% to \$537,664,000. For the first time in nine years, national network radio figures showed an increase: time sales rose 6.9% to \$47,951,000. Regional network, national nonnetwork and local time sales all showed increases as well.

As the role of black programing, rock 'n' roll and local programing continued to grow, so did the disk jockey. Because of his influence in record promotion, the disk jockey, by the end of the fifties, was the recipient of an impressive set of perquisites. Called "payola," these job-related dividends included cash for playing certain records, as well as expensive gifts and even stock in record companies. It was a world that was to come crashing down in later times, when disapproving broadcasters and government acted to erase payola.

In other radio news, Mutual Broadcasting System was sold for \$550,000 to a California group that included Armand Hammer, renowned art dealer and president of Occidental Petroleum Corp., Roy Roberts, realtor and oil operator, and Paul Roberts, station manager of KRKD-FM Los Angeles. The new management stated MBS's goals as "service and profits." in that order.

To recoup some alleged lost profits, the Philco Corp. in January filed a \$150-million triple-damage suit against RCA. General Electric and AT&T. Philco argued that RCA forced Philco to sell its WPTZ(TV) Philadelphia by threatening to cancel the station's NBC affiliation. Philco accused RCA of patent practices that violated anti-trust laws. "RCA's persistence in offering color TV sets for sale," Philco complained, "despite the fact that they are not perfect, and persistence in advertising that RCA has pioneered and developed the compatible color television system, has

Face the Nation.

Concerns about the former Section 315's rigid requirements had been fueled earlier in 1959, when Chicago's Lar Daly won equal time, under an FCC 4-3 decision, after the mayor of Chicago had appeared on regularly scheduled newscasts. Daly, a perennial candidate for mayor and other offices who became known for his Uncle Sam attire and frequent picketing, gained national attention including that of Senator John O. Pastore (D-R.I.) who was in the forefront of the fight to amend Section 315.

But Congress also wrote the fairness doctrine into law, saying that nothing in the modification should be construed as relieving broadcasters of the responsibility "to afford reasonable opportunity for the discussion of conflicting views of public importance." FCC Chairman John Doerfer expected this to create problems. BROADCASTING commented: "Mr. Doerfer thinks the Section 315 amendment will require broadcasters to give time to all political partisans who wish to express opposition to anything said on radio and television. To use his own words: 'Apparently, any responsible person who has opposing views can now get into a political hassle over the air.'" Broadcasters waited for the 1960 elections to test the interpretations of Section 315.

Such differing interpretations between broadcasters and the FCC reflected much of the FCC's tumultuous 25-year history. About the FCC's tenure since July 11, 1934, BROADCASTING summarized, "All 25 years of the FCC's existence have been no less tumultuous than they are today. . . . When the FCC opened its doors in 1934, there was practically no legal precedent. Every court decision plowed legal ground. . . . It is true that, despite all the travail, the United States from the start has led the world in broadcasting. It is a tribute to the American system of free competitive enterprise."

This system of free enterprise had created, by the end of 1959, 3,527 authorized AM stations with 3,398 on the air, 838 authorized FM stations with 688 on the air, and 673 authorized TV stations with 573 on the air. Total net radio billings in 1959 increased 7.6% to \$582,914,000, with the greatest changes occurring in the national network figures, down 23.4% to \$35,633,000, and the local billings, up 11.1% to \$359,138,000. The net time sales of television stations increased in every category to create the first billion-dollar year, with a total of \$1,070,600,000, up 12.6% over 1958.

The burgeoning television economy was creating three-network competition in prime time. The key to ABC's challenge to CBS and NBC was, as expressed by Oliver Treyz, ABC president, "counterprogramming—putting on something completely different from what the other networks have on the air at the time." Such strategy pitted *Disneyland* against CBS's Arthur Godfrey, *Cheyenne* against NBC's Milton



In native dress • Lar Daly wears an Uncle Sam suit on special occasions such as picketing the Federal Bldg. in Chicago in early August 1956. Mr. Daly had filed suit to force the networks to give him time equal to that given other candidates for the Presidency. He wanted action before Aug. 18 in hope of going on the air before the GOP convention Aug. 20.

Broadcasting, Feb. 23

Berle, and *Maverick* against CBS's Ed Sullivan.

Continuing the trend of previous years, the 1959 season became known as "the season of the special," with more than \$100 million worth programed. ABC, relying heavily on its regularly scheduled programming, planned to broadcast a minimal amount of special programming, some of which included *The Splendid American*, a documentary about Americans working in Laos, and a Bing Crosby show with guests Frank Sinatra, Louis Armstrong and Peggy Lee. CBS's strategy included more than 185 specials that relied on such stars as Tallulah Bankhead, Sammy Davis Jr., Mort Sahl, Jack Benny and Phil Silvers, as well as the presentation of four dramatizations of Hemingway novels, and a piece on *The Fabulous Fifties*. NBC aired more than 200 specials. Some of the more ambitious were 40 news specials, the 39-part *Ford Startime*, as well as Sir Laurence Olivier's TV debut in *Moon and Sixpence*.

New situation comedies included *Den- nis the Menace* (CBS), starring Jay North;

The Many Loves of Dobie Gillis (CBS), starring Dwayne Hickman, Bob Denver and Tuesday Weld, and *Fibber McGee and Molly* (NBC), starring Bob Sweeney and Cathy Lewis.

As the era of space communications was arriving, the networks presented adventures in that mold. Two such 1959 offerings were *Men into Space* (CBS) with William Lundigan, and *The Man and the Challenge* (NBC) with George Nader. Not in space but somewhat out of this world was Rod Serling's *The Twilight Zone* (CBS).

Two well-developed fictional forums continued to be exploited by the networks: detectives and westerns. *The Untouchables* (ABC) presented Robert Stack as Eliot Ness leading the Federal Special Squad against the gangland rule in Chicago. *The Lineup* (CBS) presented Warner Anderson as Lieutenant Ben Guthrie fighting crime in San Francisco.

Among new westerns were: *The Rebel* (ABC) with Nick Adams; *The Man From Black Hawk* (ABC) with Robert Rockwell; *Hotel de Paree* (CBS) with Earl Holliman; *The Deputy* (NBC) with Henry Fonda; *Wichita Town* (NBC) with Joel McCrea; *Riverboat* (NBC) with Darren McGavin and Burt Reynolds; *Laramie* (NBC) with John Smith, Robert Fuller and Hoagy Carmichael, and *Bonanza* (NBC) with Lorne Greene, Pernell Roberts, Dan Blocker and Michael Landon. The last proved to be one of the longest-running series on TV.

The end of 1959 capped a decade that included the end of TV's allocations freeze, a final resolution of the color conflict, the emergence of memorable programming and a changing world for radio, particularly the networks. There were low points with McCarthyism, Hill and FCC probes, the resignation of an FCC commissioner under a cloud, and wrongdoing within the industry. But it was all just prologue to breath-taking developments in broadcasting that were to come in the soaring sixties.

Stay Tuned

1. What ad agency was chosen by the Democrats for the 1960 campaign? What agency did the Republicans pick?
2. What FCC program was dubbed "The U-2 Plan" by broadcasters?
3. What former network executive was sentenced to prison for attempting to defraud the government?
4. Name two satellites launched in 1960, each of which demonstrated important space age technology.
5. Why did FCC Chairman John Doerfer resign?

The answers
in "1960."

costs." Zenith, a pioneer advocate of pay TV, planned to test its Phonevision system under the FCC's new rules, and Paramount Pictures announced plans to introduce its own pay TV system because, as Paramount President Barney Balaban stated, "some form of pay television is inevitable. The opposition can delay it only temporarily. It cannot be stopped."

Conventional broadcasters continued to mount their guns against CATV systems on the grounds that cable was pirating their shows, was deficient in public service and posed an economic threat to free TV. The Senate Commerce Committee again held hearings during which CATV spokesmen asked that cable be placed under FCC jurisdiction for licensing purposes, but that the broadcasters' proposal that CATV systems secure permission from the originating stations before using their TV signals be dropped. FCC Chairman Doerfer felt that CATV operations should be required to abide by the same retransmission consent that the law imposed on broadcast stations, but the battle continued.

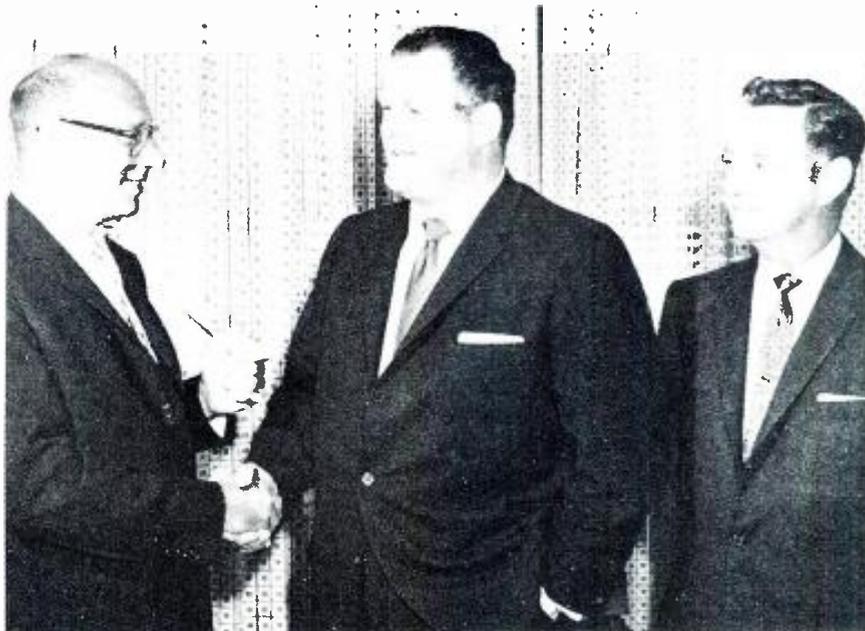
BROADCASTING summarized the situation this way: "There's no relief in sight for the small-market telecaster who is fighting for survival against the community antenna operators. The outlook for legislation to place cable stations under FCC licensing is bleak indeed. While a Senate Commerce subcommittee seems sympathetic, the counterpart House committee hasn't yet scheduled hearings and there's little prospect that anything will be done in the closing weeks of Congress. The FCC says realistically that without legislation its hands are tied."

Also contributing to the uncertainties of the broadcaster's life in 1959 was Section 315 of the Communications Act of 1934, the political law requiring equal time for political candidates and prohibiting censorship of their messages.

In a test case, the Farmers Educational and Cooperative Union of America, North Dakota division, earlier had sued WDAY-TV Fargo, N.D., for telecasting a filmed campaign speech by A.C. Townley, a candidate in the 1956 Senate campaign, in which Townley called the farmer's union "Communist and Communist-dominated." A lower court in 1958 ruled that Section 315 implicitly protected the station from libel damages. The union in 1959 appealed to the U.S. Supreme Court.

The Supreme Court in July 1959 ruled in a 5-4 decision that broadcasters were immune from libel actions arising from the appearances of political candidates. With this for momentum, broadcasters pushed for a revision of Section 315.

Then, in what BROADCASTING hailed as a great emancipation for radio and television, Congress in September enacted a revision of Section 315. Under the amendment, broadcasters were freed from the need to give equal time to rival candidates on legitimate news programs and on interview shows such as *Meet the Press* and



These were happier days • Alexander L. Guterma (left) congratulated Hal Roach Jr. (center) last May when Mr. Guterma's Scranton Corp. acquired all of the outstanding stock of Hal Roach Studios in Hollywood in an undisclosed part-cash, part exchange-of-stock deal, said to total \$15.5 million. Scranton vice president Garland L. Culpepper looks on. But last week, a federal grand jury in Washington indicted the trio on charges of conspiring to evade the foreign agents registration law when they allegedly agreed to use Mutual to sweeten the U.S. taste for Trujillo.

Broadcasting, Sept. 7



Study of a Colorful Interviewee • Radio-TV newsmen last week got firsthand examples of the uninhibited nature of Cuban Premier Fidel Castro. Dropping in unannounced at a Washington restaurant (left photo) where WWDC's Steve Allison conducts a late evening interview show, Dr. Castro consented to an impromptu interview marked by fiery moments. And, in a planned appearance at WRC-TV Washington for NBC-TV's *Meet The Press* (right photo), Dr. Castro was no less colorful in his discussion with panel member Richard Wilson, Cowles Publication, and underscored feelings with a flailed fist (blurred in center of photo).

Broadcasting, April 27



whatever, we are held responsible for what appears on CBS. We accept that responsibility, and the quiz show scandal has led us to re-examine the whole area of our responsibility." NBC President Robert E. Kintner stated, "NBC has never been a party to quiz show rigging. We are just as much a victim of the quiz show frauds as the public." Both networks attempted to eliminate deceptions by such practices by requiring all personnel associated with quiz and audience participation shows to sign affidavits of honesty, and recommending an independent audit of security procedures.

Besides the networks' own housecleaning, the quiz and payola scandals produced other reverberations. The FCC announced an inquiry to "determine the policies, practices, mechanics and surveillance pursued and carried out by networks, station licensees and others in connection with the acquisitions, ownership, production, distribution, selection, sale and licensing of programs for radio and television exhibition." In addition, the new investigation was to determine the practices involved in the "selection, presentation and supervision" of advertising material, and to determine whether the Communications Act needed to be revised.

Television, to reclaim some of its good reputation, established an image factory, the New York-based Television Information Office. Designed to research television's role and impact, the TIO planned regular mailings to opinion leaders, arranged for speakers to appear before educational and professional groups and established a library of tapes, films and kinescopes.

The networks, to fill the blank spaces in

their schedules caused by the abrupt dropping of many quiz shows, aired more than 30 new Hollywood telefilm series, including *Hennessey* with Jackie Cooper, *Johnny Staccato* with John Cassavetes, *Riverboat* with Darren McGavin, and *The Alaskans* with Roger Moore.

In the wake of the scandals, Attorney General William Rogers, in December, issued a report to President Eisenhower calling for new legislation to eliminate false programming and advertising, and FCC Chairman John Doerfer asked the networks, in partial expiation of their sins, to expand their public service programming in prime time. The National Association of Broadcasters toughened its TV code, banning plugs, payola and quiz rigging.

Despite the blemishes that the scandals put on broadcasting, an Elmo Roper study found that the public had not lost faith in radio and television. Roper's analysis showed that a majority of the public rated TV close to newspapers as a source of news, and felt that TV performed in the "good" or "excellent" range, that while two out of three people thought quiz rigging to be wrong, they didn't condemn all of television for those abuses, and that three out of four people remained convinced that the television industry was correcting the publicized abuses.

In addition to the quiz scandals and correctives, television faced the recurring problems of pay TV, community antenna TV and Section 315.

Despite some reservations, the FCC in March announced that it would consider plans for a three-year test of pay TV. The House Commerce Committee, long an obstacle to any pay TV test, approved the plans by an 11-10 vote. Even this small



Van Doren

Broadcasting, Nov. 9
step met with severe criticism from pay TV opponents such as Representative Robert W. Hemphill (D-S.C.) who voiced concern that "pay television will do away with the public service features of television [and] ... would ... mean millions of sports fans would be denied in the future the privilege of looking at sports contests without added

Dominican Republic, through Washington attorney Edward L. Carey, later sought a refund from MBS on grounds of nonperformance.

Radio endured another headline-making scandal in 1959, the investigation of payola. It involved benefits, often characterized as "booze, broads and bribes," paid by record companies and distributors to disk jockeys for preferential playing of certain records.

In a special report in August, BROADCASTING cited the statistics that created payola. There were between 1,500 and 2,000 recording companies in 1959, turning out from 50 to 250 new records each week. As one disk jockey said about the flood of new releases: "Who can play them all and decide which ones are going to get the plays? ... There's room for about 15 or 20 disks outside the top 40, and how much chance do you think your record has of being one of those 15 or 20, and how much are you willing to pay to help make it one?"

Seymour M. Lazar, entertainment lawyer and West Coast attorney for the American Society of Composers, Authors and Publishers, testifying before a Senate Commerce subcommittee in 1958, had stated: "In order to get your song played by disk jockeys in Los Angeles, you must pay cash ... I know disk jockeys making \$300 to \$500 a week above their salaries of \$25,000 to \$50,000 a year. ... The broadcasters know this. It is that flagrant."

By December BROADCASTING headlined "Two Tough Moves Against Payola." The Federal Trade Commission formally charged RCA, London Records, and Bernard Lowe Inc. (Cameo) as well as six distributors in Philadelphia and Cleveland with bribing disk jockeys. In addition, the FCC started a sweeping investigation of payola by ordering all 5,326 radio and TV licensees to report on all programs and commercials broadcast since Nov. 1, 1958, in which the payment of money or a "thing of value" to the stations or their employes was not identified over the air. The order even included educational outlets.

Two weeks later RCA and the FTC agreed to a consent judgment. Although admitting no guilt, RCA agreed to refrain from paying disk jockeys and other broadcasting personnel to play RCA records over the air unless the listening public was told that the station or the DJ had been paid to play the item. "We welcome this action," RCA declared, "because we firmly believe that these steps, taken to assure the highest standards for the record industry, are in the best interests of the public, the artists, record distributors and retailers, and the industry."

Meanwhile, Chairman Oren Harris (D-Ark.) of the House Legislative Oversight Committee considered an even more extensive investigation of payola.

Congress also weighed the implications of "plugola," a practice in which a show host mentioned the name of a product in exchange for gifts or cash, while the sta-



THE CELEBRATED DEBATE AS RECORDED ON TAPE
They talk on as tapes and cameras turn

Broadcasting, Aug. 3

tion, unlike in sponsorship, received no remuneration. The FCC questionnaire, which attempted to cull information about payola, was also designed to uncover plugola.

Unsettling as all this was, the biggest and perhaps most disturbing scandal in 1959 involved the admission by participants and producers of TV quiz show rigging. Representative Harris's subcommittee in October heard testimony by contestants that *Twenty-One*, *Dotto*, and *Tic Tac Dough* had fraudulently given some contestants the answers in advance. The most dramatic testimony came in November from Charles Van Doren, a long-running winner on *Twenty-One* whose popularity had led to a \$50,000-a-year job as an NBC commentator. Appearing before the House Legislative Oversight Committee, he contradicted earlier testimony to a New York grand jury and declared: "I would give almost anything I have to reverse the course of my life in the last three years. I was involved, deeply involved in a deception." Van Doren admitted that all of his 14 appearances on *Twenty-One* had been rigged. Testifying that Albert Freedman, producer of *Twenty-One*, manipulated more than answers, Van Doren said, "He instructed me how to answer the questions: to pause before certain parts of the answers, to skip certain parts and return to them, to hesitate and build up suspense."

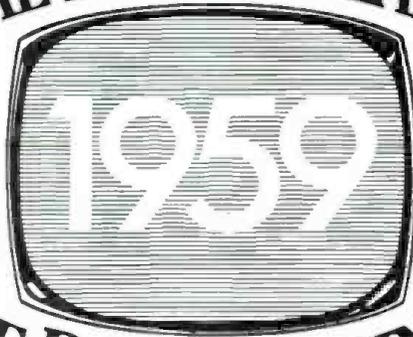
About his own qualms in accepting almost \$130,000 in winnings, Van Doren, a Columbia University faculty member, rationalized: "I was almost able to convince myself that it did not matter what I was doing because it was having such a good effect on the national attitude toward teachers, education and the intellectual

life ... I was able to convince myself that I could make up for it after it was over."

Other testimony revealed that *The \$64,000 Question* and *The \$64,000 Challenge*, were also rigged. One beneficiary of help on the *\$64,000 Question*, the Rev. Charles E. (Stony) Jackson, stated that he felt no compunctions about taking \$16,000 in winnings because "I worked like a dog boning up ... on a category ridiculous enough to attract attention—great love stories. I have not been censured nearly so much for taking the money as for opening my big mouth." Xavier Cugat, who appeared on *The \$64,000 Challenge* for publicity, accepted help as he "didn't want to make a fool of myself. I thought it was entertainment—it was a show. Now I wish I'd never gone there." As BROADCASTING analyzed in a November editorial: "Who was responsible for keeping *Twenty-One* clean? The answer is: Nobody. The network was acting only as a vehicle for carrying the program. The sponsor and its agency were thinking of the show only as a vehicle for carrying advertising messages. Barry & Enright [the company that owned the show] was thinking of it only as the source of a fast and very large buck. Among all the people who in some way had a direct connection with the show, not one felt a personal sense of editorial responsibility. ... If order is to be brought to television operations, the networks and stations themselves must take command of all their programs."

The networks began to effect such change through closer monitoring. CBS President Frank Stanton announced closer scrutiny by CBS over broadcasts because "whether it is a quiz program or an advertising commercial or a news broadcast or

THE FIRST 50 YEARS



OF BROADCASTING

The expected promise of space communications and an unexpected TV confrontation between Richard Nixon and Nikita Khrushchev were among the highlights of broadcasting in 1959. Among the lowlights were disclosures of quiz-show rigging, payola and plugola, and an indictment of a radio network for allegedly serving as a propaganda instrument of a foreign government.

Following the Russians' initial triumph with Sputnik, American communications companies stepped up their work on live radio-TV transmissions via space satellites. General Electric submitted its blueprint for communications satellites to Congress, while RCA revealed plans for manned space relay stations.

America's forays into new technology also set the backdrop for a memorable broadcast involving Soviet Premier Khrushchev and Vice President Nixon. It happened in July 1959 when the U.S. staged a cultural exhibition in Moscow to display such U.S. products as color TV, videotape, washing machines, electric dryers, and SOS scouring pads. At a stop at the Ampex-RCA exhibit, with a videotape machine recording the visit, Khrushchev steered the conversation to issues unrelated to the displays, injecting questions and comments on such things as American bases in other countries. Nixon initially attempted to return the talk to American technology, but, conscious of the videotaping, rose to Khrushchev's argumentative level. From the television exhibit to the kitchen marvels and beyond, two world leaders vigorously debated policy and freedoms. Each later agreed that the taped debate could be televised uncut.

However, Khrushchev was unhappy with ABC's translation of the debate—each network was responsible for its own translation. Accordingly, the Soviet foreign ministry subsequently denied ABC radio circuits to cover Nixon's visit to Siberia. It offered facilities to CBS and NBC, but those networks declined to take advantage of a competitor.

John Daly, head of news for ABC, issued this statement: "My colleagues from CBS and NBC accompanying Vice President Nixon were told they could still use the broadcast circuits and—bless them—they told [A.J.] Popov [acting head of the press section of the Soviet Foreign Ministry] in blunt language, 'No thank you. We don't know the facts of the



Fidel Castro assumed power in Cuba Jan. 1, following the collapse of the Batista government. Two stars were added to the American flag with statehood for Alaska (Jan. 3) and Hawaii (Aug. 21). The St. Lawrence Seaway opened April 25 and was dedicated June 26 by President Eisenhower and Queen Elizabeth II. In July, the country was gripped by a strike of 500,000 steelworkers, a walkout that was ended after 116 days by a government injunction. The Chicago White Sox and Los Angeles Dodgers set a World Series attendance record of 420,784. And in

BROADCASTING...

telecast [in Moscow]. Neither does Mr. Popov [who was in Siberia]. He just read in the paper that Mr. Khrushchev is unhappy. In sum, it's a heck of a way to run a let's-be-friends visit by the Vice President of the United States."

Khrushchev visited America in September, gaining what BROADCASTING called "million-dollar coverage." Followed by an entourage of over 375 reporters, Khrushchev was under detailed scrutiny of all media. CBS-TV and NBC-TV estimated that they each spent more than \$200,000 covering the first two days of

Khrushchev's visit.

Under the title, *Mr. Khrushchev Abroad*, ABC aired seven half-hour programs highlighting each day's events. CBS devoted its *Eyewitness to History* series to Khrushchev's visit, and NBC presented a nightly half-hour series, *Khrushchev in America*.

A concomitant of the Soviet leader's visit was the cessation of Soviet Union jamming of Voice of America programs. "It was the first time in 10 years," BROADCASTING noted, "this verbal blockade had been interrupted. The Soviet Union has been spending an estimated \$113 million annually to jam the non-English language broadcasts—approximating the entire appropriation of the United States Information Agency for all services. Obviously, the cessation of jamming is to permit the 'live' transmissions of the Khrushchev mission to reach Russia and its satellites. . . . Any accord with the Soviets in any area is meaningless without the cessation of jamming. We do not silence the Soviet transmissions to this country. There must be the free flow of information in this shrunken world if there is to be any degree of amity among nations."

Radio's credibility received a setback in 1959 when a special arrangement between Mutual Broadcasting System—with Hal Roach Jr. as MBS chairman and Alexander Guterma as MBS president—and Rafael Trujillo, dictator of the Dominican Republic, came to light. In September a federal grand jury indicted Guterma, Roach and Garland L. Culpepper (vice president of Guterma's Scranton Corp.) on charges that for a \$750,000 advance payment, the financially troubled network would "disseminate within the U.S. political propaganda on behalf of and favorable to the Dominican Republic."

Calling its agreement with MBS a publicity consultancy, the



9XM-WHA

"The Oldest Station in the Nation"

On this campus pioneer research and experimentation in "wireless" led to successful transmissions of voice and music in 1917, and the beginning of broadcasting on a scheduled basis in 1919.

Experimental station 9XM transmitted telegraphic signals from Science Hall until 1917 when it was moved to Sterling Hall. In that year Professor Earle M. Terry and students built and operated a "wireless telephone" transmitter.

In 1918, during World War I, when other stations were ordered silenced, 9XM operated under special authorization to continue its telephonic exchange with U.S. Navy stations on the Great Lakes. After the war, programs were directed to the general public.

The WHA letters replaced the 9XM call on January 15, 1922. Thus, the University of Wisconsin station, under the calls 9XM and WHA, has been in existence longer than any other. Marker Erected 1958.

An official Wisconsin historical marker commemorating the founding of experimental 9XM (later WHA Madison) as "the nation's oldest station" was unveiled last month.

The marker is adjacent to the U. of Wisconsin building where Prof. Earle M. Terry made experimental transmission in 1917.

A banquet was held on the university campus Nov. 24 in his honor as part of the dedication ceremonies.

Pioneer electronic engineer C. M. Jansky Jr., board chairman of Jansky & Bailey Inc., Washington, worked on 9XM as a student.

Asked about WHA's "first" claim, Mr. Jansky said, "... since it is recognized that regular broadcasting started in the U. S., WHA may also be credited with being the oldest broadcasting station in the world."

—Broadcasting, Dec. 15

FCC Commissioner T.A.M. Craven's plan] that will stimulate discussion—and violent repercussions. It would delete channels 2-6, leave channels 7-13 as is, and add 18 channels beginning at 216 mc. This would provide a contiguous band of 26 six-mc channels. ... If the Craven 'memorandum' does no more than stimulate constructive thought, it will have made a major breakthrough in the television allocations impasse."

Such stimulation of thought led to the release in September of an allocations report by an advisory committee to the Senate Commerce Committee. It was largely the work of Edward L. Bowles, chairman of the special ad hoc committee and Massachusetts Institute of Technology professor, and it included the dissents of some of the other committeemen. The report chided the FCC for its "negligible success" in dealing with the allocations problem, calling its efforts a "piecemeal solution [offering] no more than an insidious panacea." Bowles recommended

"an independent audit of the UHF-VHF allocations problem; an objective review of the commission's mandate, management, operation and budget; the establishment of a communications office of authority as part of the executive structure; and an authoritative classified review of the radio spectrum requirements of the nation as a whole, conducted at the executive level."

Despite the heavy schedule of investigations and allegations—and a national recession—radio and television made gains. In 1958, FM radio, for the first time in about a decade, experienced an upsurge. More than a million FM receivers were sold and, for the first time in 10 years, the number of FM stations on the air increased. By the end of December, 695 FM stations had been authorized, and 578 were on the air. The 48.9 million radio homes caused radio's net time sales to rise .9% over those of 1957 to \$541,665,000. National network sales experienced a sharp drop, losing 10.8% to a total of \$42,786,000.

Television net time sales experienced an overall increase of 9.5% over 1957, with national network revenues increasing 7.7% to \$424,500,000, national nonnetwork revenues increasing 14.9% to \$345,200,000, and local revenues increasing 4.2% to \$181,300,000.

Foreign markets were opening to American telefilms. Along with the American films went American ads. By 1958, the J. Walter Thompson agency, for example, had 34 branches in foreign countries.

Another new terrain, that of long-range communications through space relays, came closer in December 1958 when President Eisenhower's message of "peace on earth, good will to men" was received from an orbiting Atlas missile 115-930 miles above the earth. The experiment, presaged the day when equipment with greater capacity would mean a breakthrough in spectrum utilization efficiency.

With new territory ahead, broadcasters still faced the old problems of what they called overregulation and overinvestigation. In an editorial entitled "Nightmare of '58," BROADCASTING summarized the situation:

"From the regulatory standpoint, 1958 was another year-long nightmare. Whereas the print media took it on the chin dollarwise, the broadcast media took it from Congress, the FCC, the courts, the Department of Justice, and, to no one's surprise, the print media. ... So the new year will dawn with a new Congress and with probably no discernible change in the punitive approach to broadcasting as 'licensed' media. The politicians will rant and rave about programing and allocations and ratings and commercials. They will propose codes to root out influence peddling ... and they will want to reorganize the FCC. All this because television is big and important and effective. ... Politicians will harass broadcasting as long as broadcasting does not fight back. Politicians will respect broadcasters when they assert their



THREE FORMER CHAIRMEN of the Senate Committee on Interstate & Foreign Commerce are involved in the problem of community antenna systems and their impact on local tv stations, subject to hearings before that same committee two weeks ago [GOVERNMENT, June 2]. Shown here are (l to r) former Sen. Burton K. Wheeler (D-Mont.), former Sen. Edwin C. Johnson (D-Colo.) and Sen. John W. Bricker (R-Ohio). Sen. Wheeler is counsel for the tv broadcasters during the current controversy. Sen. Johnson appeared as a witness to describe what he had done about boosters as governor of Colorado (to which he was elected after retiring from the Senate in 1955) and sided with the broadcasters on the evils of catv. Sen. Bricker is senior Republican on the committee. Sen. Wheeler was a member of the Senate from 1923 to 1947; Sen. Johnson from 1936 to 1954. Sen. Bricker was first elected to the Senate in 1946.

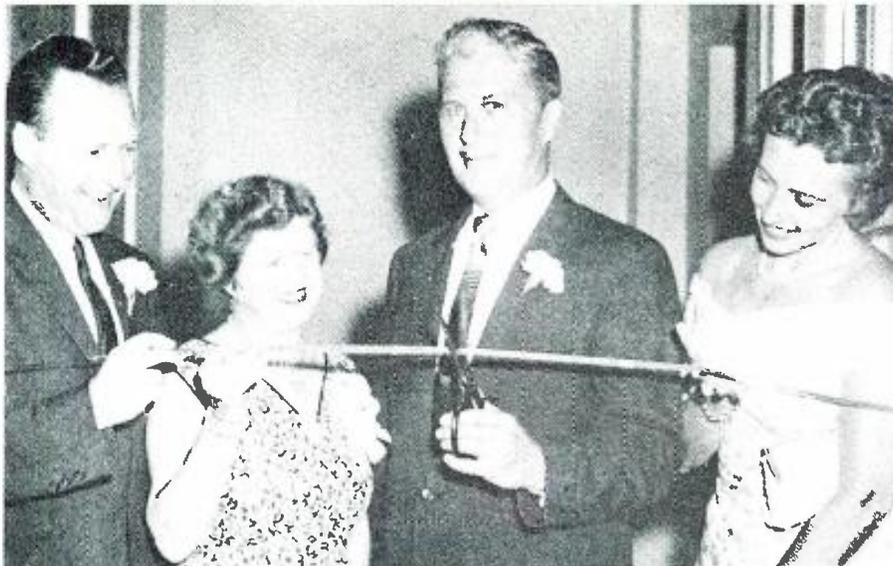
—Broadcasting, June 9

rights. ... The answer is in editorializing. Here, the FCC first must retract its arbitrary edict that stations must 'affirmatively' seek out opposing viewpoints. ... Meanwhile broadcasters will have to keep their guards up. Freedom never is won easily."

Stay Tuned

1. What network was indicted by a federal grand jury for acting as an instrument of propaganda for efforts in the Dominican Republic?
2. "Booze, Broads and Bribes" characterized what scandal?
3. Who was Charles Van Doren?
4. Who starred in *Bonanza*?
5. What Section 315 relief was afforded broadcasters?

The answers
in "1959."



FORMAL OPENING of the Washington Broadcasters Club took place July 18 when FCC Chairman John C. Doerfer cut a ribbon of recording tape. In picture (l-r) are Leonard H. Marks, Washington attorney and club president, Mrs. Doerfer, the chairman and Mrs. Marks. Some 200 members and guests attended the opening reception.

—Broadcasting, July 28

Commerce Committee began hearings in January on the fate of pay television, it heard testimony as diverse as Zenith's declaration that an FCC authorization of limited field demonstrations of pay TV constituted "the only logical and judicious course that could be followed" and Representative Emanuel Celler's (D-N.Y.) attempt to outlaw pay TV as a system that would "increase viewers' costs and broadcasters' profits and contribute to still greater concentration of industry control in the same hands as at present—those of the networks—and will obscure the need for, and further delay, much-needed industry reforms." FCC Chairman John Doerfer explained that the purpose of the commission's October 1957 report was "not to place our free television system in

jeopardy," but "to indicate a receptive disposition to authorize a controllable test of subscription television under conditions in which it could enrich—but certainly not destroy—what the present system is able to offer to the public."

About the hearings BROADCASTING wrote: "For the first time since its advocates began promoting it, we feel reasonably safe in saying that on-the-air subscription television will not be approved. It will not be approved because Congress will assume the responsibility—which the FCC seems unwilling to assume—of deciding that a subscription service would add nothing to the U.S. television system but a whopping bill for the public to pay."

Such forecasts proved prescient—the FCC agreed not to act on pay-TV applica-

tions until a month after Congress adjourned. Since numerous resolutions were introduced in both the House and the Senate to ban or restrict pay TV, the FCC reasoned that, "in these circumstances, until Congress acts on the pending bills or it becomes reasonably evident that no action may be expected on them, we consider it appropriate to maintain the status quo."

While both pay TV's proponents and opponents waited for Congress to act, the Bartlesville, Okla., experiment in wired pay TV (see 1957) failed for lack of public support in just nine months.

When the FCC asked for comments on community antenna television (CATV), it received complaints from broadcasters about piracy of their signals and about unfair competition. A BROADCASTING special report in May delineated the problem, as well as CATV's genesis. When television was first established, many communities, mostly in rural areas that received subnormal television service in the late 1940's and early 1950's, erected community towers to pick up distant signals that were then relayed by wire into local neighborhoods. By 1958 BROADCASTING estimated that a half-million U.S. homes received service through about 600 of these systems. Since many of these CATV systems were established before the FCC authorized on-air TV channels in those areas, new TV stations faced established competition.

The FCC worded its dilemma this way: "If the CATV system . . . is obliged to discontinue, the local residents would be deprived of two, three, four, or five services which these facilities provided. As against this, the continued operation of CATV systems . . . is charged by some as threatening and in some cases causing the demise of local stations. This not only removes a local outlet for the broadcast of local events, but also deprives service to persons who may be within reach of the regular TV station but are not served by the CATV system or other types of local service facilities."

The first court test of the pirating of broadcasters' television signals occurred in September when Ed Craney, principal owner of Z-Bar Network and associated radio-TV stations in the Northwest, asked the court to stop Helena (Mont.) Television Inc., operator of a community cable system, from "pirating" the signals of Z-Bar's KXLF-TV Butte, Mont.

While the controversies continued over pay TV and CATV, the FCC generated concern by studying a long-range plan to consolidate television into a single contiguous 25-channel band in an attempt to cure the problems created by the split between the UHF and VHF systems. "Licensee blood pressures boil," BROADCASTING commented, "whenever the prospect of a television reallocation is mentioned. . . . It's happening again and is destined to happen several times between now and the adjournment of Congress in about mid-August. . . . It is phase 3 [of



MAXIMUM ownership of radio-TV stations was reached by CBS Inc. Aug. 30 with the official transfer of WCAU-AM-FM-TV Philadelphia [STATIONS, Sept. 1: AT DEADLINE, Dec. 23, 1957]. The stations were acquired from WCAU Inc. for \$20 million. Pictured (l to r) at the signing: Robert L. Taylor, vice president, Bulletin Co. (parent of WCAU Inc.); Merle S. Jones, president, CBS-TV; Arthur Hull Hayes, president, CBS Radio and Donald W. Thornburgh, president, WCAU Inc.

—Broadcasting, Sept. 8



WHITESIDE

SOME OF THE \$11,360 IN CHECKS HE WROTE TO HIS FRIEND

MACK

—Broadcasting, Sept. 29

celebrated.

The first criminal action in the TV quiz program investigation came in November when a New York grand jury indicted Albert Freedman, producer of *Twenty-One*, on two counts of perjury. While some referred to the complications of *Dotto* and *Twenty-One* as isolated incidents, others referred to them as only the tip of an iceberg.

During the 1958 television season before these investigations occurred, new quiz shows continued to be televised. Some varieties included *Keep Talking* (CBS), in which six panelists would inconspicuously slip a particular phrase into the conversation; *Bid 'n' Buy* (CBS), in which emcee Bert Parks helped contestants bid for the prizes silhouetted behind a screen; *Anybody Can Play* (ABC), in which George Fenneman presided over contestants who had to guess the height, weight and age of panelists; *Win with a Winner* (NBC), in which Sandy Becker posed questions to contestants who vied for relatively simple prizes; *ESP* (ABC), in which host Vincent Price asked contestants to use their perceptions to guess the identity of the cards he dealt; *Lucky Partners* (NBC), in which quizmaster Carl Cordell asked audience members and participants to, among other things, check their dollar bills for lucky serial numbers; *Play Your Hunch* (CBS), in which host Merv Griffin asked married couples to distinguish between such items as men with real or false mustaches and other innocuous deceptions; *Music Bingo* (NBC), a combination of *Name That Tune* and *Bingo* in which participants competed for prizes ranging from electric shavers to cars; *How Do You Rate?* (CBS), a show

that pitted male against female, calling itself "the show that tests not what you learn from books but what you learn from life"; *End of the Rainbow* (NBC), in which host Art Barker merely gave away expensive things to people; *Dr. I. Q.* (ABC), in which emcee Jack Kennedy asked questions that could earn prizes totaling around \$78 (BROADCASTING wrote that "fixing *Dr. I.Q.* would be like John Dillinger knocking over an apple

cart"), and *Concentration* (NBC), in which host Hugh Downs asked contestants to match pairs of items to guess a hidden puzzle.

Mystery and western shows also continued to abound. *77 Sunset Strip* (ABC), an attempt at "crime with sophistication," with Efram Zimbalist Jr. playing detective Stuart Bailey, became a new entry in the crime-detective genre. New westerns include *The Rifleman* (ABC) about Lucas McCain, the fastest man with a rifle, played by Chuck Connors; *Bat Masterson* (NBC), played by Gene Barry as a law enforcer with dapper attire and a gold-headed cane; *Cimarron City* (NBC), with George Montgomery playing Matthew Rockford, Cimarron's first citizen, and *Lawman* (ABC), with John Russell as a marshal.

New series included the *Donna Reed Show* (ABC) with Donna Reed playing the wife of a pediatrician and the mother of two, and, in a more serious vein, *The Great Challenge* (CBS), a series of 60-minute examinations of fundamental issues in 20th century America. Special programming included Leonard Bernstein's *New York Philharmonic Young People's Series*, (CBS), a series of four one-hour programs that explained music to children, as well as such star vehicles as *An Evening with Fred Astaire* (NBC), and *The Ginger Rogers Show* (CBS).

Such programming helped create television's immense popularity; more than 43 million American homes (more than 83%) contained television sets. Broadcasters worried that two perceived threats to conventional television seemed to be gaining momentum: pay television and cable television.

When the House Interstate and Foreign



QUIZ SHOW director Charles A. Dubin stood by his lawyer, Hubert T. Delany, to take his oath at the House Un-American Activities Committee hearing. NBC later dismissed Mr. Dubin for refusing to tell the investigators whether he has a Communist record. He invoked the First and Fifth Amendments 22 times.

—Broadcasting, June 27

U.S. company, Capital Cities Broadcasting. After much network protest, Capcities agreed to provide each network with one hour's taped highlights of the daily proceedings in return for a flat fee of \$50,000 per network. To record the trial, Capital Cities used four Marconi TV cameras placed on an overhead balcony to avoid reflections from Eichmann's bullet-proof booth, and two Ampex videotape machines. To facilitate radio coverage, Israel established three direct radio circuits to London in addition to the regular Tel Aviv-to-London circuit.

Such broadcast events were, according to a Nielsen report, easily available to the average American who could tune in more than four television stations as well as nine radio stations.

The critical issue for the coming decade, according to FCC Commissioner Rosel Hyde, a 30-year veteran of the FCC and its predecessor Federal Radio Commission,

was whether broadcasting's faults "justify abandonment of the basic principles under which broadcasting was envisaged as a liberating art. Even though there are imperfections in broadcasting . . . we should not give tacit acceptance to regulatory approaches which could make inroads upon

its status as a free-enterprise, censor-free system of communications . . . Any alternatives . . . encompass inherent repression and restrictions that must be avoided."

Such words defined the challenge and the resistance to Minow and his actions on JFK's New Frontier.

Stay Tuned

1. What publicly owned space communications corporation was set up in 1962 under an act of Congress?
2. What space satellite relayed the first TV program?
3. President Kennedy's "quarantine" of Cuba brought what restrictions for news reporters?
4. The great increase in radio station numbers caused what concerns to broadcasters?
5. What happened in John Henry Faulk's suit against those whom he claimed blacklisted him?

The answers
in "1962."

Murrow takes most of his heart to USIA

Edward R. Murrow bade goodbye Jan. 31 to CBS Inc. and the network's affiliates via closed circuit. His selection to become director of U. S. Information Agency becomes official upon Senate confirmation, but already he is getting acquainted with one of Washington's tougher jobs.

Ed Murrow found his farewell an emotional experience. "Some part of my heart will stay with CBS," he said. For 25 years he had been reporter and commentator in the thick of historic events.

Frank Stanton, CBS president, sent Mr. Murrow this message: "The President's announcement of your appointment as director of USIA is good news indeed for the American people and the free world. But we at CBS shall miss you. All of us wish you well."

Mr. Murrow generously praised his CBS colleagues in his farewell to the network. "I have the feeling that I am about to be exposed, and I don't mean when I go before the Senate committee for confirmation, but exposed rather because for many years I have received credit for what other people have done, and you will see, as *CBS Reports* continues, that there is in this CBS organization a crew—most of them you know al-

ready, Smith, Collingwood, Cronkite, and all the rest—who will do a much better job than ever I did."

Sen. John O. Pastore (D-R.I.) said



Mr. Murrow will be asked to testify on the Sec. 315 equal-time legislation in March when permanent suspension of the clause will be discussed by a Commerce subcommittee. It was indicated a Murrow criticism of the presidential campaign debates might be reviewed at that time. The full Commerce committee hasn't set a date for his confirmation hearing.

Mr. Murrow's selection for the important USIA directorship was announced at the White House last week (*CLOSED CIRCUIT*, Jan. 30), but formal nomination had not reached Capitol Hill late in the week. However, he worked at the USIA office last week. In an unusual step President Kennedy included Mr. Murrow in the Feb. 1 meeting of the top-level National Security Council. This was construed as recognition of the importance the President attaches to USIA and its director-designate.

Mr. Murrow gave up an income estimated as high as \$200,000 a year to assume the post. He served as director of the CBS foreign news organization from 1937 to 1946, rising to world-wide fame with his radio broadcasts during World War II. Mr. Murrow had been working recently on several *CBS Reports* programs which have not yet been aired.

—Broadcasting, Feb. 6

opinion. Chief Justice Earl Warren noted: "This case clearly presents the question of our approval of unlimited censorship of motion pictures before exhibition through a system of administrative licensing. Moreover, the decision presents a real danger of eventual censorship for every form of communication be it newspapers, journals, books, magazines, television, radio, or public speeches."

Next, the U.S. District Court in February banned the block booking of films. That was the practice of compelling buyers to purchase desirable films in a package that included those less desirable. Injunctions were issued against Loew's Inc. (MGM), Associated Artists Productions Inc. (Warner Bros.), C&C Super Corp. (RKO), National Telefilm Associates (20th Century-Fox), Screen Gems (Columbia) and United Artists (independents), ending a three-year government antitrust suit.

For historians and armchair scholars, 1961 brought an increase in documentaries nurtured in part by the perfection of the 16 mm camera, and of a method for synchronizing sound and film without the need for a wire connection between camera and recorder. By 1961, besides CBS's *See It Now*, regularly scheduled documentaries included NBC's *White Paper*, and ABC's *Close Up* series. Outstanding documentaries in 1961 included NBC's March telecast of *The Real West*, a program based on authentic photographs and narrated by Gary Cooper, and CBS's November telecast of *Biography of a Bookie Joint*, report by Jay McMullen on gambling.

Two important names in documentary film making were Robert Drew, head of his own production company, Robert Drew Associates, and executive producer of ABC's *Close-Up* series, and David Wolper, head of Wolper Productions and the largest producer of documentaries outside the networks.

"I want to do shows that employ dramatic logic," Drew commented, "where the story tells itself through pictures, not through word logic, lecture logic, written logic or interviews. . . . I'm determined to be as unobtrusive as possible. And I'm determined not to distort the situation."

Wolper felt that "maybe we should thank Newton Minow for a fine publicity job on our behalf. It's certainly a fact that, since his vast wasteland speech, there's been an upswing in interest in documentaries, even among the advertising agencies. It came after the schedules had been set for this season, but there's a lot of interest for next year and if we can get the people to handle it I expect our business to have doubled by then."

Although radio's net time sales decreased by 0.8% in 1961 to \$617,242,000. AM-FM broadcasters were buoyed by the results of a comprehensive study of radio listening conducted by Alfred Politz. Politz found that 98-99% of adults lived in homes equipped with radios, and that radio's audience remained fairly stable



The "MM" logo Board Chairman-President John W. Kluge is holding stands for MetroMedia Inc, the new company name of Metropolitan Broadcasting Corp.

Broadcasting, April 3

from 7 a.m. until 8 at night, when at least 45% of the adult population still listened to radio, despite the lure of prime-time television.

Technical improvements that boded well for radio included the development of transistors which according to a Hooper study, increased radio's audience by 14.3%, the increasing use of automation, particularly in low-budget radio operations, and the growing use of the tape cartridge.

FM received a boost when the FCC in April approved FM stereophonic broadcasting, choosing the composite three-dimensional sound system proposed by Zenith Radio Corp. The first FM stereo stations on the air were WGFM Schenectady, N.Y., WEFM Chicago, and KMLA Los Angeles. With 1,128 FM stations

authorized, and 960 on the air, up from 815 in 1960, FM's future continued to be brighter.

Newton Minow, for one, had great praise for America's radio programming. The FCC chairman, addressing a September meeting of the CBS Radio Affiliates Association, said that while TV may be a "vast wasteland," radio "is America's roommate. . . . Radio is also America's traveling companion. It travels with us like a welcome shadow. . . . We all recognize that entertainment—that music—is the core around which the day's programming is built. But we also know that more people depend on radio for news as it happens, and for news of community affairs, than they do on any other means of communication. . . . Typical of the contributions to public information are many especially informative broadcasts over CBS Radio last year: Lippmann on leadership; Secretary Herter's address on U.S. foreign policy; Premier Khrushchev and Prime Minister Nehru at the United Nations; the White House Conference on Aging. . . . I also want to commend you for occasionally massaging the egghead—for continuing a great musical tradition by making a place in your schedules for the broadcasts of the New York Philharmonic and the Cleveland Symphony Orchestra. This is responsible broadcasting and this is what makes radio the finest kind of companion."

Among the important events brought to Americans by 1961 radio and television were the news of the U.S.-sponsored invasion of Cuba (the Bay of Pigs incident) and the trial of former Nazi Adolf Eichmann in Jerusalem.

Israel, afraid that individual coverage by all the American networks would overtax the limited courtroom facilities, awarded exclusive videotape and film rights to one



ABC makes news about its planned news and public affairs operations which will be run by James C. Hagerty (r), White House news secretary. ABC executives present at news conference last week, at which network plans to expand into competitive position with CBS and NBC, are (l to r): Oliver Treyz, ABC-TV president; Michael J. Foster, ABC press information vp; Leonard

Goldenson, AB-PT and ABC president, and Mr. Hagerty. The Hagerty-Goldenson news conference was held in New York on Monday, prior to a meeting of ABC-TV affiliates at Miami Beach, where Mr. Hagerty also accompanied Mr. Goldenson. The presidential news secretary takes over his new job Jan. 23, three days after his boss turns over the reins to John Kennedy.

Broadcasting, Jan. 16

Jersey Governor Robert B. Meyner. Meyner, concerned that his state was losing its only VHF allocation and that his state's programming needs were being neglected, charged the FCC with bias in the proceedings. The sale to ETMA was completed after ETMA made programming and administrative concessions in the TV station's operations to ease Meyner's concerns about New Jersey service.

Part of its funding came from New York-area stations that were not adverse to the prospect of one less commercial competitor. The three TV networks, all owners of New York outlets, pledged \$500,000 each, while independents WOR-TV and WNEW-TV pledged \$250,000 each. The rest of the money came from grants from philanthropic groups. To avoid antitrust complications, prior approval was received from the Department of Justice.

Another assist to educational television was AT&T's decision in December to offer ETV interconnection rates that were less than the prevailing commercial rates.

To provide "additional nighttime primary [radio] service to the public . . . while at the same time holding to a minimum any loss of existing services to the listening public," the FCC decided to breakdown 13 of the 25 Class I-A frequencies. The commission took this action despite congressional pleas that it postpone a decision.

To provide pay television with an opportunity to prove its worth, the FCC in February approved RKO General's and Zenith's joint petition for a three-year test in Hartford, Conn., bringing toll TV a little closer to fruition.

To study the amount and the effect of television violence, Thomas J. Dodd (D-Conn.), chairman of the Senate Subcommittee on Juvenile Delinquency, called for hearings. Dodd charged that since the Kefauver hearings six years before, television violence, instead of decreasing, "dra-



Gov. Collins

Broadcasting, May 15

matically increased." "We must determine," the senator said, "if this gigantic new medium is not allowing . . . human weaknesses to dictate its policies and drag it into the same category as the violent Roman spectacles of 2,000 years ago, which also had 'high ratings.'"

Outside programmers and producers blamed the networks for TV violence. Ivan Tors, a Ziv-UA producer, claimed that CBS and NBC pressured him into adding sex and violence to shows he produced for them.

Network executives, such as Walter Scott, executive vice president for NBC, and James T. Aubrey, president of CBS, denied any link between TV violence and the rising rate of juvenile delinquency. "There is an enormous difference," Scott

declared, "between television's impact in advertising and campaigning and the possible influence of the kind of material to which objection is made. It is the difference between a thorough attempt to persuade and convince . . . and the depiction of antisocial behavior which, far from being held out as an example, is presented as unsympathetic and unworthy."

FCC Chairman Minow and NAB President LeRoy Collins agreed there was too much violence on television. However, their remedies, as could be expected, differed. Minow recommended that the FCC be allowed to regulate the networks, while Collins argued for increased industry control through tougher enforcement of the NAB's television code.

Dodd, meanwhile, increased his political prominence as the proceedings continued to attract national attention. For their part, the networks promised a self-imposed limit on television violence that would curtail all fighting not essential to the plot. The unofficial new network rule booked such peace-loving compromises as fewer killings per episode, fewer and shorter fistfights, fewer drinking scenes and quicker deaths for villains.

In daytime programming, TV game shows made a comeback. CBS, which had dropped all such shows in 1959 following the quiz scandals, aired four daytime quiz shows: *Your Surprise Package*, *Double Exposure*, *Video Village* and *Face the Facts*. ABC, which had few game shows in 1959, aired five in 1961: *Camouflage*, *Seven Keys*, *Number Please*, *Who Do You Trust*, and *Queen for a Day*. NBC, which continued to air quiz shows after the scandals, but with tighter controls, scheduled seven: *Concentration*, *The Price is Right*, *Say When*, *It Could Be You*, *Play Your Hunch*, *Truth or Consequences* and *The Jan Murray Show*.

For nighttime programming, the networks included such dramatic shows with social implications as the legal-based *The Defenders* (CBS), with E.G. Marshall and Robert Reed; as well as the medical-based *Dr. Kildare* (NBC), with Richard Chamberlain and Raymond Massey; and *Ben Casey* (ABC), with Vincent Edwards and Sam Jaffe. New comedy shows included *Dick Van Dyke* (CBS), with Dick Van Dyke and Mary Tyler Moore; *The Bob Cummings Show* (CBS), with Bob Cummings; *Father of the Bride* (CBS), with Leon Ames and Ruth Warrick; *Hazel* (NBC), with Shirley Booth; and *The Lucy Show* (CBS), with Lucille Ball and Gale Gordon.

For film enthusiasts, NBC inaugurated *Saturday Night at the Movies*, a regular showing of contemporary films. Two incidents affected the showing of movies on television. First, the U.S. Supreme Court in January upheld a Chicago ruling approving prior censorship of movies for television viewing. Writing the majority decision, Justice Tom C. Clark noted that "it has never been held that liberty of speech is absolute." Writing the dissenting



Counseling with subcommittee chairman Thomas Dodd (D-Conn.) (second from right) is Carl Perian, staff direc-

tor. Sen. Estes Kefauver (D-Tenn.) is at right. Dr. Ralph J. Garry, consultant to the subcommittee, is at left.

Broadcasting, June 19



NEW FCC CHAIRMAN MINOW

Broadcasting, Jan. 16

over the problems of payola, rigged quiz shows, and other mistakes of the past. ... Third: I believe in the free enterprise system ... Fourth: I will do all I can to help educational television. ... Fifth: I am unalterably opposed to government censorship. Sixth: I did not come to Washington to idly observe the squandering of the public's airwaves. I intend to take the job of chairman of the FCC very seriously. There will be times perhaps when you will consider that I take myself or my job too seriously."

Minow underscored his serious intent with this warning: "I say to you now: Renewal will not be pro forma in the future. There is nothing permanent or sacred about a broadcast license."

To reform children's programing, a genre Minow labeled neither harmful nor helpful to their audience, but instead "dull, grey and insipid ... like dishwater

... just as tasteless ... just as nourishing." Minow suggested that the three TV networks alternate in presenting quality children's programing in a specified, daily hour. Besides citing the current "time waster" shows that "hold down and babysit, period," Minow referred to the cancellation of ABC's educational children's show, *Discovery*, before it went on the air. Although 67 of the network's 110 affiliates intended to carry the show, advertisers rejected it, feeling that was insufficient clearance.

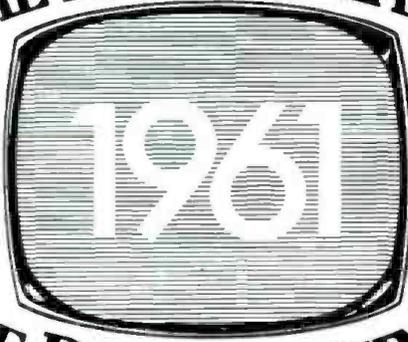
To assist the development of educational television, the FCC helped orchestrate the sale of commercial WNTA-TV Newark-New York (channel 13) to a civic group for use as a New York-area ETV, for \$6.2 million. The sale was consummated to Educational Television for Metropolitan Area in December after a series of legal roadblocks including protests from New



A SAMPLING OF MINOW'S NAB AUDIENCE REACTION

Broadcasting, May 15

THE FIRST 50 YEARS



OF BROADCASTING

The year brought John F. Kennedy to the Presidency, his "New Frontier" to national consciousness, a doomed invasion force of Cubans to a beach in the Bay of Pigs, 35-year-old Newton Minow to the FCC, and the medical heroics of *Dr. Kildare* and *Ben Casey* to TV screens.

Attempts to increase regulatory controls brought the FCC into a period of new prominence. Reform and idealism were hallmarks of the new administration.

America got that picture quickly on a cold, clear day in January when radio and TV covered the inauguration of a new President. At the ceremonies Marian Anderson—a black banned by the Daughters of the American Revolution from Constitution Hall in 1939—sang "The Star Spangled Banner," poet Robert Frost read one of his works, and Kennedy encouraged the nation to "ask not what your country can do for you; ask what you can do for your country."

Minow, Kennedy appointee to the FCC chairmanship, had been in office barely more than two months when he dropped a bomb in broadcasters' laps at the National Association of Broadcasters convention in May. He warned the delegates in Washington that they "must deliver a decent return to the public" and declared that broadcasters should replace the "vast wasteland" of television with better programming.

The former Chicago lawyer and partner of Adlai Stevenson mixed praise and reprimand: "Your industry possesses the most powerful voice in America. It has an inescapable duty to make that voice ring with intelligence and with leadership. . . . Like everybody, I wear more than one hat. I am chairman of the FCC. I am also a television viewer. . . . I am talking about this past season. Some [TV programs] were wonderfully entertaining, such as *The Fabulous Fifties*, *The Fred Astaire Show*, and *The Bing Crosby Special*; some were dramatic and moving, such as *Conrad's Victory*, and *Twilight Zone*; some were marvelously informative, such as *The Nation's Future*, *CBS Reports*, and *The Valiant Years*. . . . I could list many more. When television is good, nothing—not the theater, not the magazines or newspapers—nothing is better. But when television is bad, nothing is worse. I invite you to sit down in front of your television set when your station goes on the air and stay



The Twist was the national dance craze with Chubby Checker its principal exponent. The U.S. broke diplomatic relations with Cuba Jan. 2. An anti-Castro force of 1,200 exiles and sympathizers was crushed in an attempted invasion at Cuba's Bay of Pigs April 17. Navy commander Alan B. Shepard became America's first man in space May 5; Returning to Washington, he accompanied President Kennedy to the NAB convention there. In August, the East Germans erected the Berlin Wall to stop the flow of refugees to West Germany. Burma's U Thant was elected acting secretary general of the United Nations following the September death of Dag Hammarskjold. Roger Maris hit 61 home runs to pass Babe Ruth's 60 in 1927. And in

BROADCASTING . . .

there without a book, magazine, newspaper, profit and loss sheet or rating book to distract you—and keep your eyes glued to that set until the station signs off. I can assure you that you will observe a vast wasteland. You will see a procession of game shows, formula comedies about totally unbelievable families, blood and thunder, mayhem, violence, sadism, murder, western bad men, western good men, private eyes, gangsters, more violence and cartoons. And, endlessly, commercials—many screaming, cajoling, offending. And most of all, boredom. True, you will see a few things you will enjoy, but they will be

very, very few. And if you think I exaggerate, try it. Is there one person in this room who claims that broadcasting can't do better?"

While not arguing about all of his goals, broadcasters worried about Minow's means. Images of government control, censorship and the re-emergence of a carrot-and-stick approach at license renewal time caused broadcasters to become concerned. BROADCASTING felt that because Minow "attempted to circumvent the First Amendment," broadcasters should "close ranks" to fight Minow's reforms. Other immediate reactions from NAB conventioners to Minow and his speech included such comments as: "A young smart alec, needlessly aggressive. How can they program blue ribbon programs 18 hours a day, 365 days a year?" "He certainly speaks well . . . but not of us." "An unrealistic bureaucrat who wants to change the basic nature of people and institutions." "It was excellent . . . he dispelled any doubts about his position. Some chairmen haven't been as clear." "He acted like the captain of a slave ship." "A naive young man who has read all the books but hasn't had to meet a payroll." "The only word I have for that speech is censorship and what's worse, it's the sneaky kind of censorship we can't fight."

For his part, Minow, in that same speech, professed opposition to government censorship but said: "I want to make clear some of the fundamental principles which guide me.

"First: the people own the air . . . For every hour that the people give you—you owe them something. I intend to see that your debt is paid with service. Second: I think it would be foolish and wasteful for us to continue any worn-out wrangle

including noncommercial educational stations, who are confounded by the interpretative memorandum. The FCC should admit that it goofed."

The NAB, for most of 1960, functioned without a president. The unexpected death in March of Harold E. Fellows, who had served in that capacity for nearly nine years, touched off a six-month search for a successor. It turned out to be Florida Governor LeRoy Collins, elected Oct. 10 by the NAB board to assume the top NAB post on Jan. 4, 1961. The appointment of Collins, who drew national attention as permanent chairman at the July Democratic national convention, created a wave of euphoria and great expectation among broadcasters. But his term was destined to deteriorate in a few years into dissension within the NAB before he finally left office.

As broadcasters and the government tried to resolve such earthly matters as payola, plugola, fraud and illegal influence, they also turned their attention to the cosmos and space age technology. RCA and the U.S. Army Signal Corps in April launched a weather satellite into a

400-mile-high orbit around the earth to collect meteorological data. Hughes Aircraft in July unveiled a laser system (light amplification by stimulated emission of radiation). The U.S. Army in August launched Echo I, the first passive satellite balloon from Cape Canaveral, enabling radio signals to bounce off the 1,000 mile-high reflector.

BROADCASTING summarized the implications of this achievement: "Echo I heralds the imminent arrival of global communications, including international television. . . . Scientists say that worldwide TV transmission through the use of reflecting satellites is about two years away. Technical feasibility of this project was proved by Echo I." Improvements in satellite communications were tested by the launch of the Courier I-B satellite in October. While the Echo I functioned as a passive reflector, the Courier satellite acted as a voice and teletype repeater, receiving and transmitting as many as 340,000 words in every five-minute pass over a ground station. In a confirmation that space age communications had arrived, AT&T asked the FCC in December to ex-

pedite consideration of the company's application for commercial satellite service.

Global communications were entering the space age.

Stay tuned

1. Whom did President Kennedy appoint as FCC chairman?
2. How did the new appointee stir up the NAB convention?
3. What company was awarded rights to record the trial of former Nazi Adolf Eichmann in Jerusalem?
4. Who was the Connecticut senator who said TV programing was in danger of resembling "violent Roman spectacles of 2,000 years ago that also had high ratings"?
5. Richard Chamberlin-Raymond Massey and Vincent Edwards-Sam Jaffe were star combinations on what two TV shows?

The answers
in "1961."

An historic switch by Herbert Hoover

For more than three decades critics of commercial broadcasting have been quoting former President Herbert Hoover to bolster their cause.

When he was Secretary of Commerce and radio was in its infancy, Mr. Hoover expressed misgivings about advertising on the air. He was speaking on a subject about which there was still very little known, but his words have been used time and again in efforts to demean commercial radio and television.

Last week Mr. Hoover publicly changed his stand, and, in the act, deprived commercial broadcasting critics of one of their sturdiest cliches. After 37 years, he said, he had come to realize that advertising made a great radio and television system possible.

He made the statement in a telegram acknowledging a special award given him by the Radio and Television Executives Society in New York. The telegram was read by Frank E. Pellegrin, of H-R Representatives, president of the society, at an RTES banquet last Thursday (see story, page 70). Here is what Mr. Hoover said:

"It is a great honor to receive the award of the Radio & Television Executives Society. This revives memories of days when the older mem-

bers of this group and I worked together to bring the benefits of a great scientific discovery into American homes. You have carried it to the level of a great art and a sturdy protector of the American way of life.

"On this happy occasion I will not expand my forebodings to you of 37 years ago as to commercials. They surround your great programs fore



Updates opinion

and aft with a half dozen plugs. However, even in the pain of singing commercials, I justify even these by the realization that from the support of advertisers you have kept the wavelengths and channels in the safer hands of private enterprise rather than in those of government."

The Original Stand • The time was 1924. The scene the hearing room of the House Committee on Merchant Marine and Fisheries. The witness was then Secretary of Commerce Herbert Hoover. This is what he said about radio:

"Radio communications is not to be considered merely as a business to be carried on for private gain, for private advertisement or for entertainment of the curious. It is a public concern impressed with the public interest to the same extent and upon the same general principles as our other public utilities. . . ."

Two years later the same Mr. Hoover said this at the Third National Radio Conference in Washington:

"Direct advertising is the quickest way to kill broadcasting. The reader of the newspaper has an option whether he will read an advertisement or not, but if a speech by the President is to be used as the meat in the sandwich of two patent medicine advertisements there will be no radio."

Life will have to go on without Ma Perkins

The soap operas are no more.

Last Friday (Nov. 25) the surviving four of a legion that went back to the early days of network radio made their last stands on CBS Radio. Beginning today (Nov. 28) the network embarks on a schedule of 10-minute news programs on the hour, 5-minute informational programs on the half-hour, plus a cluster of entertainment shows such as Arthur Godfrey and Garry Moore.

Happy endings were the order of the day as the four serials—*Ma Perkins*, *Right to Happiness*, *Young Dr. Malone* and *The Second Mrs. Burton*—wound things up. (Three other daytime strips—*Whispering Streets*, *Best Seller* and *The Couple Next Door*—also died last Friday but none of these was in the classical soap formula.)

Oldest of the shows that went off Friday was *Ma Perkins*, which presented its 7,065th broadcast. Virginia Payne, who played Ma, has handled the role since its start on Dec. 4, 1933. In the concluding episode, listeners heard that Charlie Lindstrom had accepted a job in the East and that he and Mary would take leave of Ma Perkins and Rushville Center. As the family gathered for Thanksgiving at Ma's house, she foresaw happiness ahead, primarily because Arthur and Ma's children had returned home.



Ma Perkins
Her last cup of tea

court case has come to a satisfactory close, even though the missing wife had been in Paris.

post formerly held by Dr. Jerry Malone. The latter refuses to accept the board's offer to reinstate him. Ted's first reaction is that of relief. But, after Molly West makes him see the truth about his untenable position, he calls on Jerry, asking him to go back to his old job. When Mason tells him that he is leaving immediately for a destination somewhere out West where he can think out his many problems, Jerry agrees to return as head of the clinic. Meanwhile, plans for the wedding between Scotty and Jill proceed, despite the open antagonism of his possessive mother. In a last effort to effect a reconciliation, Dr. Malone calls upon Mrs. Scott and makes her realize that her son's love must be shared. Finally, she tells her son and future daughter-in-law that she will attend the wedding after all. Dr. Malone's last line, in answer to a question, gives his antidote for trouble: "Love [pause, quizzically]. Is there any other one?"

The Second Mrs. Burton, a relative newcomer with only 3,823 episodes under its belt, ended on this note: Terry Burton realizes that Mother has gotten herself into a trap by agreeing to take her young artist-protege, Fenno, to Paris. Arranging to send Fenno abroad with a young friend in her place, Terry gets the

—Broadcasting, Nov. 28

on the other hand, the fears of opponents that a subscription television service ... would 'impair' the free service now available. In no circumstances would the commission consider approval of subscription television on a trial basis or any other basis if it were shown that the rendition of subscription television services would ... black out free television or reduce it to a negligible service."

The hearings continued to the end of the year. The FCC's Broadcast Bureau in December recommended that the FCC permit the Zenith test in Hartford. In an editorial, "The Sane Approach," BROADCASTING commented: "In our view, the FCC's Third Report, establishing the criteria for a controlled test of subscription TV, was a practical compromise between two unattractive alternatives—a total government embargo against a new business enterprise or a wholly permissive policy that might have let pay TV cannibalize the free system that was still far from maturity. ... Since then the situation has stabilized. ... If subscription interests want to risk tests to exploit channels that commercial operators have rejected, there is less reason now to deny them the chance, as long as the FCC's criteria for

testing are observed. In the long run it is for the public to decide how much subscription television and how much free television there will be. That decision cannot be made until the public can give both a fair trial under conditions that do not artificially promote one while destroying the other."

While the pay TV issue remained unresolved, other hearings came to a close in 1960. The House Legislative Oversight Subcommittee ended its three-year series of investigations. In October, New York City capped two and a half years of quiz show investigations by arresting 16 contestants on charges of perjury including former participants on *Twenty-One*, headed by Charles Van Doren, who won \$129,000 plus a short-lived job with NBC; Elfrida Van Nardoff, winner of \$220,500; Hank Bloomgarden, who won \$98,000, and David Mayer, winner of \$47,500. Others, with less prize money, were contestants on *Tic Tac Dough*.

There were other low points in broadcasting during the year:

■ FCC Chairman John C. Doerfer resigned in March because of alleged improprieties of his accepting vacations on the Storer Broadcasting yacht, and his sub-

mission of double and triple billings for official government trips.

■ Former FCC Commissioner Richard Mack, under psychiatric care, was found to be too ill to stand trial for selling his vote in the Miami channel 10 case (see 1958). Thurman Whiteside, Miami attorney and friend of Mack, was tried and acquitted.

■ Alexander Guterman, former MBS president, was found guilty of fraudulent stock manipulations, and was sentenced to four years and 11 months in prison and fined \$160,000.

To deter rigged and deceptive programming, Congress in September approved amendments to the Communications Act that made such practices punishable by fine or short-term license renewal as well as possible loss of a license. To prevent plugola, the FCC—to the chagrin of broadcasters—ordered on-air disclosure of the sources and circumstances of all free program material. "It should be abundantly clear to the FCC that it went too far in its March 16 effusion on sponsor identification," BROADCASTING criticized. "It has thrown broadcasters into confusion. It threatens licensees without adequate warning or notice. ... There are some 5,000 AM, FM and television licensees.

1959 show, *The Untouchables*, was near the top in the ratings with 35.1 Arbitron. *The Untouchables*, televised on Thursday, wasn't the only hit ABC show. On Friday, ABC had 77 *Sunset Strip*; on Sunday, *The Rebel*; on Monday, *Cheyenne*; on Tuesday, *The Rifleman*, and on Wednesday, *Hawaiian Eye*.

With TV in 46.5 million (88%) of U.S. homes, with net time sales for TV amounting to over \$1.146 billion in 1960, and with the broadcasting scandals of the past several years, the FCC felt the need to establish what broadcasters called a "U-2" plan. Under it, there was to be an intelligence-surveillance division to investigate complaints and to perform spot checks through monitoring of selected stations and programs. Thus was born the Complaints and Compliance Division of the Broadcast Bureau on June 1, 1960. However, FCC Chairman Frederick Ford was careful to promise that the division would not practice censorship; instead, censure came in the form of citations to violators of nontechnical rules.

Two other perceived threats to telecasters continued to make news in 1960: community antenna systems and pay television. The Senate in May, by a single vote, defeated a bill that would have placed CATV systems under FCC jurisdiction; the FCC meanwhile reiterated its decision of April 1959 against the licensing of CATV systems.

In another setback for telecasters, a Montana district judge dismissed an infringement suit brought by KXLF-TV Butte, Mont., against the Helena, Mont., CATV system, ruling that broadcasters had no common-law rights in their programs.

While CATV systems remained unlicensed and, to some broadcasters, unchecked, pay television appeared to be gaining support. A seeming success with pay TV on a cable system in a Toronto suburb (Etobicoke) encouraged pay TV's supporters in the U.S. Zenith in April requested permission from the FCC to run a major test of its pay TV system in collaboration with RKO General in Hartford, Conn. "After years of intensive research and development," Zenith President Joseph S. Wright said, "we have now come to the point where for the first time in history thousands of American television set owners can look forward to having shortly the finest box office entertainment right along with programs currently sponsored by advertisers."

At its October hearings to consider Zenith's application, the FCC issued a cautionary statement: "The commission shares the awareness of the television industry, the Congress, and the public of the great importance of the basic issues raised by proposals that a charge be imposed on the general public for the reception of television programs. At each stage of our consideration of the matter, great care has been taken to assay the claims, on the one hand, that subscription television would significantly enhance the selection of program matter available to the public . . . and



Distinguished service ■ Clair McColough (l), Steinman Stations, was given the NAB's annual distinguished service award at the opening session of the association's convention last Monday. The presentation

was made by G. Richard Shafto, WIS-TV Columbia, S.C., chairman of the NAB Television Board. The award was given for Mr. McColough's "record of industry citizenship unique in . . . broadcasting."

—Broadcasting, April 11



Zenith, the company which developed the first pay tv system, has a great stake in its future. Joseph S. Wright (l), Zenith president, religiously attended every moment of the five-day hearing before the FCC last week. He

was called to testify late Thursday and was on the stand Friday also. Seated with Mr. Wright is John B. Poor, RKO General vice president, whose company wants to institute Phonevision in Hartford.

—Broadcasting, Oct. 31



KENNEDY, CBS'S HOWARD K. SMITH, NIXON

—Broadcasting, Jan. 5, 1976, history of First Amendment

difference in political campaigning, particularly because it is now possible for candidates to speak directly to large numbers of people. . . . Where our party candidates have difficulty in getting their views carried in newspapers, they can now, thanks to television, reach people directly." Nixon commented that TV "has not changed political ideas or programs, but it has changed the ways of presenting those ideas and programs. . . . The voters have a better chance to size up the mettle and the character of the candidates—their temperament, poise, and maturity, and their grasp of the issues. . . . Seeing a candidate from afar in a crowded rally is quite different from the close-up, penetrating view afforded by television."

Political exposure went beyond the broadcast debates. To market their campaign, the Democrats chose the San Francisco-based advertising agency, Guild, Bascom & Bonfigli, while the Republicans stayed with the New York firm of BBDO. An important and often repeated Kennedy television spot derived from a filmed version of a speech given before the Houston Ministerial Association in which Kennedy sought to forestall fears of Catholic bias in his political life by reasserting his belief in the separation of church and state and by referring to the lack of a "religious test at the Alamo." A major Nixon campaign film, produced by Gene Wyckoff of NBC, portrayed Nixon as the "Ambassador of Friendship," swooping out of the skies to discuss worldwide peace.

For the final campaign push, Nixon conducted a four-hour nationwide telethon from Detroit, estimated to have cost as much as \$500,000. Kennedy relied on a telecast of a speech from Faneuil Hall in Boston, with film clips of Jacqueline Kennedy from Hyannisport, Mass., and the

vice presidential candidate, Lyndon B. Johnson, from Austin, Tex.

To achieve the extremely close popular vote of 34,221,463 for Kennedy to 34,108,582 for Nixon (and an electoral vote of 303-219), the Democrats spent \$6,204,986 on TV and radio time, while the Republicans spent \$7,558,809. Without the debates, Kennedy said, "it [the election] wouldn't have been close."

Kennedy's communications consultant, J. Leonard Reinsch, head of Cox Broadcasting Corp., concurred. "The first debate was the big one," Reinsch concluded. "First, we broke down the Republican charge that Senator Kennedy was immature. Second, we solidified Democrats who had wondered if Senator Kennedy was the right choice to defeat the Vice President. That debate convinced campaign workers, governors and others that we had a strong, fighting candidate. It scared and shocked Republicans. Our people were inspired." The victory belonged to television, without which Kennedy felt he wouldn't have won.

After the election, broadcasters tried to use the debates as leverage to have Section 315 permanently repealed. NBC Board Chairman Robert Sarnoff said: "It would be the most appropriate mark of recognition that the new Congress could bestow on a distinguished public service." CBS President Stanton predicted: "We are confident that if the broadcasters are permitted to present candidates in debates, in face-to-face discussions, they will do so wherever feasible." Calling the repeal of Section 315 the "number-one legislative project" for the new Congress, BROADCASTING argued: "It is not enough to settle for the amendment of 1959, and four years hence, a temporary reinstatement of the suspension of the law's application to

presidential and vice presidential candidates. If broadcasters are to use the instruments of radio and television to their maximum advantage, they must be given full editorial discretion to present the candidates and issues for all offices in the way that makes the most journalistic sense."

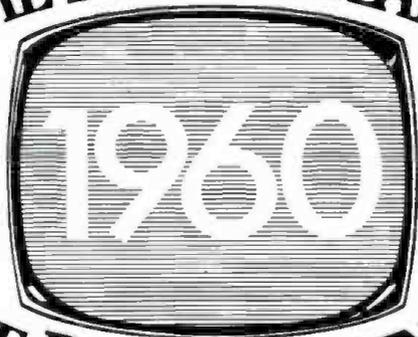
In entertainment programming in 1960, there was a pronounced trend toward network control of their programming. By fall TV networks controlled 80% of the shows for the new season, an increase from 71% in 1959-60. Shows were first licensed to the networks and then sold to advertisers. This procedure also brought an increase in the number of shows in which the networks had a profit percentage. ABC-TV's rate of profit participation rose from 49% of prime-time shows in 1959 to 58% in 1960; CBS-TV, from 52% in 1959 to 68% in 1960, and NBC-TV's, from 46% to 60%. BROADCASTING attributed the increase in network control to economic factors—by giving up control the advertiser reduced his risk of program failure, responsibility for sales—to the debut of more hour-long programs, and to the increased tendency for networks to finance pilots, an arrangement in which the network customarily received a 50% partnership in the show.

Critics in government complained that increased program control added to the power of the networks. Independent producers complained about the narrowing of distribution possibilities and less attractive financial arrangements under the new system. Advertisers complained about limits on their freedom as shows they could sponsor and the time periods in which the shows could be aired. The networks defended their position by pointing to increased program costs and risks, as well as to the increasing need for the networks to be more responsible for content of broadcasts.

Some of the new network TV series included: *Klondike* (NBC), a saga of the Yukon gold rush, starring Ralph Taeger; *Route 66* (CBS), continuing adventures of two teen-agers as they made their way along Highway 66, starring Martin Milner and George Maharis; *The Islanders* (ABC), escapades of a conwoman and two male adventurers running an airline in the South Pacific, starring Jan Philbrook and Diane Brewster; *Hong Kong* (ABC), adventures of an American foreign correspondent during the cold war, starring Rod Taylor; *The Man from Interpol* (NBC), a story of a Scotland Yard inspector working for an international police force, starring Richard Wyler and John Langden; *The Roaring Twenties* (ABC), a drama featuring a newspaper columnist exposing gangsters and racketeers, starring Dorothy Provine and Donald May, and *Surfside Six* (ABC), a mystery-adventure series about private detectives, starring Lee Patterson, Van Williams, Troy Donahue and Diane McBain.

ABC continued to make inroads on the dominant positions of the other two TV networks. By the spring of 1960, the ABC

THE FIRST 50 YEARS



OF BROADCASTING

The political broadcasting law had been liberalized in 1959 to exempt news programs from its equal-time obligations. It was suspended entirely in application to presidential and vice presidential candidates in 1960. The suspension made possible the four "Great Debates" between Vice President Richard Nixon and Senator John F. Kennedy (D-Mass.), without obligating broadcasters to give equal time to the nine other candidates who ran for President that year.

The suspension was triggered almost by accident. Frank Stanton, president of CBS, had been urging Congress to adopt a permanent repeal of equal-time requirements for debates featuring principal candidates but wasn't getting anywhere. The late Leon Brooks, then CBS general counsel, suggested that Congress might be more readily disposed to grant a temporary waiver. When Stanton advanced that idea while testifying before Chairman John O. Pastore (D-R.I.) of the Senate Communications Subcommittee, he found a friend. Under Pastore's leadership, Congress voted a one-year waiver of Section 315 for presidential candidates.

"By political accident broadcasters have been given a chance," BROADCASTING editorialized, "and a good one, to cover the 1960 election campaigns with the same freedom accorded the press. This is an opportunity that cannot be ignored by any broadcaster who aspires to a status superior to that of jukebox operator or popcorn concessionaire. It is an opportunity that has come when it was most needed—by broadcasters and the public. Great national policies will be formed during the 1960 campaigns. If broadcasting covers the campaigns with wisdom, ingenuity and thoroughness, the electorate that goes to the polls next November will be the best informed in history, and the image of broadcasting, now defaced by the investigations of recent months, will have been fully repaired."

Watched by the largest single TV audience up to that time, 75 million, the first debate, from Chicago on Sept. 26, changed the course of political campaigning and, quite probably, the presidential election. Image undid Nixon. While a younger, handsome Kennedy appeared with confidence, Nixon, recently recovered from an illness, appeared cautious, even hag-



Capture by Israeli agents of former Nazi leader Adolf Eichmann was announced May 22. An American U-2 reconnaissance plane was shot down in Soviet Russia and pilot Francis Gary Powers was imprisoned. A collision of two commercial airliners over New York killed 128 in the planes and six on the ground. Americans virtually banned cranberry sauce from their Thanksgiving tables following reports that a cancer-causing agent was in a weed killer used on crops. The 1960 census found the U.S. population exceeded 179 million, up almost 30 million from a decade before. The American Football League was started, partially nourished by a five-year TV contract with ABC. And elsewhere in BROADCASTING ...

gard. Polls indicated those who watched the proceedings on TV felt Kennedy to have won, those who only listened to the debate on radio, about 30 million homes, felt the candidates to have fared about equally. The *New York Herald Tribune* noted that neither candidate "could resist opening a can of corn here and there," and concluded that the debate "left the electorate better prepared for November's judgment day." The *New York Times* felt that the candidates offered "at times an interesting but at no time inspiring picture of two capable young efficiency experts proposing to oil up the same machine—with different quantity and grades of oil." The *Wall Street Journal* criticized the questions asked by a panel of network correspondents as "incredibly bad. . . . If, instead, the two candidates had been left alone to speak, to question and reply to each other, they would inevitably have pushed themselves to the hard questions. . . . Much was left in disappointing obscurity."

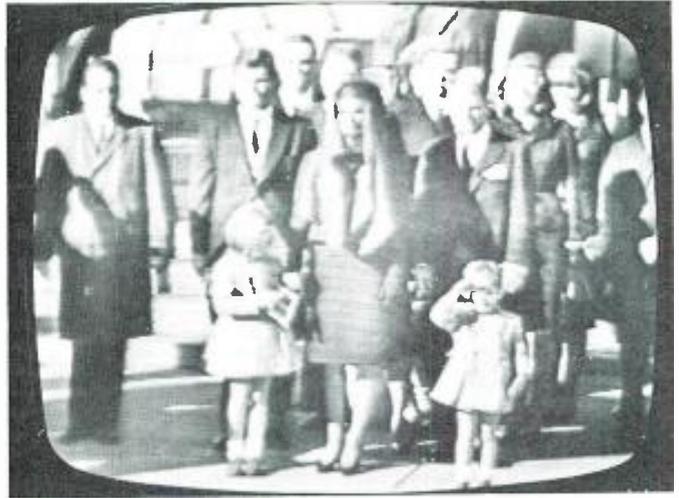
But radio and television were redeemed. BROADCASTING commented: "Politicians made history, and broadcasters reached the pinnacle of journalistic heights Sept. 26. The Lincoln-Douglas debates of a century ago yielded to the Nixon-Kennedy face-to-face encounters, ushering in a new era in American politics. Television and radio established new identities as the superlative mass media they are. . . . Broadcasters, through team work with networks on time clearances, and despite heavy losses in commercial revenue, have elevated their stature as responsible journalism forces. The networks handled the almost insuperable task of reconciling differences between the contending parties under inordinate pressures. The detractors of broadcasting have been answered."

The second "Great Debate" on Oct. 7 captured a television audience of 61 million; the third on Oct. 13, 70 million, and the fourth on Oct. 21, 63 million. Although Nixon performed better in the second, third and fourth debates than in the first, invaluable exposure was gained by Kennedy, who, though well-known, had not enjoyed the high visibility of the Vice President in the preceding years. Both Kennedy and Nixon described television as the primary communications medium for the 1960 elections.

Kennedy felt that television "has made a tremendous



Television and radio had the grim duty to report to the world on the events in the four days after President Kennedy's assassination in Dallas. Left photo: France's Charles DeGaulle and Ethiopia's Haile Selassie (r) were among leaders of other nations in Washington for the



funeral. Right photo—TV's cameras were focused on the Kennedy family outside Washington's St. Matthew's Cathedral when young John F. Kennedy Jr. saluted his late father.

—Broadcasting, Jan. 1976. Chronology

capsule. Nonetheless, such transmission represented a new era in broadcasting. Coverage of Cooper's flight, including specials, and full coverage before, during and after the splash-down, cost television and radio more than \$2 million in coverage and pre-emption costs.

Just as Cooper's cameras showed what the Earth looked like floating in space, network cameras showed the struggle and violence that had become part of 20th century America. Both camera angles presented shocking new perspectives to the country.

In June television and radio took America to the funeral of the slain civil rights leader, Medgar Evers. June also brought the spectacle of George Wallace, governor of Alabama, attempting to delay integration as he stood in front of the doors to the University of Alabama.

As the TV network programming expanded, so did the local offerings of individual stations. One result was the formation of the National Association of Television Program Executives in October 1963. NATPE was designed for the exchange of problems and solutions in order to upgrade the quality of local TV programming. Its founding fathers included Lew Klein of WFIL-TV Philadelphia, Stan Cohen of WDSU-TV New Orleans, Roy Smith of WLAC-TV Nashville, Tom Jones of Triangle Stations and Peter Kizer of WOOD-TV Grand Rapids, Mich.

Blacks who had begun coordinated efforts to break into the predominantly all-white world of broadcasting, both in front of and behind the cameras, began to achieve results in 1963. The FCC began a study to determine the feasibility of taking actions to prohibit racial discrimination in broadcasting. Conversely, some like Senator Strom Thurmond (D-S.C.) accused the networks of "slanted news" in following "the NAACP line." "The American people in the South are entitled to fair exposure on television," Thurmond said.

"When that Negro [Medgar Evers] was shot in the back, the news was carried on the networks over and over again. But when a white man was shot in the back in Lexington, N.C., the networks only carried about three mentions of it."

To clarify broadcasters' responsibilities under the fairness doctrine, the FCC in July declared that broadcasters must present the black point of view when broadcasting programs dealt with racial matters. Issued with good intentions, the FCC doctrine was criticized by some congressmen. Oren Harris for example, noted that "if actually enforced . . . [the FCC memo] is likely to place an intolerable burden upon the members of the commission which the members cannot possibly discharge without neglecting other important

responsibilities."

In August, television cameras presented millions of viewing Americans with the sight of 200,000 people gathered at Washington's Lincoln Memorial under the leadership of Martin Luther King Jr., to march for civil rights. "I have a dream," King intoned. "It is a dream deeply rooted in the American Dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal.'" Television produced a palpable image of what "We shall overcome" meant to King, to his followers, and to the country.

The assassination of President Kennedy in Dallas on Nov. 22, provided broadcast journalism with four days of constant challenge and brought universal praise for the electronic media's conduct in the time of world sorrow. For these four days, the networks suspended normal programming, including commercials to cover the story. The networks were on the air an unprecedented amount of time: NBC-TV for over 71 hours, NBC Radio over 68 hours; CBS-TV 55 hours, CBS Radio over 58 hours; ABC-TV 60 hours, ABC Radio 80 hours; and Mutual 64 hours. The network coverage cost an unprecedented amount of money, more than \$32 million in costs to broadcasters, advertising agencies, and station representatives.

The images of loss proliferated. Jacqueline Kennedy in her blood-stained suit in the motorcade after the sniper slaying; Jack Ruby shooting accused assassin, Lee Harvey Oswald, as TV cameras focused on Oswald's transfer between jails in Dallas. President Lyndon Johnson descending from his airplane after his swearing in immediately after JFK's death. The arrival of France's Charles de Gaulle, Ethiopia's Haile Selassie, Greece's Queen Frederika, Israel's Golda Meir and other dignitaries for Kennedy's funeral.

The transfer of the coffin from the White House to the Capitol, Jacqueline



Senator Warren G. Magnuson (D-Wash.), chairman of the Senate Commerce Committee, congratulates FCC Broadcast Bureau Chief Kenneth A. Cox (r) on the latter's nomination to the FCC.

—Broadcasting, Jan. 17



Meeting last week in New York was the newly formed Rating Council of the National Association of Broadcasters and the council advisers. Attending the two-day session were (seated l-r) Simon Goldman, WJTN-AM-FM Jamestown, N.Y.; Norman E. Cash, of Television Bureau of Advertising; Leon Arons, of TVB; Hugh M. Beville, NBC, and Miles David, Radio Advertising Bureau. Standing (l-r) are Willard Schroeder, WOOD-AM-TV Grand Rapids, Mich.; Thomas K. Fisher, CBS; Fred Paxton (in rear), WPSD-TV Paducah, Ky.; Doug Anello (front), National Association of Broadcasters; William Kistler, Association of National Advertisers; Donald H. McGannon, Westinghouse Broadcasting, council

chairman; Mel Goldberg, NAB; Howard Bell, NAB; James Schulke, National Association of FM Broadcasters, and Ben Strouse, WWDC-AM-FM Washington. Also attending the meeting were LeRoy Collins, NAB president; Edward Marshall of the American Association of Advertising Agencies; Bennett Korn, Metropolitan Broadcasting, and Robert Hurleigh, Mutual.

Appointed to the council but not attending the New York meetings were Joseph C. Drilling, Crowell-Collier Broadcasting; Frederick C. Houwink, WMAL-AM-FM Washington, and Simon Siegel of ABC.

—Broadcasting, June 24

doubts about existing methods of measuring radio and television audiences than can be resolved by minor adjustments. . . A sweeping reappraisal of the methods—and purposes—of audience measurement is in order, and there are signs that broadcasters are beginning to recognize that fact." As a beginning, BROADCASTING offered these basic expectations for rating services: "Measurements must not penalize radio and television in comparison with other media; measurements must be adaptable to changing technology and changing habits of viewing and listening, and national and local measurements must be equally reliable."

By May, the NAB had issued a plan to pay for an industry audit, the Radio Advertising Bureau called for separate radio and television surveys, and the Federal Trade Commission—which had been branded by several congressmen as having "not done all that it might have done to assure the accuracy of . . . ratings"—charged Nielsen with a ratings monopoly. The FTC said that the company should surrender half of its clients.

In an additional quest for ratings accuracy, the FCC and the FTC jointly demanded that broadcasters who use ratings to sell air time to advertisers must be able to substantiate their claims. The FCC also warned that "in determining whether a licensee is operating in the public interest, the commission will take into account any findings or order to cease and desist of the FTC concerning the use of broadcast ratings by a licensee."

To foster better ratings, the NAB created a Broadcast Rating Council whose purpose was to devise standards and monitor the diverse ratings agencies. Nine rating services, including all the major organizations, applied to the Broadcast Rating Council for accreditation.

The NAB in late December named Dr. Kenneth Baker, research consultant and onetime NAB official, to be the BRC's first executive director. Meanwhile, the FTC and the FCC refrained from issuing any specific rules, but continued to apply pressure for reform.

Despite the testimony of network executives that ratings were just one measure of a program's worth, ratings continued to be a powerful factor in programing decisions. As BROADCASTING reported, "With more money than ever before riding on the outcome, advertisers and agencies this fall will be watching audience reaction to the new season's nighttime network television program schedule with what is already building toward unmatched intensity." For the 1963 fall season, network telecasters scheduled 34 new shows; that meant approximately four out of every 10 prime-time shows were new for that season. Some of the new shows included, on ABC, *Arrest and Trial*, a 90-minute detective-legal drama with Ben Gazzara and Chuck Connors; *100 Grand*, a 30-minute quiz show; *The Outer Limits*, a 60-minute science fiction drama; *The Greatest Show on Earth*, a 60-minute adventure drama with Jack Palance and Stu Erwin; *The Fugitive*, a 60-minute

drama with David Janssen that was destined to achieve enormous success; *The Patty Duke Show*, a 30-minute comedy with Patty Duke in the dual role of identical twins, and *The Farmer's Daughter*, a 30-minute situation comedy with Inger Stevens as a former farm girl who went to work as a domestic for a congressman.

On CBS: *My Favorite Martian*, a 30-minute comedy hit with Ray Walston as a Martian and Bill Bixby as the newspaperman who finds and befriends him; *The Judy Garland Show*, a 60-minute variety show; *The Danny Kaye Show*, a 60-minute variety show, and the successful *Petticoat Junction*, a 30-minute situation comedy with Bea Benaderet as the operator of a rural hotel.

On NBC: *Mr. Novak*, a 60-minute drama about a dedicated teacher in a city high school, with James Franciscus and Dean Jagger; *The Richard Boone Show*, a 60-minute repertory drama, and *The Bob Hope Show*, a 60-minute show in which Hope presents five comedy-variety shows and then acted in dramatic roles in two others.

Special programing had tremendous impact in 1963, due in part to space technology as well as to political events. Telstar II, launched May 7, broadcast two television programs in its first week in orbit.

Astronaut Gordon Cooper, during his 22-orbit, 34-hour flight, was seen on the first live pictures of an astronaut in orbit. The pictures were somewhat unclear because of inadequate lighting in the space

Time-Life Broadcasting Inc. felt that the commission was being unfair to AM broadcasters who had invested heavily to bring "the starving FM infant" to economic maturity only to be told to turn the station over to a newcomer.

While the FCC and broadcasters continued to debate the new rules for the rest of the year, the commission did take definitive stands on license fees and so-called overcommercialization.

To recoup some of its costs, the FCC in May announced that starting Jan. 1, 1964, applications filed with the commission should include fees of up to \$100, depending upon the service requested.

The commercialization issue was unexpectedly revived by FCC Chairman Henry in an address to the International Radio & Television Society in September. In it he pledged to seek commercial time standards that would lessen "the massive doses of clutter" at station breaks. To buttress their position, broadcasters explained their need for financial stability; as one broadcaster succinctly put it, "As long as television can be supported by advertising revenues, commercial freedom must be exercised or you automatically place a ceiling on the growth of modern man's most valuable communications device."

With over 18 million television commercials scheduled for 1963, and with television's net time sales rising 6.9% to \$1,394,000,000, the FCC faced a herculean task, one that broadcasters thought the FCC had dropped in deference to the commercial time standards in the National

Association of Broadcasters' codes.

"Right now broadcasters ought to scrap their own advertising time standards," BROADCASTING advised, "in the frank acknowledgement that they are meaningless as guides to self-discipline and would be equally meaningless as government rules. The new approach ought to be that time is perhaps the poorest measurement of commercial tolerance. In determining public acceptance (and advertising effectiveness), the content and placement of the commercial are more important than the time it occupies. If the NAB and its influential members want to make progress, they would be well advised to start looking into those problems while they also keep up the pressure for legislative restraints on the FCC."

Cable television continued to grow in 1963 as the number of broadcasters in CATV increased. Overall, however, apprehension about the medium continued in on-air broadcasting circles.

Pay television's ranks were joined by Pat Weaver, former NBC executive and programming innovator, who left the McCann-Erickson agency to head Subscription Television Inc., a company that planned wired television in Los Angeles and San Francisco. In addition, the pay-TV experiment launched in Hartford, Conn., in 1962 continued to be watched closely by all broadcasters.

In a significant CATV transaction, H&B American Corporation and RKO General, both substantial cable owners, planned a merger of their more than 50 CATV

systems with 100,000 subscribers. Also significant was a May ruling by the U.S. Court of Appeals. It upheld an FCC decision that refused to authorize additional facilities for Carter Mountain Transmission Corp., a company that brought TV signals from Denver, Salt Lake City and Billings, Mont., to a CATV system serving Wyoming. The FCC had acted on the grounds that it had a right to use licensing powers over common carrier relays to protect TV stations from CATV inroads.

To help educational television, the Ford Foundation in October announced a \$6-million grant for 1964 to the National Educational Television and Radio Center to aid in improving programming. It brought the amount the Ford Foundation had contributed to various educational TV projects since 1951 to \$86.4 million. While the commercial network executives publicly stated that they "welcomed" the competition of NET (the new name when the group dropped its radio programming), in private, commercial network officials speculated about the fine line between commercial support and advertising. As BROADCASTING articulated the problem: "It is a short step from a simple credit line to a short advertising message, and once that step is taken the noncommercial stations will be competing with commercial stations for advertising support."

In an attempt to accommodate more educational stations, the FCC in October requested comments on its proposal to add more than 400 assignments to the UHF table—374 to be set aside for educational broadcasters. Although this allotment brought to about 600 the number of UHF ETV assignments (plus 99 VHF assignments), the number remained far short of the 1,200 assignments that the National Association of Educational Broadcasters claimed was needed for educational programming in the 1960's.

In a controversial series of hearings, the House Special Subcommittee on Investigations, chaired by Representative Oren Harris (D-Ark.), heard testimony that questioned the reliability and ethical content of broadcast rating surveys. Some witnesses quite bluntly called the ratings surveys "frauds." LeRoy Collins, National Association of Broadcasters president, stated: "I am ... convinced that reform is needed. I am just as convinced that rating data and conclusions drawn therefrom should be more accurate and reliable. They should be developed through methodologies and procedures affording greater assurance of freedom from error than is now the case."

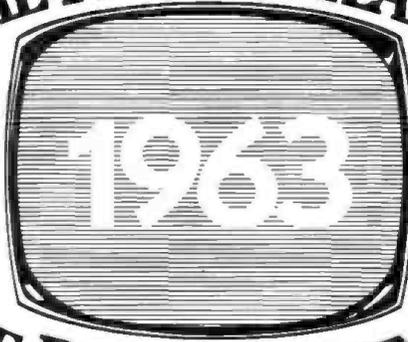
The committee explored the methodology of ratings companies such as Conlan, Pulse and even A.C. Nielsen, the largest service, not always satisfied that a foolproof or frequently accurate system existed. As a result of the hearings, BROADCASTING wrote: "Ratings and rating services have been discredited almost to the point of uselessness. The Harris subcommittee hearings have created more



Bob Hope, recipient of the NAB's Distinguished Service Award in 1963, is escorted to the stage on the opening day of the Chicago convention by NBC President Robert Kintner (l) and NBC Board Chairman Robert Sarnoff.

—Broadcasting, April 8

THE FIRST 50 YEARS



OF BROADCASTING

A presidential assassination, the growing civil rights movement and more American conquests in space were events prominently woven into broadcasting's 1963 history. Less prominent to the outside world, but vividly remembered in the industry, were FCC attempts to reform programming and technical standards as well as proposals to reduce on-air clutter. And there was a congressional probe of broadcast ratings services that prompted radio-TV efforts for greater self-discipline.

In 1963, Newton Minow and the FCC continued their quests to curb radio overpopulation, to clarify license-renewal procedures and to control network programming. "We're not coming up with panaceas," Chairman Minow declared. "These problems don't lend themselves to easy solutions." Minow, however, was destined to soon retire from the FCC arena. He resigned his post as of June 1 to return to private law practice as vice president and general counsel of Encyclopaedia Britannica.

President Kennedy then appointed FCC Commissioner E. William Henry as Minow's successor, and moved Assistant Attorney General Lee Loevinger to fill the vacancy on the FCC.

Henry, who had joined the commission in 1962, was called a "typical New Frontiersman." He promised that he would be "as tough, if not tougher" than Minow, adding "Our philosophies of regulation have many areas where they coincide. . . . We must be alert at all times to see that exclusively private interests don't override the public interest.

Loevinger, the former chief of the Department of Justice Antitrust Division, believed that a "multiplicity of voices" was necessary in so persuasive a field as broadcasting.

BROADCASTING paraphrased an old baseball poem as it editorialized: "There is no joy in broadcasting's Mudville. . . . The new appointments promise no relief from the pressures of the New Frontier for stringent programming and advertising controls. Mr. Henry is on record in favor of fixed percentages of sustaining time on television (and presumably radio) and of having broadcasters heel to the FCC's every command. . . . Mr. Loevinger's appointment . . . is an event that will give neither broadcaster nor communications licensees any com-



A sniper's bullet martyred John F. Kennedy in a Dallas motorcade Nov. 22. Less than two hours later, Lyndon B. Johnson took the oath of office as the 36th President. Paul VI became Pope following the June 3 death of John XXIII. In November, the South Vietnamese government was overthrown and President Ngo Dinh Nhu was captured and killed. On June 17, the Supreme Court ruled laws that required recitation of the Lord's Prayer or verses of the Bible in public schools were unconstitutional. The campaign against smoking was accelerated by a book written by Senator Maurine B. Neuberger (D-Ore.) in which she expressed disappointment that radio and TV had not acted to eliminate glamourization of smoking for young people. And elsewhere in BROADCASTING . . .

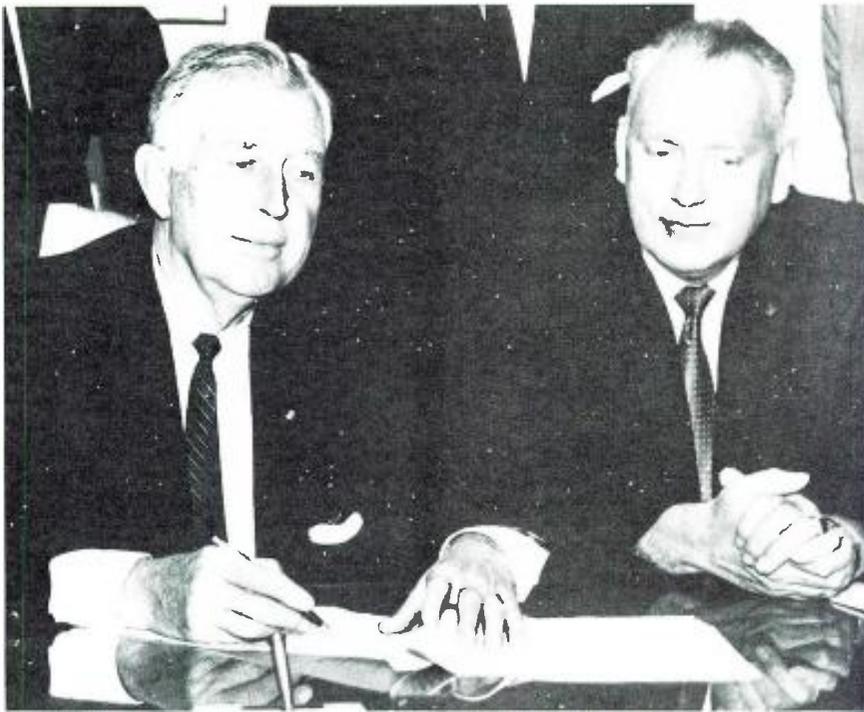
fort. . . . Mr. Loevinger's [previous] assignment [as head of Antitrust] was to go after the larger entities in the industry. The larger entities in broadcasting and communications cannot help but view his appointment to the FCC as a real threat."

Though the FCC continued to opt for controls on broadcasting, Henry proved less of a catalyst for reform than Minow. And Loevinger, at his Senate confirmation hearings, proved himself to be not as firmly committed to interventionist regulation as Minow, stating conservative views such as "If I am to err, I would rather err on the side of restraint," and "Rather than go too far in seeking to in-

fluence program content. . . . I think that this is a matter in which less harm is likely to be done by a restraint even of legal powers that may be possessed than is likely done by seeking to impose my ideas or anybody else's ideas upon the character of the programs that may be offered to the public. . . ." With words such as these, Loevinger, and, at times Henry, aroused less concern in broadcasters.

The FCC in May—before Minow's departure and Loevinger's arrival—proposed new rules for radio, aimed at controlling AM's growth and bringing an end to the commission's partial freeze on AM licenses. The rules called for radio station quotas for each market based on size and population, the breakup of certain AM-FM duopolies and a 50% limit on the amount of AM programming that could be duplicated on co-owned FM outlets in larger markets.

The prospect of such heavy regulation caused anxiety. Calling the plan "a road map to a dead end," BROADCASTING criticized the proposed new rules "as part of a much larger plan to create a broadcast system of many small components subservient to almost unlimited government controls." Broadcasters worried that the same FCC logic that claimed common ownership of AM and FM stations was not in the best public interest could be extended to the common ownership of other types of broadcasting media. Broadcasters also rejected the underlying premise of a quota-based system of radio allocations that stemmed from a theory of government protectionism in which the limits of service and profits should be determined by the government. Licensees such as RKO General and



Harry C. Butcher signs for one of the largest community television installations in that industry's history, a \$580,000 job for Santa Barbara, Calif. With Mr. Butcher is Bruce Merrill, presi-

dent of Antennavision Inc., whose Ameco Division will perform the job. Mr. Merrill owns KIVA-TV Yuma, Ariz., which he bought from Mr. Butcher last year.

Broadcasting, May 28

a space age cartoon family. *The Beverly Hillbillies* (CBS-TV), a mountain clan transplanted by an oil strike to a mansion in California, made its introduction. It was to become a television hit.

A victim of the McCarthy era of the 1950's won vindication in 1962. Broadcaster John Henry Faulk, accused in 1956 by Laurence Johnson, Aware Inc., and others of being a Communist and blacklisted in 1957, won a libel suit against his accusers and was awarded \$3.5 million in damages.

The FCC's network study staff in December released its report on network programming. Among its recommendations were: the creation of a system of "self-regulation" in which all broadcasters would be required to belong to a government-approved and supervised trade association that, under FCC guidance, would formulate and enforce programming codes; the prohibition of television networks from program syndication in the U.S.; the prohibition of television networks from acquiring ownership or first-run rights in more than 50% of the shows in their prime time schedules; the encouragement of advertising rates scaled to circulation to induce advertisers to support small-audience shows, and the establishment of FCC authority to regulate the networks.

The proposals were in line with the FCC's policy of increased vigilance. Minow, in his official year-end report, affirmed the FCC's policy of "stiffening enforcement actions on stations that failed to carry out their promises and obliga-

tions." Minow noted that in 1962 the commission disciplined "an unprecedented number of stations" for technical and other violations. Life for broadcasters was becoming increasingly harsh on the New Frontier.

Despite the problems radio's advocates looked to a hopeful future. As one advertising representative commented: "Now that the FCC is taking a serious look at the unhealthy state of entirely too many radio stations on the air and is examining renewal applications with the utmost care, a new interest in the medium is developing in advertising circles." Another broadcast advertising authority predicted, "Of all mass media, radio is the most unfettered. It's the one medium free to change, and to do so overnight, to meet the needs of a new day. Thus one safe prediction that

we can make about the future of radio is that it will be different tomorrow—that it will change, with imagination and vitality, in response to changing needs and tastes."

To foster the growth of FM, the FCC in July proposed a national allocation pattern for the medium, akin to that used for TV. It involved specific FM assignments for each community. Up to that time, FM grants were made as they were in AM—where an applicant could make a showing of need and technical feasibility. The FCC's FM order also called for the establishment of more classes of stations and a tightening of the mileage separations between stations. These were the first significant FM rules changes since 1946.

The FCC was also active in efforts to enhance TV's growth.

Over objections from set manufacturers that claimed additional costs would turn away the public, the commission pushed for a requirement that would give UHF a chance for audience parity with VHF. It urged Congress to pass a law to make it mandatory for all television sets manufactured after April 30, 1964, to be capable of receiving not only the 12 VHF channels, but also the 70 UHF channels. As an inducement to Congress to pass the all-channel bill, the FCC withdrew its controversial deintermixture proposal to shift some eight VHF stations to UHF channels.

In a victory for the FCC, the U.S. Court of Appeals in Washington in March upheld the commission's right to authorize a three-year test of pay television in Hartford, Conn. The Hartford experiment began June 29 with great expectations for spectacular programming that would compete with commercial television. RKO General's Phonevision test on WHCT(TV) programed such film features as "Sunrise at Campobello," "Escape from Zahrain" with Yul Brynner, "Splendor in the Grass" with Natalie Wood and "One-Eyed Jacks" with Marlon Brando.

The FCC continued to press for better programming by television networks. One result was a George Foster Peabody award for FCC Chairman Minow because of his efforts "to rescue the wasteland from the cowboys and private eyes. He has reminded broadcasters of their responsibilities and put new heart in the viewers."

Stay Tuned

1. Who succeeded Newton Minow as chairman of the FCC?
2. Why did the ratings services come under the scrutiny of Congress?
3. Who was the U.S. astronaut in the first telecast from space?
4. What was the very successful network television series that starred David Janssen and started in 1963?
5. What did the four-day coverage of events related to the Kennedy assassination cost the networks?

The answers in
1963."

How deep the trouble Collins is in?

RESENTMENT FLARES COAST TO COAST OVER HIS CIGARETTE SPEECH

The smoke began to lift around the NAB last week—only to reveal a sizzler of a fire.

Throughout the country broadcasters were burning over what has become known as the Portland Incident—a speech by NAB President LeRoy Collins against the influence of cigarette advertising on the young (BROADCASTING, Nov. 26). Advertising agencies and their cigarette accounts were also incensed, if not downright indignant.

Not since the start of a term in office that has often been marked by unexpected outbursts had LeRoy Collins created so big a stir.

permost among broadcasters. They repeatedly asked:

▪ Did Gov. Collins exceed his authority when he condemned cigarette advertising that might influence school-age children to smoke?

But whether he had the technical right to express his personal views in an official speech as NAB's president, there was widespread feeling the speech was a violation of professional ethics and a linen-washing situation that should have been discussed within the NAB.

Others voiced amazement that he reportedly had ignored the advice of several coast broadcasters and

of his staff executives.

There was no crystallized opinion last week. Rather the comments came sporadically from all parts of the country. A small minority endorsed Gov. Collins' position and/or the need for restrictions on cigarette advertising.

Two major networks—NBC and ABC—stated flatly they did not agree with Gov. Collins' viewpoint. CBS said it "has no comment on Gov. Collins' statement on tobacco advertising. This is a code matter and the established code organization is the proper forum for it."

A week before William B. Lodge, CBS-TV president, had

New York and KGEI San Carlos, Calif. WGN(AM) Chicago volunteered to participate.

By 1962, broadcasters were complaining of station overpopulation. In a special report on "Radio at 40 Enters Its Critical Years," BROADCASTING reviewed AM-FM's history since 1922, the first year in which a radio station population explosion occurred—the 22 pioneers were joined by more than 500 other outlets in 1922.

By the end of 1962, 3,810 AM stations were on the air out of the 3,924 authorized, and 1,081 FM outlets were operating out of 1,128 authorized. The net time sales amounted to \$665,249,000 (up 7.8% from 1961). In 1922, 100,000 radio sets with a market value of \$5 million were manufactured. In 1962, Americans owned 126,990,000 radios, not counting the 46.9 million car sets.

As a remedy for station overpopulation some broadcasters urged the FCC to limit the number of AM stations in the hope of fostering more financial stability. It was pointed out that in 1960, for example, total radio revenues amounted to \$597.7 million, a record high, but 33% of all stations lost money.

LeRoy Collins, National Association of Broadcasters president, in an April address praised the virtues of competition, but warned of pitfalls in a glutted marketplace: "The theory of multiplicity as an incentive to excellence and a safeguard against mediocrity is a fine one, but it must be borne in mind that in actual practice there is a point of diminishing returns." Radio broadcasters feared that with almost 4,000 stations on the air, that point had been found. FCC Chairman Newton Minow proposed a conference with NAB representatives to analyze the problem and to work toward a solution. "We are so busy

grinding out grants of new licenses," Minow admitted, "that we need to step back and take a look at why we're doing it. An intensive search for answers is overdue and a search for policies that conform to the answers is imperative."

While the search went on, BROADCASTING conducted a survey to determine radio's strengths and weaknesses. Among the weaknesses cited by agencies, representatives and broadcasters were the abundance of radio stations fighting for the ad-

vertiser's dollar, difficulty in buying radio time because of paperwork and conflicting and confusing rates, and radio's lack of glamour when compared to television. Strengths cited included radio's ability to reach a huge segment of the adult population, radio's flexibility and selectivity for advertisers and radio's affordability by virtually all advertisers, whether large or small.

In a victory for educational television, Congress voted \$32 million for educational television stations with the proviso that they raise matching funds. President Kennedy felt the legislation "marks a new chapter in the expression of federal interest in education. . . . This act gives equal promise of bringing greater opportunities for learning . . . for personal and cultural growth to every American."

A second boon to educational television came in July in the form of an \$8.5 million Ford Foundation grant.

The commercial networks, meanwhile, continued their documentaries and entertainment. They emphasized comedy instead of cowboys in their fall lineups. A BROADCASTING survey found that documentaries had gained increasing acceptance by both the public and advertisers. Network documentaries in 1962 included such diverse topics as highway problems, welfare policies, sterilization, integration and a controversial NBC program on a tunnel from East to West Berlin.

The Tunnel, sponsored by Gulf Oil, showed films of 26 people, including five children, escaping from East Berlin by means of a tunnel. In a move criticized by some, NBC paid the tunnelers \$7,400 for permission to film their digging.

Programing such as *The Tunnel* attracted viewers as did the Hanna-Barbera's *The Jetsons* (ABC-TV), the saga of



E. William Henry, 33-year-old Memphis attorney, sailed through Senate hearings on his appointment to the FCC, succeeding Commissioner John Cross. At his side (right in photo) was fellow Tennessee Democrat Senator Estes Kefauver.

Broadcasting, Oct. 1

Broadcasting, Dec. 3

the U.S. government and the news media. On Oct. 22, President Kennedy utilized all broadcasting facilities to advise the American people as well as the Soviets that the U.S. would set up a naval blockade to "quarantine" Cuba until the missiles were removed. For five tense days, war seemed a distinct possibility until Russia agreed to dismantle its missile base and withdraw its troops.

With the announcement of the Cuban crisis, the White House issued "guidelines" to the dissemination of news, describing the types of information that are "considered vital to our national security and therefore will not be released by the Department of Defense." The White House additionally asked news media to forbear disseminating the same information if acquired from unofficial sources. Among the forbidden categories: plans for employment of strategic or tactical forces, estimates of the U.S. capability of destroying targets, intelligence estimates of enemy target systems, details of the movements of U.S. forces, details of command and control systems and details of airlift or sealift carriers.

Broadcasters objected. In an editorial, "Curtain of Silence," BROADCASTING summarized the position of many in the industry: "A form of voluntary censorship

has been imposed by the White House, although that isn't what the White House calls it. By any name it is a form of censorship that cannot work to the satisfaction of anyone but the most rigid thinkers in the military. The 12 categories of information that the White House has embargoed cover almost any military subject of imaginable interest. A news director who takes the news literally would think twice before sending a cameraman to cover a weekend outing of a troop of Boy Scouts. The practical effect of the White House memorandum, if it is observed, will be to discourage the reporting of all military information except that which is handed out by the Defense Department. And the information to be expected from that source is apt to be scant."

Richard S. Salant, president of CBS News, accused the White House of making news part of the government's "weaponry" and of raising "grave doubts in the public mind that full information is being reported." William R. McAndrew, executive vice president of NBC News, expressed "strenuous objection" to the limitations imposed by the Defense Department on the "free flow of information to the American public," arguing that "manipulation and control of the news by our government, however admirable the

motive, is a dangerous device. . . ."

Kennedy lifted the voluntary censorship rules on Nov. 20, after the crisis had passed. Although the Defense Department and the State Department promised to review the rules for future crises, Kennedy, conceding that details of the discovery of the missile bases had been kept secret from the public, said, "I have no apologies for that. I don't think that there is any doubt that it would have been a great mistake and possibly disaster if this news had been dribbled out when we were unsure of the extent of the Soviet buildup in Cuba, and when we were unsure of our response, and when we had not consulted with any of our allies, who might themselves have been involved in great difficulties as a result of our action. . . ."

Although broadcast journalists took strong exception to the voluntary censorship, 10 commercial radio stations willingly cooperated with a White House request to carry Spanish-language broadcasts originated by the Voice of America and aimed at the Cuban audience. Nine of the stations were chosen by the FCC for the Cuban reach of their signal: WGBS(AM), WMIE(AM) and WCKR(AM), all Miami; WKWF(AM) Key West, Fla.; WWL(AM) New Orleans; WSB(AM) Atlanta; WCKY(AM) Cincinnati and two shortwave stations, WRUL



President Kennedy personally thanked 10 broadcasters for turning over their stations for "dusk to dawn" broadcasts of Voice of America programs into Cuba during the tense days beginning Oct. 22 with the President's blockade speech. Each broadcaster received an individual certificate of commendation from the President at a ceremony in the Rose Garden of the White House. To the President's right is Edward R. Murrow, director of the USIA. The others are (l to r): Thomas R. Bishop, KAAZ Little Rock; Ralf Brent, WRUL New York (short-

wave); Frank Gaither, WSB Atlanta; Leonard Reinsch, Cox Stations and chairman, U.S. Advisory Committee on Information (behind Mr. Gaither); Newton N. Minow, FCC chairman; John M. Spottswood, WKWF Key West; Robert Bowman, KGEI Belmont, Calif. (shortwave) (behind Mr. Murrow); Rev. Aloysius B. Goodspeed, S.J., WWL New Orleans; Charles H. Topmiller, WCKY Cincinnati; James E. Nobles Jr., WMIE Miami (partially hidden by the President); George B. Storer Jr., WGBS Miami; Milton Komito, WCKR Miami, and Henry Loomis, director, VOA.

THE FIRST 50 YEARS



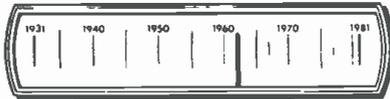
OF BROADCASTING

C omsat, Telstar, all-channel TV sets and federal funding for noncommercial, educational television appeared in 1962. The tightening hand of the FCC continued on broadcasting and stories of space flight and international crisis provided journalistic challenges to radio and TV.

With the U.S. pledged to put a man on the moon by the end of the decade, space and its potential for communications were much in the news. President Kennedy proposed a publicly held corporation that would own and operate a space communications system, but the FCC wanted the operating corporation to be owned by international common carriers. FCC Chairman Newton Minow maintained that such carriers, "by reason of their experience and responsibility for furnishing communication service, [are well qualified] to determine the facilities best suited to their needs and those of their foreign counterparts."

"The [Kennedy] administration's effort," BROADCASTING explained, "is to draw a compromise between the proponents of private ownership by communications carriers and those, including the State Department, who favor an out-and-out government monopoly. By calling for a public company, the President vetoes the government monopoly plan . . . In so doing the White House drops the FCC's own proposal. . . ." A bitter struggle ended in September when Congress passed the bill that created the Communications Satellite Corp., a private corporation based upon the Kennedy plan. Opponents of Comsat argued that it constituted a "giveaway" of government-financed technology in space communications to a private monopoly. Proponents cited the corporation's structure. Half of the initial stock was to be sold to the public and half reserved for communications carriers approved by the FCC. In addition, the bill specified the corporation would have 15 directors, six elected by public owners, six by the carriers and three appointed by the President with Senate approval.

Space achievements in 1962 merited wide media coverage and contributed to the growth of broadcasting. Colonel John Glenn's Feb. 20 orbital space flight was watched by over 135 million TV viewers and millions more listened to the launch on radio. The cost of network coverage, including pre-emptions, totaled over \$3 million. The networks employed 560 persons to report the flight and related activities. With the



The nation was chilled by the Cuban missile crisis in October, cheered by America's first three orbital space flights, appalled by an Aug. 14 holdup of a postal truck near Plymouth, Mass., in which a gang took more than \$1.5 million. Violence flared up as James Meredith became the first black student at the University of Mississippi and 3,000 troops were sent to put down riots. Lighter moments were provided by Vaughn Meader's comic album, "The First Family," featuring a nearly perfect imitation of JFK. In a happening that could create a sense of déjà vu among oldtimers at the FCC, the commission went house hunting for larger quarters. And in BROADCASTING . . .

three television networks joined government officials and executives of AT&T in applauding the event as a triumph paralleling the invention of the printing press, the telegraph, the telephone and the wireless."

Capable of functioning as an intercontinental relay for television, telephone, telegraph and data transmission, Telstar, in its maiden test, relayed TV programs from the U.S. to England and France, and then from England and France to the U.S. Telstar, in John Kennedy's words, "opens to us the vision of international communications. There is no more important field at the present time than communications and we must grasp the advantages presented to us by the communications satellite to use this medium wisely and effectively to insure greater understanding among the peoples of the world."

The introduction of satellite transmission cost AT&T some \$50 million, including \$1 million for the construction of the 170-pound satellite, \$2.7 million paid to the National Aeronautics and Space Administration for the rocket and launching facilities and \$10 million for the Andover, Me., tracking station.

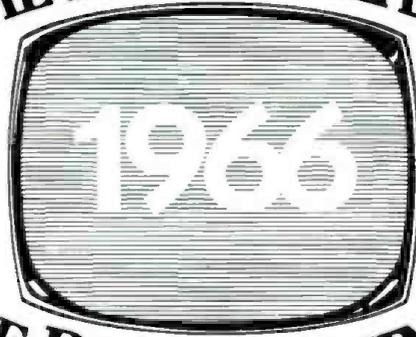
The long-term effects of Telstar, besides international television, would include, according to BROADCASTING, "the most expeditious means [for carriers to recoup] their investments. Telephone (600 messages can be carried simultaneously on a band needed to accommodate a TV relay), telegraph, still-picture and data processing are the payload services for global satellite systems of which Telstar is the forerunner."

The discovery in October of Russian missiles in Cuba, within easy range of important targets in the U.S., provoked a showdown between the superpowers and a conflict between

world absorbed in a space race between the U.S. and the Soviets, similar broad coverage was accorded the American flights of Lieutenant Commander M. Scott Carpenter on May 24 and Commander Walter M. Schirra on Oct. 3.

AT&T's communications satellite, Telstar I, was launched in July. "Add Tuesday, July 10, 1962, to the roll of historic events in communications," BROADCASTING commented. "The first live telecast was relayed from space . . . and appropriately heralded as the advent of a new era. Commentators of the

THE FIRST 50 YEARS



OF BROADCASTING

Cable regulation was a dominant controversy of 1966, a year that also saw the beginning of serious disputes over television coverage of a Vietnam war that was causing growing dissent on the home front.

In February, the FCC declared its authority to regulate all 1,600 cable systems then in operation. Since June 1965 it had regulated systems using microwave relays. The new rules were borrowed, with modifications, from those governing microwave users. Systems were forbidden to duplicate local programs within 24 hours of local broadcast.

Systems were required to carry all local signals. Systems were prohibited from importing distant signals into the 100 biggest markets except by waiver of the FCC.

The last provision was to inhibit cable development in the major cities. FCC Chairman E. William Henry emphasized: "We don't intend to grant many waivers, with a lot of different people being treated differently." The commission also recommended that Congress enact legislation prohibiting cable systems from originating programming.

As part of its pronouncements, the FCC asked Congress to confirm the commission's jurisdiction over CATV.

"None of the extremists on either side of the CATV argument," BROADCASTING noted, "is fully satisfied by the commission's plan of control. Yet almost everyone can find some virtue in it, and there are a good many broadcasting and CATV interests that feel the FCC has made the best of a situation that defied totally acceptable compromise."

Representative Harley O. Staggers (D-W. Va.), who had become the new chairman of the House Commerce Committee in January, introduced the FCC-drafted bill. But there were dissenters with different ideas about the FCC's jurisdiction. Representative Walter Rogers (D-Tex.) championed a bill to prohibit all FCC regulation of all CATV systems, and the National Community Television Association drew up a draft of a bill that would give the FCC only limited control over cable.

FCC Chairman Henry defended the commission's proposed rules as "a fair accommodation of the needs of both broadcast and CATV interests in bringing service to the public." Representative Rogers disagreed, claiming that the FCC, in asserting jurisdiction over the "reception" of radio signals, had strayed into the area of censorship of broadcasts, jeopardiz-



U.S. forces started firing into Cambodia on May 1 and American bombers began strikes in the Hanoi-Haiphong area of Vietnam on June 21. Medicare, the government program to help those over 65 pay part of their medical expenses, began July 1. On Aug. 1, a sniper atop a University of Texas tower in Austin shot 44 persons, killing 14, before police shot him to death. The war between the American Football League and the National Football League ended with announcement of a merger and plans to play the first Super Bowl championship game in January of 1967. And in BROADCASTING ...

ing "... the underlying right of the American people to receive what goes over the air."

The House Commerce Committee subsequently reported out a bill to establish FCC jurisdiction over cable and to ban CATV originations with a few exceptions. But the legislation failed to reach the floor in that session of Congress.

However, the stunning news for cable operators came on May 23 when U.S. District Judge William Herlands in New York ruled that CATV reception and transmission were a "performance" under

the existing copyright law. The decision came in an infringement suit brought in 1960 by United Artists Corp. against Fortnightly Corp., operator of two cable systems in West Virginia. The systems had been picking up area TV stations that carried UA films and cartoons.

Judge Herlands ruled that, contrary to CATV claims, the cable systems in question were not "simply passive antennas." The court also rejected Fortnightly's contention that the Communications Act proscribed the charging of a fee for television and hence prevented UA from collecting copyright royalties. The decision was destined to be overturned, but it provoked new activity in the drafting of legislation to update the copyright law.

The House Judiciary Committee in October released its version of a CATV copyright bill after months of debate. Frederick W. Ford, NCTA president, remarked that the bill "has some serious flaws, although it does represent a step in the right direction." The bill, which Ford labeled "replete with ambiguities," exempted from copyright liability those systems that only filled in a station's coverage area or extended signals to communities that could not receive signals off the air. The bill also exempted secondary transmissions to private rooms in hotels and other public places, and exempted retransmission by carriers that did not alter the content of the material. The bill held cable systems liable to copyright if they altered program content; originated programming other than weather, time, news, agricultural reports, religious services and proceedings of local governments; charged for a particular transmission; limited reception to certain members of the public; operated outside the broadcast stations' normal area without registering with the copyright office; operated outside



In 1965, the ranks of journalism lost two men who left indelible marks on broadcasting. On April 27, Edward R. Murrow, whose career at CBS spanned 1935 to 1961 before he became head of the U.S. Information Agency, died at age 57. The photo at right was taken in wartime London in 1941, with the BBC's Broadcast House where Murrow beamed his "This ... is London" reports in the far background. On June 14, H.V. (Hans von) Kaltenborn (above) died at 85. Kaltenborn, who began in newspaper work, transferred his clipped, precise delivery of the news to WYCB New York in 1922, joined CBS as news editor in 1930, and then was hired in 1940 by NBC, where he stayed until retirement from regular broadcasting in 1945.

tators were charging the Johnson administration with suppression of news about Vietnam, and were commenting about the administration's "credibility gap."

While television with its combination of picture and sound might have had more impact in the coverage of these events, 1965 provided radio with one of its most important public service triumphs: coverage of the great blackout of seven Northeast states. Many credited radio stations, running on emergency power, with getting important information to listeners, many of whom had battery-operated radios as their only source of contact with the rest of the nation. In the blacked-out areas radio almost tripled its audience. The *New York Herald Tribune* offered a "brief note of thanks to our friendly rivals, the radio newsmen, who gave most New Yorkers their only information about the nature of the crisis. . . . Broadcasting under exceedingly difficult conditions, they performed a vitally needed public service." *Newsweek* said that New York's "5.5 million transistors served at once as a balm, companion, and domestic adviser. . . . Radio could only share the puzzlement and finally deliver the comforting news that the world had not come to an end, that the blackout was neither the judgment of



God nor the Armageddon with the Communists. . . ."

Educational television got a shot in the arm in November when the Carnegie Corp. of New York announced formation of a blue-ribbon commission of 13 prominent Americans to study educational TV and to make recommendations for its future. The study was underwritten by Carnegie with the blessing of the White House.

Budget for the 12-15-month life of the commission was understood to be \$250,000. The commission chairman was Dr. James B. Killian Jr., chairman of the Massachusetts Institute of Technology and former science adviser to President Eisenhower. Among the members were John Hayes, president of Post-Newsweek Stations; Oveta Culp Hobby of KPRC-AM-TV Houston and the *Houston Post*; J.C. Kellam, president of Texas Broadcasting Corp. (primarily owned by Mrs. Lyndon B. Johnson and daughters), and Joseph McConnell of Reynolds Metal Co., who was president of NBC from 1949 to 1952. Others on the commission came from fields of teaching, business, government, labor and the performing arts.

In December, ABC made its big move for expansion when it announced agreement with International Telephone & Telegraph for a \$370-million merger. As



Also lost during the year was Dr. Allen B. DuMont, a respected name in electronics and TV for more than three decades. He died Nov. 18 at 85. Holder of more than 30 patents for developments in cathode ray tubes and other technical devices, DuMont was an early discoverer of the principal of radar. However, the Army Signal Corps, for security reasons, dissuaded him from patenting his radar findings in 1933. In the broadcast ownership field, his four commercial TV outlets formed the nucleus of the DuMont Network in the 1940's. He subsequently disbanded the network and sold his stations as well as his laboratories division. The last produced TV and radio receivers, phonographs and high fidelity equipment. In his last years, he was senior technical consultant to the DuMont Divisions of Fairchild Camera and Instrument.

an independent but subsidiary operation of ITT, ABC was envisioned as working under the shelter of a \$2-billion corporation, giving it badly needed capital to compete with the other networks. As a pioneer in the development of satellite equipment, ITT was expected to be in a position to further international designs of ABC. [But faced with the necessity of getting approvals from government agencies—including the FCC and the Antitrust Division of the Department of Justice, the merger was destined to be called off a little more than two years later.]

Stay Tuned

1. Who played Batman on television?
2. Who played Batman at a Washington benefit ball?
3. What news executive resigned his post because of a controversy in reporting Vietnam news?
4. Who planned a fourth TV network?
5. Who became FCC chairman at midyear?

The answers
in "1966."

claimed were unfair presentations.

Since the Democrats didn't respond to the offer, the FCC quashed its investigation but warned the so-called offending stations that both sides of a controversial issue must be presented, whether paid for or not, although the means are left up to the licensee.

In the suit, however, Norris insisted that the FCC policy violated constitutional guarantees of free speech and free assembly and against the taking of property without due process.

Proponents of pay TV gained a victory in May when a California superior court ruled that the 1964 referendum vote to outlaw pay TV was unconstitutional. The court said the 1964 prohibition "abridges freedom of speech contrary to the guarantees. . . . This basic right, guaranteed by the First Amendment, has long been held to be incorporated in the 14th Amendment due process clause, thus protecting against state abuse. Since the right is worthless without an effective means of expression, the guarantee extends to both the content of the communication and the means employed for its dissemination."

Although the ruling provided hope for Subscription Television Inc., California's wired pay TV system, STV President Pat Weaver felt that a reinstatement of service would be possible only if the judgment were not contested in lengthy court appeals.

Meanwhile, a CBS-financed, two-year study of such pay TV ventures as Paramount's International Telemeter operations in Etobicoke, Ont., RKO General-Phonevision's tests in Hartford, Conn., and STV's operations in Los Angeles and

San Francisco forecast doom for the pay TV concept. "Unless there is a major breakthrough in engineering or program development," the report concluded, "pay TV is simply not a viable enterprise. Part of this is due to the fact that despite the often expressed desire that typical subscribers would like to escape from the 'cultural wasteland' of present television, that view is a myth. Viewers want good entertainment, but they do not, in any meaningful numbers, expect cultural reformation from free or pay TV. Further, they are not really dissatisfied with free-TV programming or commercial interruptions."

As part of the quest for "good" entertainment and bigger audiences, the networks looked to specials as well as to their regularly scheduled programs. The networks, which projected that their special programming would account for \$50 million in revenues, \$10 million more than in the previous year, planned both entertainment and news programs. NBC telecast about 80 one-time and occasionally scheduled shows, while ABC and CBS each planned between 30 and 35.

Regular network offering included: *I Spy* (NBC) (one of the first lasting network shows that featured a black in a starring role), a spy drama with Robert Culp and Bill Cosby as U.S. undercover agents; *Honey West* (ABC), a mystery series with Anne Francis as a private eye; *Get Smart* (NBC), a spy comedy with Don Adams as Maxwell Smart, secret agent, and Barbara Feldon as Agent 99; *F Troop* (ABC), a comedy set in post-Civil War times with Forrest Tucker and Larry Storch; *Convoy* (NBC), a World War II drama with John Gavin; *The Big Valley* (ABC), a western

drama about a 19th century family dynasty with Barbara Stanwyck and Lee Majors; *Run For Your Life* (NBC), an adventure show about a terminally ill man, Ben Gazzara, seeking worldwide excitement; *Green Acres* (CBS), a comedy with Eddie Albert as a city slicker turned farmer, and Eva Gabor, his glamorous wife; *Please Don't Eat the Daisies* (NBC), a suburban comedy with Patricia Crowley and Mark Miller; *Gidget* (ABC) a teen-age comedy with a surfing background starring Sally Field and Don Porter, and *The Smothers Brothers Show* (CBS), a comedy in which Tom played an angel returned to earth to earn his full-fledged angel status, and Dick played Tom's unwilling accomplice.

A standard for realism in advertising was set when the Supreme Court in April affirmed a Federal Trade Commission ruling that Colgate-Palmolive and the Ted Bates agency engaged in deceptive practices when they showed a TV mock-up of what they purported to be sandpaper being shaved clean by the single stroke of a razor. The court ruled that "if the inherent limitations of a method do not permit its use in the way a seller desires, the seller cannot by material misrepresentation compensate for those limitations." The seller could, however, employ mock-ups if they were clearly represented as such.

As always, the 4,049 AM stations (4,129 authorized), the 1,446 FM stations (1,657 authorized), and the 596 TV stations (702 authorized) brought to the public news and information besides entertainment, specials and commercials. In 1965 radio and TV covered the Gemini launchings and splashdowns, the military action in Vietnam, the Watts riots and Pope Paul VI's visit to the U.S.

To cover the Gemini 4 June flight that included dramatic pictures of Major Edward White's space walk, the networks spent over \$4 million. Throughout the eight-day flight of Gemini 5 in August, the networks provided updates and programming, much of it in color. For the splashdown of Gemini 6 in December, the networks, through the Early Bird satellite, provided the first live TV coverage of such an event. For the splashdown of Gemini 7 in December, the networks telecast live coverage to the U.S., via the Early Bird satellite, which also relayed the event to Europe.

"Television's coverage of the splashdowns . . ." BROADCASTING commented, "represented an advance in TV journalism that rivals the development of working communications satellites. The satellites enabled live television to span oceans and continents. The Gemini 6-7 coverage used portable equipment that linked live cameras at sea with the Early Bird satellite and freed them from the landlocking limitations of traditional microwave and cable services. The two events demonstrated that the range of live news coverage can be vastly extended."

To expand coverage of the Vietnam war, the networks in 1965 established bureaus in Saigon. By 1965, some news commen-



Pope Paul VI as President Johnson greeted him in New York during the October visit of the Pope. Papal coverage, carried without commercials, represented close to \$5.8 million in production expense and pre-emption losses. As many as 90% of all U.S. TV homes watched some portion of the 14-hour visit, according to the American Research Bureau.

Counsel Douglas A. Anello also reasoned: "We no longer talk of CATV in its traditional role of a supplement to free broadcasting but as a substitute for it. Hence, we fail to see the logic of any principle that would require broadcasters to pay performance rights but would exempt these persons who not only perform a similar function but are actually in competition with those who do pay."

Those broadcasters who had invested in cable breathed a sigh of relief when the FCC in July issued a preliminary ruling that it would not ban CATV-TV cross-ownership in the same market. FCC Chairman E. William Henry dissented, saying that "even the most honest man cannot compete with himself."

To create more programming competition, New York City awarded three cable franchises, one to Sterling Information Services for Manhattan south of 86th Street, one to Teleprompter for northern Manhattan, and one to CATV Enterprises for the Riverdale section of the Bronx.

While the cable controversy went on, the television system was converting from black and white to color.

By the end of 1965, NBC-TV had only one regularly scheduled half-hour in prime time still in black and white; all else was color. (NBC's parent, RCA, had been the foremost advocate of the color conversion in color broadcasting and receiving hardware.) Orders were backed up for station color gear and color receiving sets.

A BROADCASTING survey in November showed that 526 commercial stations (88%) of the 601 commercial TV's on the air were able to carry some form of color or expected to be in color in early 1966. This was an increase of 49 stations from a similar count at the end of 1964.

The most-publicized shortage was that of live color camera chains. Color film, slide and tape equipment moved at a better pace.

The survey of stations from a BROADCASTING questionnaire and network sources showed that by mid-November 506 (84%) of the stations on the air could carry network color; 278 (46%) could show color slides; 76 (12%) could produce local live color; 289 (48%) could transmit color film, and 142 (23%) could show color tapes. Comparable figures at the end of 1964 showed 77% with network color capability; 26% equipped for color slides; 11% local live color; 28% color film; 9% color tapes.

Concerned about what it called network domination of TV programming, the FCC in January began considering rules to exclude networks from domestic program syndication and to prevent networks from owning or controlling more than half of the nonnews programming they aired in prime time. The FCC hoped these measures would spur independent production of TV programs.

Telecasters reacted quickly; BROADCASTING headlined: "It's war on FCC program control." Among the negative conse-



The search by the National Association of Broadcasters for a president to succeed LeRoy Collins who resigned in June 1964 culminated at the association's joint board of directors meeting at Palm Springs, Calif., in January 1965. The choice was Vincent T. Wasilewski (right), who joined the NAB in 1949 and had moved up the ranks to executive vice president. The board also decided that two heads were better than one; it voted to have a full-time chairman at Washington headquarters to supervise policy. Willard Schroeder (left) of WOOD-AM-FM-TV Grand Rapids, Mich., incumbent chairman of the combined boards, took over the newly conceived chairman's job. Schroeder agreed to fill the post until board election time in June, but said he would be unable to continue past that time. The board meeting in Palm Springs designated not more than \$50,000 annually for the chairman's salary and living expenses in Washington, but Schroeder did not accept a salary in the interim period. Wasilewski's salary was set at \$50,000 annually with no provision for living expenses.

Broadcasting, Feb. 1

quences of so "drastic" a rule, Robert W. Sarnoff, NBC chairman, listed the following: "First, it would undoubtedly force a substantial reduction in network service. . . . Second, there would be a lessening of the networks' responsibility for their total schedules. . . . With advertisers controlling a large portion of the schedule, programming would stay or go depending on the sponsor. . . . Finally, the rules would work against program diversity and against the interest of special and minority groups. A network controlling its own schedule can provide for such programs, and serve as a balance wheel against undue emphasis on a few program types. Dividing responsibility for the schedule between networks and advertisers would weaken the networks' ability to fill this vital role."

For the networks, the proposed FCC rules posed the potential loss of a substantial part of the \$500-million-a-year business of prime-time program production as well as the loss of the \$30 million a year in program syndication.

The new FCC proposals, in fact, ran contrary to network purpose. As one network film executive stated, "More than ever before, we are out to get domestic

syndication rights to some of the series we carry on our network. In recent years, we have concentrated on getting overseas rights but have neglected possibilities in the domestic field."

The FCC, historically a creator of shock waves for broadcasters, was itself the recipient of a backlash from an angry broadcaster in Red Lion, Pa. He was the conservative Rev. John H. Norris, 80% owner of WGCB-AM-FM there. WGCB in September of 1965 made the first court challenge to the FCC's 15-year-old fairness doctrine. Filed in the U.S. District Court in Washington, the suit asked \$5 million in damages from the Democratic National Committee and a court order prohibiting the DNC from allegedly harassing the station.

WGCB was one of 10 stations that had been questioned by the FCC during the 1964 presidential campaign on the complaint of the DNC that the stations refused to make time available to present the Democratic position on public issues. WGCB's answer was that the station's challenged programs (*Twentieth Century Reformation Hour, Life Line, Dan Smoot Reports*) were sponsored and that the DNC could buy time to rebut what it



The yearend news was the resignation in the last days of 1964 of Fred W. Ford as an FCC commissioner and his acceptance on Jan. 1, 1965, of the presidency of the National Community Television Association. Contract was for \$50,000 annually for two years plus expenses and a car. The NCTA had been wooing Ford for more than a year. At the NCTA convention in June 1964, Ford (right) is shown with FCC Commissioner Robert E. Lee (left) and the hierarchy of cable association, National Chairman Bruce Merrill (second from left) and Fred J. Stevenson, immediate past national chairman.

Broadcasting, Jan. 4



Successor to Fred W. Ford on the FCC was James J. Wadsworth (l.), a Republican who had served President Eisenhower as ambassador to the United Nations. He was sworn in May 5 by FCC Chief Hearing Examiner James D. Cunningham as his wife, Harty, and his brother, Reverdy Wadsworth, looked on during the Washington ceremony.

Broadcasting, May 10

escape the conclusion that it is an unwise policy for the federal government to intervene and abort the normal processes of the free competitive marketplace, to protect one group of businesses against the competition of another group."

CBS at the time was in the cable business with a large system in Vancouver, B.C. Years later it was to spin its cable interests out with program syndication in a new company, Viacom.

The first court challenge to the rules the FCC had adopted for microwave-served cable systems was based on allegedly unfair intervention by government in free market practices as well as the charge that the FCC lacked statutory authority and had not followed correct administrative procedure. The challenge came in June from the Black Hills Video Corp., a common carrier serving cable systems, and its parent corporation, Midwest Video Corp., owner of 10 cable systems in five states. They asked the U.S. District Court of Appeals in St. Louis to overturn the FCC's microwave rules.

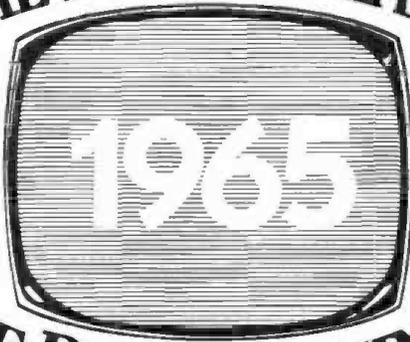
But, as BROADCASTING noted, "While broadcasters argue over the degree of federal control they want for CATV, the wire systems continue to gain ground. Before the FCC comes to a final resolution of its CATV position, many more miles of wire will be strung and many more subscribers connected. . . . Even if the FCC were to expedite the assumption of the controls it has been asked to claim, it would be certain to encounter prolonged court appeals before it could exercise them, if indeed the courts upheld its position. It is more than possible that the hard-line broadcasters have taken the wrong case before the wrong forum. . . . It is the Congress, not the FCC, that has the power to amend the law, and it is the Congress to which the broadcasters ought to be addressing their attentions."

Congress did challenge CATV with a new copyright bill, introduced by Representative Emanuel Celler (D-N.Y.). The bill would prohibit systems from picking up broadcast programs without the permission of the copyright holders.

National Community Television Association President Frederick W. Ford opposed the legislation, arguing that cable should be exempt from copyright liability on several grounds: that CATV's were merely extensions of the set owner's antenna and therefore should have the same access to broadcast material as the general public; that copyright owners were already compensated for use of their material by antenna systems; that it would be administratively impossible for a CATV owner to obtain all the necessary clearances; and that with FCC rules requiring CATV's to carry local stations that might then charge exorbitant fees for copyright clearance, CATV's would be placed in a precarious economic situation.

The NAB argued for the new copyright bill as a needed protection for broadcasters' programming. NAB General

THE FIRST 50 YEARS



OF BROADCASTING

The FCC in 1965 made moves to regulate cable television and to restrain the TV networks' so-called domination of programming sources. In the same year broadcast journalism had a spate of major stories to cover: civil-rights demonstrations, riots in Watts, more space shots, the escalating Vietnam conflict and a power blackout in the Northeast.

With more than 1,600 cable systems operating by 1965, broadcasters began seeing threats to their positions in their service areas. The National Association of Broadcasters sought an agreement

with CATV operators to refrain from duplicating on-air programs within 15 days of local broadcasts. The National Community Television Association sought an agreement for simultaneous nonduplication of programs. The Association of Maximum Service Telecasters, representing about 160 stations, sought immediate regulation by the FCC to prohibit CATV's from carrying a station's signal beyond its grade B contour, or a distance factor of 80-90 miles, to restrain cable expansion that AMST said "could lead to the destruction of the system of television allocations, blacking out local broadcasting service."

In April the FCC proposed direct regulation of all cable systems as subordinate elements in the television allocations structure. Although the FCC in announcing its rulemaking acknowledged that cable systems performed a "valuable service," the commission said that such systems "cannot be permitted to curtail the viability of existing local service or to inhibit the growth of potential service by new broadcast facilities . . . The commission's statutory obligation is to make television available . . . to all people of the U.S. on a fair, efficient, and equitable basis. . . . This obligation is not met by a primary reliance on a service which, technically, cannot be made available to many people and which, practically, will not be available to others. Our conclusion is that community antenna television serves the public interest when it acts as a supplement rather than a substitute for off-the-air television service."

Previously the FCC had claimed jurisdiction only over cable systems using microwave relays to feed distant signals to their headends. For the microwave-served systems the FCC adopted rules, which became effective in June 1965, requiring



In March, Dr. Martin Luther King led a civil rights march of 25,000 from Selma to Montgomery, Ala., with an escort of 4,000 troops dispatched by President Johnson. Beginning on Palm Sunday, a series of 45 tornadoes struck the Midwest in three days. In June, U.S. commanders were authorized to commit 23,000 advisers to Vietnam and adjacent areas. In August, race riots in the Watts area of Los Angeles resulted in the death of 35 persons and \$200 million in property damage. Pope Paul VI visited New York in October to make a personal appeal for peace to the UN. And in

BROADCASTING . . .

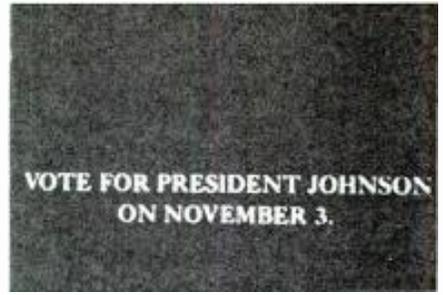
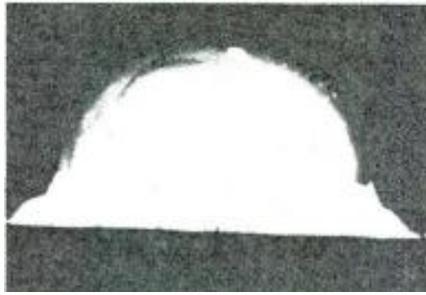
systems to carry local television signals and prohibiting them from importing distant programs that duplicated local programs within 15 days of local broadcast. The rules proposed in April for all systems were essentially the same.

The FCC's new stance drew immediate support from TV broadcasters. A National Association of Broadcasters spokesman approved the rulemaking as steering a "clear course . . . to preserve and advance free broadcasting, while recognizing CATV's legitimate place as a supplementary service."

In February, Dr. Martin H. Seiden, an economist engaged by the FCC to study the potential economic impact of cable on broadcasting, had issued a conclusion that the threat had been overemphasized. Cable, Seiden said, was prospering despite its supplemental role. For 28 systems that gave him financial reports, Seiden found the average ratio of profit to revenue to be 57%, "or more than twice the 1963 profit margin of 27% . . . calculated for the TV broadcasting industry exclusive of the networks and their owned stations."

CBS issued its own analysis of the economic impact of cable. It found the threat to telecasters to be less severe than that indicated by the Seiden report. CBS said that assuming "that all stations are faced with equal CATV growth, then an annual rise in television advertising expenditures of 0.5% would be enough to offset the effect on station revenues of the current rate of CATV growth." Based on analyses of other station situations, CBS concluded that "it will be only in rare cases that the rise in CATV will, in fact, be rapid enough and large enough . . . to cause an absolute decline in station revenues."

In part, CBS used this reasoning to dispute the FCC's authority to regulate CATV systems, saying, "While it is possible that unrestricted and unregulated CATV may economically hurt the present system of broadcasting, CATV does not propose to use broadcasting spectrum space. And so, in the last analysis, whether the proposed rules be rationalized in terms of implementing the Sixth Report and Order, or of preserving opportunities for local expression, or of protecting UHF, it seems to CBS that the concept proposed is essentially a concept of electronic tariff walls which would protect an existing and favored method of distribution from what is thought to be 'undesirable' or 'unfair' competition. . . . CBS cannot



One of the Democratic spots that angered Republicans was this TV spot. In it, the little girl counted daisy petals and a voiceover counted down to the atomic explosion, an implication of the danger of Barry Goldwater's beliefs. *Broadcasting, Sept. 21*

demands from the 14 or more minor parties, with which it would be impossible to comply, while at the same time assuring us of their willingness to deal fairly with the minor parties."

Johnson, however, felt it politically expedient not to debate Goldwater. The Senate obligingly killed the bill to suspend the equal-time law. "Nobody denies," BROADCASTING editorialized "that Mr. Johnson wanted it that way. As an incumbent, the President can get consistent radio and television exposure while appearing in his official status. Mr. Johnson, the President, can command almost unlimited time for broadcast news conferences or broadcast speeches as long as they concern his function as the chief executive. If, in the course of those official appearances, the cause of Mr. Johnson, the candidate, happens also to be advanced, there is nothing much that broadcasters can do about it."

As in past campaigns, the presidential hopefuls turned to the media, especially TV, to further their causes with advertising messages. Two of the more noteworthy, commercials, created by Doyle Dane Bernbach for the Democrats, drew GOP protests that the Democrats attempted to capitalize on fear stemming from Goldwater's comment that he would not be adverse to using "low-yield atomic devices" to defoliate Vietnam. One spot depicted a little girl counting daisy petals, "1-2-3-4-5-6-7-8-9-10" as the voiceover counted down, "10-9-8-7-6-5-4-3-2-1." Then, a picture of a nuclear explosion followed with words by President Johnson: "These are the stakes. To make a world in which all of God's children can live, or go into the dark. We must either love each other, or we must die." The tagline: "Vote for President Johnson on Nov. 3."

In a similar vein, the other spot depicted a girl eating an ice cream cone accompanied by the clicking of a Geiger counter, followed by a picture of an A-bomb explosion. The networks showed each of these spots only once, followed by Republican complaints.

For their part, the GOP countered with a 30-minute film. Called "Choice" and sponsored by "Mothers For a Moral America," the film portrayed the "moral decay" of America by focusing on topless dancers, pornographic magazines, and a speeding white Lincoln, an allusion to the life style of Lyndon Johnson, the ostensi-

ble cause of it all. As a remedy, the film proposed a return to "law and order," a code phrase in some circles for racial segregation. After seeing a preview of the film, the Democrats objected, and Goldwater canceled showings of the film.

Despite such use of the broadcasting media for electioneering by the major parties, BROADCASTING wrote: "There were three winners in the national election this year: (1) the Johnson-Humphrey ticket; (2) the public, and (3) radio-TV. The public got the fastest coverage and the most accurate analysis ever through the broadcast media. And the broadcast media, beyond question, cemented themselves as the primary news media on Nov. 3."

Increasingly throughout the sixties the broadcast media used their advantages of spontaneity and instant analysis to portray the world for Americans, and to portray Americans to the world through coverage of Vietnam—America's living room war—and other crises of the Johnson administration.

Stay Tuned

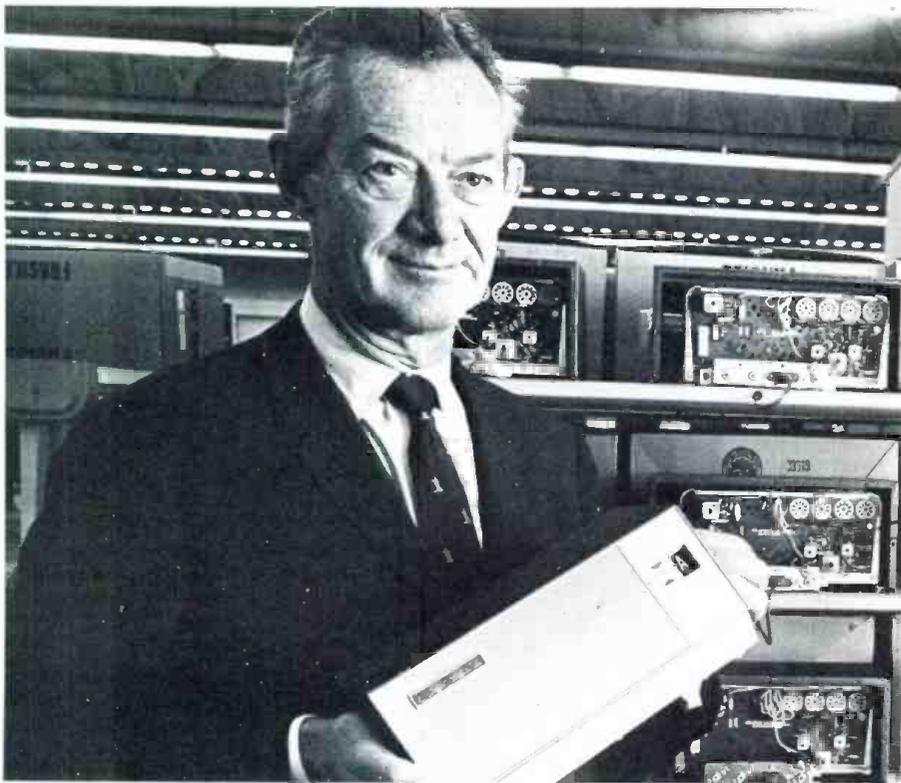
1. Who signed as the new president of the National Cable Television Association on Jan. 1, 1965, the day after President Johnson accepted his resignation from the FCC?
2. Who became president of the National Association of Broadcasters, culminating a four-month search for a successor to LeRoy Collins?
3. Who became full-time paid chairman of the NAB?
4. How did the Carnegie Corp. attempt to help educational television?
5. Which network planned a merger with IT&T?

The answers
in "1965."



Serious negotiations for the pooled effort to count votes, dubbed the Network Election Services, were initiated by (l to r) Fred Friendly of CBS News, William McAndrew of NBC News and Elmer Lower of ABC News.

Broadcasting, June 15



Subscription Television Inc.'s Pat Weaver holds a program selector destined for the home of one of STV's subscribers. Manufactured by Lear Sigler Inc., the units cost about \$50 each.

Broadcasting, June 29

attempt to wrest the ch. 3 WRCV-TV from NBC.

To buttress educational television, the House Appropriations Committee in April voted an additional \$13 million in grants to ETV programming. Despite such grants, FCC Chairman Henry asked commercial

broadcasters to donate funds to help ETV. Educational television, Henry felt, would "never realize its full potential until its financial base raises to a radically new level. . . . That educational television should permanently struggle for subsistence is intolerable. [In a country] committed to eliminating poverty in all its forms, we should not overlook what might be called 'cultural poverty.' For the vigor of a democratic civilization depends upon the availability of knowledge and enlightenment, culture and beauty—not to an elite—but to all who want to learn—to all whose minds are undernourished."

A BROADCASTING survey, in which 75% of those sent questionnaires responded, showed that commercial broadcasters had already donated to educational broadcasters about \$8 million in cash and about \$6.5 million in equipment, services, and promotional spots. One ETV station manager responded by saying, "We wouldn't be where we are today if it weren't for commercial broadcasters. They have done a lot for us. I just hope they'll do more."

Pay television was the gut issue at the NAB's April convention in Chicago, according to BROADCASTING. The TV board voted to oppose any form of the service, and FCC Chairman Henry declared that the commission should maintain rigid guidelines and controls of pay TV, both on cable and on the air.

Although the two-year-old subscription-television experiment in Hartford, Conn., was still to yield profits for its backers, Pat Weaver's wired Subscription Television

Inc. came on the scene with all the signs of challenge to conventional telecasters. Weaver's Los Angeles-based \$24-million project which had exclusive rights to baseball's Los Angeles Dodgers and San Francisco Giants, began operations in July, using wire to serve 2,500 subscribers. Besides baseball, STV offered exercise shows, theater productions and, in cooperation with United Artists, contemporary motion pictures.

The specter of pay television catalyzed opponents into a coalition that drafted a California state referendum that was to outlaw all forms of pay TV as contrary to "public policy." BROADCASTING analyzed the situation as "Whatever the outcome of the California vote on Nov. 3 . . . the theater owners who have financed the anti-pay TV campaign will have bought quite a bit for their money. Pat Weaver's Subscription Television Inc. . . has been stopped dead in its tracks. Even if the anti-pay proposition is defeated, Mr. Weaver will have problems in recovering lost momentum, and he will have spent a million dollars or more in unrecoverable capital on an election campaign that at best will do nothing more than grant him the right to stay in business."

The referendum passed in November. STV stopped operations in California, but initiated a court appeal to declare the California law a violation of the First Amendment. (Later the courts were to declare the law unconstitutional, but by then Weaver's STV was down the drain.)

As both vehicle and reporter of the political process, broadcasting again received revenue and acclaim for its role in the 1964 political campaign. Although the national, state and local races brought a gross of more than \$40 million to radio and TV, BROADCASTING estimated that the three networks spent a total of \$25 million on their election coverage. To trim costs and to eliminate the confusion of conflicting reports, ABC, CBS and NBC—later joined by Associated Press and United Press International—established the Network Election Service. NES was to serve as a central vote counting system for the presidential, gubernatorial and senatorial races; the wire services continued their separate counts of other races.

Besides the broadcasting expense of the 1964 campaign, two items remain noteworthy: the political manipulation of Section 315 of the Communications Act and the vituperative propaganda used in political commercials.

Republican presidential candidate Barry Goldwater, "eager to debate the issues before a national audience," challenged President Johnson to a nationally televised debate. For broadcasters to provide time for another series of "Great Debates" without incurring obligations to put fringe candidates on the air, it was necessary for Congress to suspend Section 315, the equal-time rule, as it had done in 1960. As Senator Hugh Scott (R-Pa.) indicated, "Broadcasters are actually competing to give time to each of the two major parties, asking only protection against equal-time



Central figure in the House hearing on smoking and health was Paul Rand Dixon, chairman of an FTC that unanimously endorsed a rule that cigarette advertising contain warnings that smoking may be dangerous to health.

Broadcasting, June 29

reduction in the objectionable content of prime-time programming. By November, the Dodd committee issued an interim report asserting that "expert testimony and impressive research evidence [show] that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juveniles."

Dodd recommended five measures: coordination among the networks in children's programming, the establishment of new program standards, the mandatory enforcement of NAB's TV code, the ascertainment of the community's views of good programming by announcements and statistically valid polls, and the creation of long-term studies of the cumulative effect of TV viewing.

The NAB said it shared the senator's concern for good programming, but it rejected Dodd's recommendations as beyond the legitimate realm of government concern. "The basic responsibility for programming lies with the licensee," the NAB stated, "and no central government body should attempt to assume it even if constitutionally it could be given the authority. If the government should move from the area of encouragement and stimulation of programming . . . to the area of advocating with favor or disfavor specific categories of programming, then it will have stepped across the line that divides its responsibility from that of the licensee; it has trespassed from what is rightful and legal—the fostering and encouragement of improved broadcasting—into the forbidden territory of abridgment."

For the fall season the TV networks offered the usual amalgam of adventure, drama, variety and comedy shows. Season premieres included *Daniel Boone* (NBC), early American adventure with Fess Parker; *The Man From U.N.C.L.E.* (NBC), spy adventure with Robert Vaughn and David McCallum as agents battling the evil forces of T.H.R.U.S.H.; *Kentucky Jones* (NBC), with Dennis Weaver as a widowed rancher raising a Chinese orphan; *Slattery's People* (CBS), with Richard Crenna as a dedicated state legislator; *Peyton Place* (ABC), a twice weekly nighttime soap with Ed Nelson, Dorothy Malone and Ryan O'Neal; *The Entertainers* (CBS), with rotating hosts, Carol Burnett and Bob Newhart; *Shindig* (ABC), a musical variety aimed at teen-agers with Bobby Sherman and Shindig dancers; *Valentine's Day* (ABC), a comedy about New York playboy Valentine Farrow played by Tony Franciosa; *The Addams Family* (ABC), a comedy about a collection of eccentrics tending toward the macabre, with Carolyn Jones and John Astin; *The Munsters* (CBS), a comedy along similar lines, with Fred Gwynne and Yvonne De Carlo; *Gomer Pyle* (CBS), a spin-off of the *Andy Griffith Show*, with Jim Nabors as a bumbling marine in boot camp; *Gilligan's Island* (CBS), the shipwreck comedy series with Bob Denver, Jim Backus and others, and *My Living Doll* (CBS), a comedy with Bob Cummings as a psychiatrist in charge



The battle for free access for cameras and microphones in public proceedings lost more ground than it gained in 1964. In Jackson, Miss., scene of much strife and unrest, a patrolman (above) guards the courthouse door, where everything except the reporter was not only banned from the courtroom but from the building itself.

Broadcasting, Dec. 28

of a beautiful robot played by Julie Newmar.

As a disseminator of public information and a chronicler of events, broadcasting received accolades for such special programming as broadcasts from the 1964 World's Fair in New York and satellite transmissions via Comsat and Syncom. Hundreds of radio and TV stations in the U.S., Europe, Asia, and Latin America requested permission to broadcast programs about the fair. On the opening night in April, NBC aired a 90-minute colorcast of the festivities, featuring Henry Fonda, Carol Channing, Fred MacMurray, and Lorne Greene as hosts. The National Educational Television network prepared four programs on the fair for distribution to its 84 affiliates in the next fall season.

Satellite communications reinforced both broadcasting's immediacy and scope. Syncom III, the first synchronous communications satellite, was launched in August and used in October to transmit telecasts of the Tokyo Olympics to the U.S. In the inaugural telecast, which included greetings from President Johnson, Secretary of State Dean Rusk and Japanese dignitaries, Johnson called the satellite "a great contribution to international understanding—a vital stepping stone toward lasting peace."

Ranger 7 in July sent back close-up pictures of the moon. BROADCASTING commented: "The feat was a combination of science, tenacity, teamwork and heavy investment. . . . The crowning achievement was the faultless operation of the six RCA

TV cameras, transmitter, and other electronic equipment that brought back to earth 240,000 miles away a sequence of more than 4,000 pictures of the lunar surface before the Ranger crashed into the moon as planned. . . . It was a great day for the United States, for NASA, for television and for General David Sarnoff and his associates."

The FCC lifted the AM freeze in July, a move that boded an increase in broadcasting's domain. The FCC's new rules were designed to slow the growth of AM radio in large markets, divert growth into smaller areas, and encourage FM development. In addition, the new rules limited to 50% the time that FM stations in cities of more than 100,000 population could duplicate AM programming.

The FCC cleared out another long-standing case in August, when it ordered NBC to undo a 1956 trade-sale agreement with Westinghouse in which NBC swapped its WTAM-AM-FM and WNBK(TV) in Cleveland plus \$3 million cash for Westinghouse's then KYW(AM) and WPTZ(TV) Philadelphia, later renamed WRCV-AM-TV. The FCC held—as the Justice Department had maintained for years—that the network used its power to withhold affiliations to coerce Westinghouse into making the original agreement. The commission also ruled that Westinghouse could keep the \$3 million because NBC had earned greater profits in Philadelphia after the original exchange. Philco Broadcasting Co. was at the same time rebuffed by the FCC in its



UCC's Parker who was told his group had no place in the FCC Jackson case.

Broadcasting, April 20

and public information regarding the hazards of cigarette smoking," and for the establishment of a network of smoking-control clinics to aid those wishing to cure the smoking habit. As part of that educational program, the President's commission suggested that the Public Health Service be given money and authority to produce 12 high-quality, 30-minute documentary antismoking films each year for TV.

Other issues in broadcast advertising included the revival of the liquor controversy, the acceptance by the U.S. Supreme court of a case that questioned the use of mock-ups in television advertising, and the attempt by the FCC to set time standards for commercials.

The liquor issue resulted from an announcement by WQXR(AM) New York that it was forsaking the ranks of broadcasters who had operated for three decades under a gentlemen's agreement not to accept hard-liquor advertising. The station said it had accepted contracts for late-night schedules from two hard-liquor advertisers, Muirhead Importers Ltd., and Schenley Industries.

The action drew fire from the NAB and national advertising groups. It also prompted Senators Warren G. Magnuson (D-Wash.) and John O. Pastore (D-R.I.) in March to introduce legislation to ban such broadcast advertisements.

At the request of the FTC, the Supreme Court said it would hear a case that involved an FTC order banning Rapid Shave commercials that used Plexiglas and sand as a mock-up of sandpaper (which did not appear rough on television). Although two lower courts reversed the FTC's order on the grounds that its decision contained

ambiguities and was too broad to apply to the Rapid Shave case, the Department of Justice urged the Supreme Court to take the case as "a test case of major importance." The issue, according to the FTC, centered on the ability of such mock-ups to deceive the public.

In response to complaints of advertising clutter and excessive commercialization, FCC Chairman E. William Henry proposed that the FCC officially incorporate the NAB's code standards as criteria for station renewal. Broadcasters vociferously rejected the proposal and instead supported passage of a bill by Representative Walter E. Rogers (D-Tex.) forbidding the FCC to set commercial time standards through rulemaking. The FCC subsequently withdrew its controversial proposal. BROADCASTING noted that the overwhelming House vote of 317-43 for the Rogers bill caused congressmen to recognize "possibly for the first time, that the FCC... had gone far beyond its delegated authority. They saw censorship implications and First Amendment derogations in the FCC's forays for tighter controls. Although much comment was stereotyped, it was a discussion that hands the FCC's tough-minded majority the guidelines it needs."

In April of 1964, the United Church of Christ began to play an expanding role in radio and television regulation as it petitioned the FCC to deny license renewals to WJTV(TV) and WLBT(TV), both Jackson, Miss. The Rev. Everett Parker, director of the UCC's Office of Communication, described the filing as the first by the church

group for alleged failure to serve the public interest, convenience and necessity. The UCC said that as part of its policy "to condemn segregation in every form," it had undertaken a monitoring program that showed discrimination against blacks in the stations' programming. UCC said that even though blacks accounted for 45% of the population within the stations' prime service areas, WJTV and WLBT had failed to serve the black community or to give "a fair presentation of controversial issues, especially in the field of race relations." The stations, according to UCC, carried news about "official attempts by the state of Mississippi to maintain patterns of desegregation, but do not include any balanced statement of Negroes' activities to obtain freedom, nor any fair presentation of the basis of their grievances." In a 4-2 decision, in May 1965, the FCC renewed the station licenses after those involved either corrected their programming or promised immediate reforms, and ruled that the United Church had no place in the case since the FCC protected the public interest. An appeals court, however, in 1966, ruled that such groups as the church had standing and ordered a rehearing on WLBT's renewal.

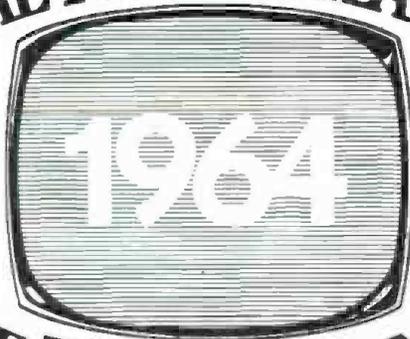
In a reprise of hearings in 1961 and 1962 on excessive violence and sex on television, Senator Thomas J. Dodd (D-Conn.) called network representatives to compare their 1961 schedules with their 1964 programming. The senator, who felt that studies showed "a harmful relationship between filmed violence and human behavior," said he found no appreciable



The new command of KTLA(TV) Los Angeles shortly after Golden West Broadcasters paid \$12 million to Paramount Pictures for the pioneer VHF outlet (l-r): Arthur M. Mortensen, formerly director of TV for Golden West and now vice president and general manager of KTLA, Loyd C. Sigmon, executive vice president and general manager of Golden West; Gene Autry, Golden West's board chairman, and Robert O. Reynolds, president of Golden West.

Broadcasting, May 25

THE FIRST 50 YEARS

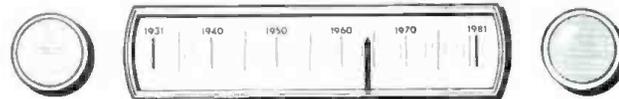


OF BROADCASTING

With more homes equipped with radio and television, and more cars equipped with radio than ever before, broadcasting continued to prosper and grow in 1964. Radio net time sales increased 7.3% to \$763,768,000; television's net time sales rose 11% to \$1,549,300,000. By year-end, there were 4,077 AM radio stations authorized, with 4,009 on the air; 1,468 authorized FM stations, with 1,270 on the air, and 676 authorized TV stations, with 586 on the air. On the other side of the ledger, aggressive antismoking campaigns and more subscription television developments loomed as potential threats to on-air commercial broadcasting.

Television and radio came under particular attack for advertising such products as cigarettes and liquor. When the U.S. surgeon general released a report in January that labeled smoking a health hazard, broadcasters saw a potential loss or diminution of the more than \$130 million spent by the tobacco industry for radio-TV advertising. Most broadcasters questioned the report as well as proposals that singled out their media for controls. A major exception, however, was LeRoy Collins, the National Association of Broadcasters president. A supporter of restraints on such advertising, Collins defended his position: "If we are honest with ourselves, we cannot ignore the mounting evidence that tobacco provides a serious hazard to health. Can we in good conscience ignore the fact that progressively more and more of our high school age (and lower) children are now becoming habitual cigarette smokers? ... We also know that this condition is being made continually worse under the promotional impact of advertising designed primarily to influence young people ... Where others have persistently failed to subordinate their profit motives to the higher purpose of the general good health of our young people, then I think the broadcaster should make corrective moves on his own ..."

This position endeared Collins to several consumer advocate groups, but estranged him from the general body of



In January, a special advisory committee to the U.S. surgeon general linked cigarette smoking to a 70% increase in the lung cancer death rate for male Americans between 1950 and 1960. A Good Friday earthquake wracked Alaska, and the tidal waves destroyed KIBH(AM) Seward. Bodies of three civil rights workers, missing since June 22, were found Aug. 4 near Philadelphia, Miss.; an all-white federal jury later convicted seven of 21 persons charged in the deaths. The Vietnam involvement grew in the wake of reported attacks on two U.S. destroyers: Congress passed the Gulf of Tonkin resolution, empowering the President to take whatever action necessary to repel attacks on U.S. forces and prevent further aggression. In October, Nikita Khrushchev was ousted; Aleksei N. Kosygin became Soviet premier, and Leonid I. Brezhnev took over the Soviet Communist party leadership. Martin Luther King Jr. received the Nobel peace prize. In August, CBS bought 80% of the New York Yankees for \$11.2 million with an option to buy the other 20%. And elsewhere in BROADCASTING ...

broadcasters. It was one of the major factors that led to his resignation from the NAB presidency in June to accept a federal post as conciliator in civil rights disputes. About Collins's disdain for cigarette ads, BROADCASTING commented: "Alone and without any real attempt to develop a meaningful program of reform through private conferences with broadcast leaders, Governor Collins has continued his public crusade against cigarette commercials. ... Once again Mr. Collins has sought action by means that guaranteed no action would take place. ... No one can be called a leader if he marches down the street by himself."

Besides Collins's resignation, several actions resulted from the surgeon general's report. Some tobacco companies immediately changed their sponsorship plans. The American Tobacco Co., the second largest tobacco company, an-

nounced an intention to abandon sponsorship of sports events. R.J. Reynolds, the largest tobacco company, canceled its spots scheduled after 3 p.m. weekdays on radio stations that appealed to teen-agers, Reynolds announced that the "move simply is part of a continuing evaluation of our advertising with a view toward reaching adult audiences."

The Federal Trade Commission and the President's Commission on Heart Disease, Cancer and Stroke issued remedial recommendations of their own. The FTC ordered that effective Jan. 1, 1965, each cigarette pack should contain a warning: "CAUTION: Cigarette smoking is dangerous to health." The FTC said this was necessary since "The extensive advertising on television for cigarettes, on programs widely watched by young people, continuously projecting an image of cigarette smoking as a socially desirable and accepted activity, consistent with good health and physical well-being, may have a great impact on impressionable young minds, and may block appreciation of the serious health hazards of smoking cigarettes." The President's commission proposed that \$10 million of federal funds be appropriated over a three-year period "for a comprehensive national program of education

Kennedy and daughter Caroline kissing the flag-draped coffin and son John saluting his late father outside St. Matthew's Cathedral. The solemnity of final burial at Arlington.

Through this ordeal, broadcasting was lauded for "its finest moment," in bringing together the nation. CBS research showed that 93% of U.S. homes watched television during JFK's burial, and that the average set was in use for more than 13 consecutive hours.

About the four-day experience, BROADCASTING commented, "To watch it would have been unspeakably morbid if it had been presented with less solemnity and taste. As it was, the experience, for all its dreadfulness, was in a way ennobling. Never had so many been so intimately associated with great events. In those four terrible days, television came of age and

radio reasserted its capacity to move to history where it happens. . . . Americans have had the venom wrung out of them by a catharsis like no other in their history."

Stay Tuned

1. What was the Network Election Service and who were the participants in that pooled effort in 1964?
2. What federal post did LeRoy Collins accept in resigning from the presidency of the NAB?
3. What 1956 swap-trade agreement involving stations in two major markets was reversed by the FCC?
4. Which federal agency ordered health warnings on all cigarette packages and in all advertising for such products?
5. Was there a suspension of Section 315's equal-time requirements for the 1964 presidential and vice presidential campaigns?

The answers in "1964."



-Broadcasting, May 20

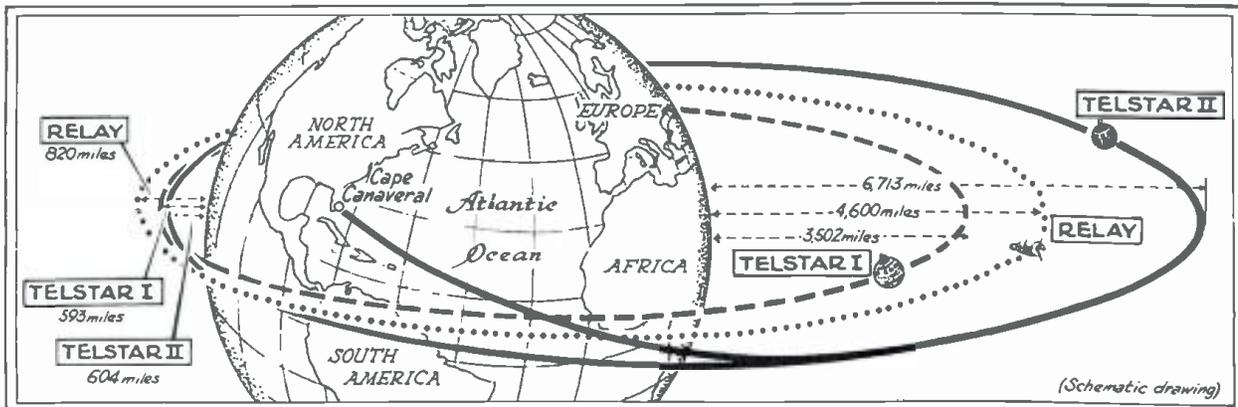
The first live telecast of an astronaut in orbit flashed through space in May, but the resulting pictures were not too good for regular broadcasting (see photo left).

Astronaut Gordon Cooper transmitted 11 telecasts from his TV camera above Cape Canaveral during his 34-hour, 22-orbit flight around the earth. The 2½ pound camera was a slow-scan vidicon (one picture every two seconds, compared with 30 per second in normal telecasting) made by Lear Siegler Inc., Anaheim, Calif.

In addition to reception at Mercury Control at Cape Canaveral, where the pictures were fed to the networks, a tracking ship near Japan and a tracking station in the Canary Islands also received pictures.

Two weeks earlier, Telstar II zoomed into an almost perfect orbit and before the week was through, it was used for television transmission. AT&T used the satellite to relay a taped conversation between the presidents of AT&T and Bell Labs.

One day later, a six-minute portion of a ballet from an old *Bell Telephone Hour* was transmitted from AT&T's Andover, Me., ground station to Europe.



(Schematic drawing)

-Broadcasting, May 13

CBS ran into internal problems in February when John A. Schneider, who had just taken over as CBS Inc. group vice president in charge of all broadcasting divisions, refused to clear the CBS-TV network for live, daytime coverage of a Senate committee hearing on Vietnam. Schneider contended that much of the hearing was repetitious and could be better presented as recapped highlights for a much larger evening audience. CBS-TV aired reruns of such syndicated shows as *I Love Lucy* and *The Real McCoys* while NBC-TV continued its live coverage.

Fred W. Friendly, CBS News president since 1964, disagreed. He felt the scheduled testimony of Soviet critic George F. Kennan, one-time ambassador to the USSR and Yugoslavia, warranted live coverage. In a letter of resignation to CBS Chairman William Paley and CBS President Stanton, Friendly protested: "I am convinced that the decision not to carry [the hearings] was a business, not a news decision. I am resigning because the decision not to carry the hearings makes a mockery of the Paley-Stanton CND [Columbia News Division] crusade of many years that demands broadcast access to congressional debate. . . . The concept of an autonomous news organization responsible only to the chairman and the president was not a creation of mine. It is a concept almost as old as CBS News. . . . The dramatic change in that concept is to my mind and that of my colleagues, a form of emasculation. . . ."

In June, 12 broadcast licensees, the Radio and Television News Directors Association and the NAB planned a united front against rules on personal attack that the FCC proposed to adopt in interpreting the fairness provision of Section 315, the equal-time law. The coalition, in its comments on the proposed rulemaking, vowed it would go all the way to the Supreme Court in its attack on the constitutionality of the FCC provision that would require a broadcaster to offer a person or group that had been attacked in an editorial a "reasonable opportunity to respond over the licensee's facilities." The coalition contended that since no legal distinctions existed between electronic and press journalism, the equal-time law and the fairness doctrine were incongruous with the Supreme Court's decisions affirming newspapers' rights, and by extension broadcasters' rights, under the constitutional guarantees of a free press.

To shore up another attack—the first—on the fairness doctrine, the NAB pledged \$10,000 to help WGCN(AM) Red Lion, Pa., in its challenge (see 1965).

One of the more imaginative uses of the fairness doctrine came through the mails to WCBS-TV New York on Dec. 1, 1966. It was a letter from one John F. Banzhaf III, who asserted that cigarette commercials presented one side of a controversial issue of public importance and that the station was therefore obliged to give time for discussions of smoking and health. When the station rejected his request, with the ex-



One of the more successful network shows in 1966 was ABC-TV's *Batman* with its camp treatment of the heroics of the comic book defender of justice. An imposter turned up at the Multiple Sclerosis Society benefit ball in Washington March 4. When the mask was dropped, it wasn't real life Adam West, portrayer of Bruce Wayne, dashing man about town. It was E. William Henry, dashing young chairman of the FCC.

planation that the health issue had been thoroughly covered in news and other programs, Banzhaf went to the FCC.

[It turned out that Banzhaf was a 26-year-old lawyer in New York representing only himself. Those resources were enough. On June 2, 1967, the FCC sustained his complaint. That meant that not only WCBS-TV but also every station carrying cigarette commercials must from then on make a "significant" amount of time available for the presentation of antismoking views. Officially the FCC would not define "substantial," but Henry Geller, the FCC's general counsel, unofficially

guessed that one antismoking message for every three cigarette commercials would be reasonable. That was to add up to a powerful antismoking campaign. Cigarette volume on the air was running at \$200 million a year.]

NCTA President Ford extolled cable's virtues and condemned broadcasters' alleged tactics when he said: "Cablecasters can do the job in the 4,389 communities where there are operating systems, franchises granted, or applications pending, but the broadcaster cannot. [Broadcasters] do not want you to cablecast the proceedings of the local city council. They do not want you to cablecast the discussion of public issues. They do not want you to cablecast the local public-service programs. Why? Because they do not want even a small portion of the public to be drawn away from their commercial programs."

On the copyright issue, BROADCASTING urged "stations . . . to argue for the retention of the present copyright law. No doubt the CATV interests will be doing all they can to get Congress to adopt legislation giving them relief from the decision of the federal court [which held CATV's liable for copyright payments]. They are no more entitled to that legislation than they are to the free ride they have been taking on the programming they snatch from the air." And the battle continued.

To lessen network control of TV programming and to help independent producers, the FCC continued to push its "50-50" proposal for network programming. That rule would limit to no more than 50% the amount of nonnews programming that a network could control in prime time.

The "triopoly," as the FCC described ABC, NBC and CBS, retained the Cambridge, Mass., research firm of Arthur D. Little to resolve disputed points in the controversy. Little provided documentation to contradict the FCC's contention of network economic control of programming, and to show that "expectations of profitability are sufficiently prevalent" to prompt 60 to 70 independent producers to package programs each year for network consideration. The Little report also contended that the FCC proposal, instead of curing networking problems, would only impair the networking system, make networks less responsive to the public's needs, and cost the networks millions of dollars annually.

Promise of increased TV network competition was offered in two areas in 1966. One was when Daniel W. Overmyer and Oliver Treyz announced plans for the formation of a fourth national TV network. The other was in some progress by ABC in efforts to get Washington's blessing on the proposed merger with the larger ITT.

Scheduled to begin after Labor Day 1967, the Overmyer network planned eight continuous hours of nighttime service. "Television stations and audiences both stand to gain," BROADCASTING noted, "if the fourth network plans . . . prove successful. Anything that adds to



House Commerce Committee Chairman Harley O. Staggers (D-W.Va.) (right) espoused the bill that would give the FCC power to regulate all cable television, but Representative Walter Rogers (D-Tex.) (left) supported legislation that would deny that jurisdiction to the FCC.

Broadcasting, March 24



It was a new beginning for the oldest and youngest members of the FCC in mid-1966. Chairman Rosel H. Hyde (left), 66, was sworn in as a commissioner for the fourth time and Nicholas Johnson (center), 31, for the first time. Oaths were administered by Supreme Court Justice Hugo L. Black, whom Johnson served as a law clerk in 1959-60.

Broadcasting, July 4

primary transmitter's normal area, but within an area served by other primary transmitters, or operated in an area normally encompassed by one or more television stations other than the primary TV station. But that bill, too, failed to reach the House floor in the 89th Congress.

Some CATV operators felt that if cable systems paid copyright fees, they should be allowed to originate programming. "If we're going to have to pay for programs," one cable operator noted, "then we can do what we want with them," including substituting local commercials for those in the picked-up programs, an idea that rankled broadcasters.

Following the April resignation of FCC Chairman Henry, President Johnson sought to reshape the commission by reappointing Commissioner Rosel H. Hyde and naming him as chairman. In addition, Nicholas Johnson was selected to fill the remaining FCC vacancy.

Of Henry's departure from the commission after 34 months in which he prodded broadcasters for many reforms, *BROADCASTING* editorialized:

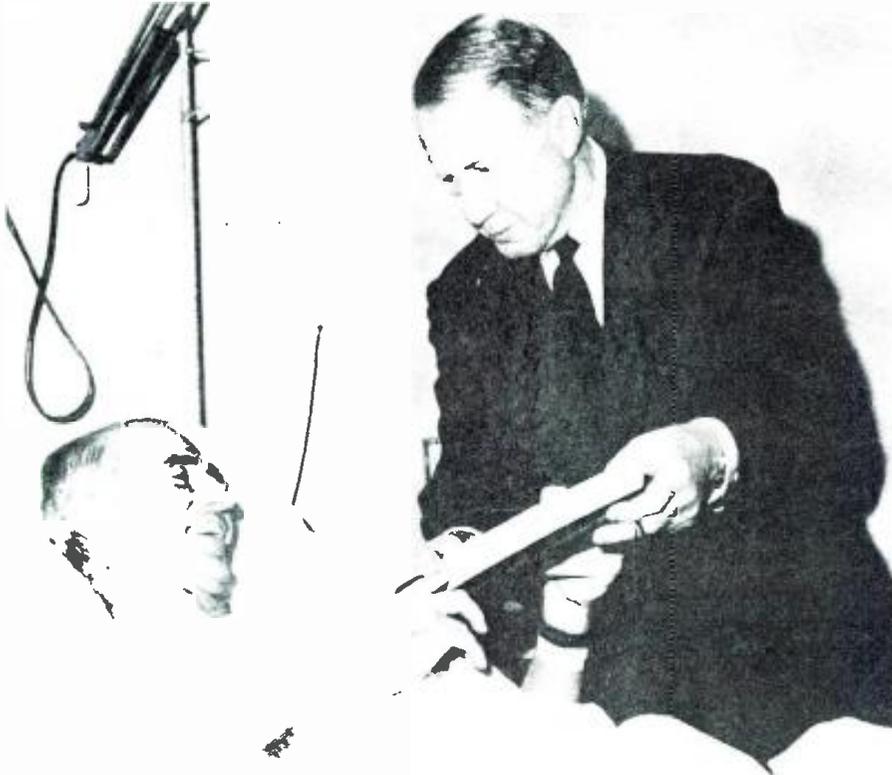
"The only surprise in the resignation of E. William Henry ... was that it was so long in coming. Since the 1964 election of President Johnson ... it had been widely understood that the new administration wanted few if any Kennedy holdovers. ... Until quite recently Mr. Henry had done just about everything wrong in the eyes of broadcasters. He had also tangled with AT&T by initiating a full-scale rate investigation, and there is no more formidable adversary in communications."

The choice of respected Republican and long-time FCC veteran Hyde as chairman gave promise of more stability for the commission. But Nicholas Johnson, former maritime administrator with a record for toughness, was to soon establish a reputation as a gadfly to the establishment.

At his confirmation hearing, Johnson declared: "I spent 98% of my time directing all my energy to running the Maritime Administration. And that's what I intended to do about this job."

An escalating war in Vietnam provided broadcasters with the dual challenge of reporting the military action overseas and the growing dissent over America's involvement that erupted in the U.S.

Network reports from the battlefield drew criticism. One defense of the networks came in January from CBS President Frank Stanton: "The human face of war is never pleasant to look upon, and its stark reality is far more jolting in the quiet living room on Elm Street than it is on the battleground. But the fact of the matter is that Elm Street is no less involved in this conflict because of its distance from the combat area and because fighting is delegated to a comparative few of the young. Decisions made in Washington and culminating on a steaming, tortured peninsula 10,000 miles away begin in the living room and end there. To ignore this is to deny our birthright and our responsibility as a free people."



First chairman of the Corporation for Public Broadcasting was Frank Pace Jr., one-time secretary of the Army and director of the budget and later president and chairman of General Dynamics. On CPB's opening day in March 1968, Pace was in a New York hospital recovering from a kidney stone operation. But it didn't deter the CPB head from accepting the newborn corporation's first funds—a \$1-million check from CBS—presented by CBS President Frank Stanton.

—Broadcasting, April 1

convention, and other reporters complained of harassment by security forces. Outside the convention, Daley's police roughed up newsmen covering the demonstrators. With about 25 reporters injured, Mayor Daley ascribed the casualties to police inability to differentiate between the broadcasters and the demonstrators: "One must realize that in many instances . . . they [broadcast reporters] never identify themselves," Daley said. "They're in the crowd and many of them are hippies themselves in television and radio and everything else. They are a part of the movement and some of them are revolutionaries and they want these things to happen."

Covering the Democratic convention became so chaotic that CBS President Frank Stanton sent a telegram to John Bailey, chairman of the Democratic National Committee: ". . . Public confidence in our basic political processes is wholly dependent on full disclosure of all events surrounding them. Newsmen of all media must be free of threat, harassment and assault in carrying out their duty to inform the American people. This has not been the case during the Democratic national



A new face appeared in the FCC corridors in September when President Johnson tapped H. Rex Lee to fill the vacant seat left by former Commissioner Lee Loevinger.

—Broadcasting, Dec. 30

convention. . . . Strong-arm tactics totally alien to the American tradition and law have been used repeatedly to prevent reporters from doing their job. All manner of obstacles have been put in the way of getting newsworthy information on the air and in print. . . . The nation is being short-changed at home and abroad; it is being deprived of news and our country is being victimized by an ugly picture of our democracy at work."

Nevertheless, the political process continued. The Democrats nominated Hubert Humphrey to face Richard Nixon. There was action in the Congress to suspend Section 315 of the Communications Act, the equal-time provision, so that principal candidates could debate on the air without exposing broadcasting to use by splinter candidates. However, 11th hour delaying tactics by Senator Everett Dirksen (R-Ill.) during final consideration caused the measure to fail. In 1968 there were no repetitions of the "Great Debates" of 1960—which Richard Nixon was considered to have lost to John Kennedy.

A controversial Republican TV commercial in the campaign was a still shot of a grinning Hubert Humphrey that was alternated with shots depicting poverty, war and riots. The Democratic National Committee complained the spot was "a smear in keeping with Nixon's below-the-belt reputation in politics and unworthy of a man running for the nation's highest office." John Mitchell, Nixon-Agnew campaign manager, responded: "It ill behoves the Democratic National Committee to complain about this spot [because of] its media attempts to relate Richard Nixon to the atomic bomb and the vilification the Humphrey campaign has heaped upon Governor Agnew."

The Republicans spent \$25 million on radio and television for the presidential campaign, and the Democrats \$15 million. Total political spending was estimated at \$250-300 million, making the 1968 race the costliest up to that time.

Because the presidential race was too close for reliable computer projection, network coverage of the election night returns stretched out to the longest and costliest up to that date. The nonstop coverage of returns ran from early Tuesday evening into Wednesday, 9 a.m. for ABC-TV, 11 a.m. for CBS and 11:30 a.m. for NBC. NBC and CBS each spent \$3 million on election night and ABC spent \$2.2 million. Bill Leonard, CBS News vice president, commented: "I wasn't proud only of us, but I think all three television networks told the story in a responsible, sober, and interesting manner. It wasn't a night of breakthroughs, but it was a good job of making people feel in on a very tense night in American history."

Most of the top news of network ownership dealings in 1968 concerned ABC. It started New Year's Day when ITT terminated its proposed merger with ABC, climaxing two years of government obstruction. The merger had been approved twice by the FCC, but was still tied



President Johnson as he addressed the NAB convention in Chicago. Behind him on the platform (left to right): Vincent T. Wasilewski, NAB president; Lowell Thomas, veteran newscaster and winner of NAB Distinguished Service Award; Dr. Norman Vincent Peale, who introduced Mr.

Thomas; Grover Cobb (hidden by President), chairman of NAB; John A. Schneider, president, CBS/Broadcast Group, and Thomas Murphy, president, Capital Cities Broadcasting.

—Broadcasting, April 8

the field. CBS aired a 15-minute special, *Saigon Under Fire*, and NBC broadcast a 90-minute special, *What Are We Doing in Vietnam?* Walter Cronkite, after visiting Vietnam, in January, stunned many with his suggestion that negotiations with the Viet Cong and the North Vietnamese might be the only rational way out of the U.S. involvement in Southeast Asia.

Reuven Frank, executive vice president at NBC News, commented: "Walter Cronkite, who intentionally avoids commenting on the news, broke the mold with

his observations on a special program. That probably surprised some viewers, but television has been presenting such comment for quite a while. Broadcast news has commented on the war, and many attitudes have emerged. What's happened is that there's been an increase in interest in Vietnam on the receiving end—among the viewers."

The controversy about the war continued. Howard K. Smith, ABC correspondent, suggested in March that the U.S. escalate the war "on an overwhelming

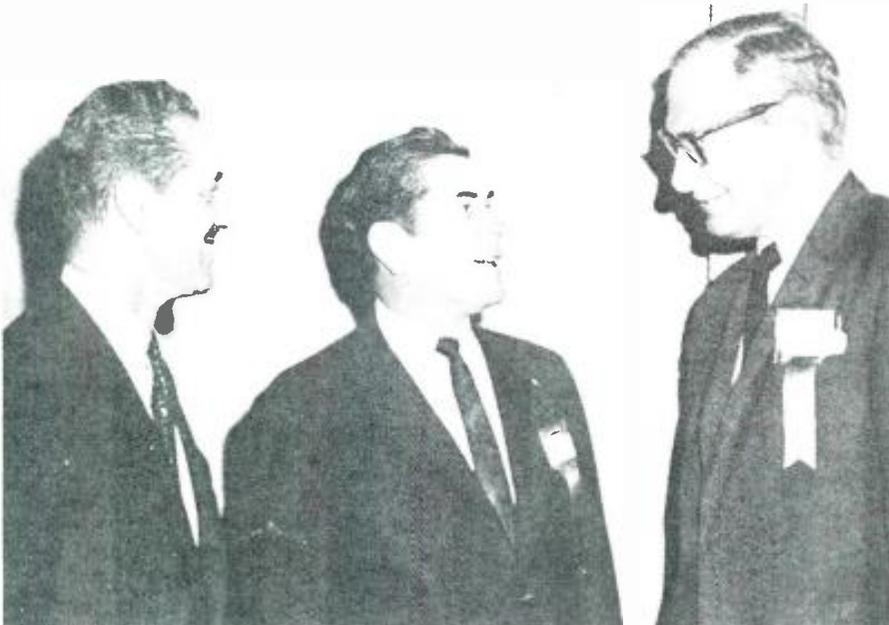
scale ... declare a state of national emergency ... mobilize not a few more thousand men, but three or four hundred thousand."

In the hot political year of 1968, ABC-TV broke with tradition in the coverage of party conventions. At the Republican convention, first of the two, in Miami Beach, CBS-TV and NBC presented the conventional gavel-to-gavel coverage. ABC-TV experimentally broadcast 90 minutes of highlights each night with Gore Vidal and William Buckley as poles-apart commentators. ABC's experiment, engendered by a reduced news budget, gave the network a rating advantage over its competitors for the first two days of convention coverage, as well as a considerable savings in expense. To cover both the GOP and Democratic conventions, ABC's estimated expense was under \$2 million, while CBS's was about \$10 million, and NBC's about \$12 million.

The real test of convention coverage came at the Democratic convention in Chicago, where massive antiwar demonstrations distracted attention from the convention hall. Anticipating trouble, Mayor Richard Daley had restricted television access. Few cameras were allowed on the convention floor. At the scenes of demonstrations in Grant and Lincoln Parks, Daley's police kept mobile television units from the action. CBS News President Richard Salant decried "the most flagrant and comprehensive efforts at news manipulation that we've ever met."

Salant had a point. Apart from police interference with broadcast coverage of the demonstrations in the streets, the convention arrangements committee limited each network to one mobile camera on the floor of the convention and kept most reporters off the floor. About 1,100 reporters had to share 45 floor passes.

CBS-TV's Mike Wallace was arrested and forcibly removed from the floor of the



Five days after he took over as president of the American Advertising Federation, Howard H. Bell (center) was playing host to advertisers and agencies at AAF's Washington conference on government relations. Bell in late January resigned as director of the National Association of Broadcasters Code Authority (at \$40,000 per year) to be AAF president (at \$50,000 per year). In photo with Bell at conference: Peter Allport (left), president of the Association of National Advertisers, and John Crichton, president of the American Association of Advertising Agencies.

—Broadcasting, Feb. 12

THE FIRST 50 YEARS



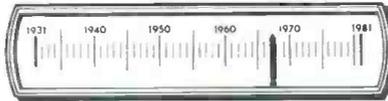
OF BROADCASTING

The tumultuous events of 1968—assassinations, elections, race riots, antiwar demonstrations—presented stern tests for broadcast journalism.

One eventful period for broadcasting started on the night of March 31 when President Lyndon B. Johnson went on all networks with a surprising announcement that he would neither seek nor accept nomination to another term. Johnson said his presence as a candidate would accentuate the divisiveness and partisanship he saw rending the country. Less than 14 hours later, in an unexpected visit to the National Association of Broadcasters convention in Chicago, LBJ reminded broadcasters of the “enormous power” in their hands and urged them to clarify rather than confuse issues of the day.

Just four days later, broadcast journalists had occasion to remember Johnson’s advice to the NAB convention. On April 4 Martin Luther King was assassinated, and riots broke out across the country. Broadcast reporting culminated with seven and a half hours of all-network coverage of King’s funeral—at an out-of-pocket cost of \$1.3 million and loss of \$5.65 million in pre-empted commercials.

BROADCASTING commented: “The extent and diversity of the journalistic challenges that have confronted broadcasters in the past fortnight are probably unmatched by those of any other two-week period in radio and television history. The President’s unexpected announcement of his decision to retire, the convulsive shifts in political strategies that followed . . . the assassination of a great Negro leader, outbreaks of looting and arson in cities across the land—any of those developments was by itself a news story of towering importance. Bunched as they were within so short a time, they made unprecedented demands upon journalistic resources of the media. . . . The severest test of journalistic skills and editorial judgment came, of course, with the death of Martin Luther King Jr. Mishandled, the coverage could have triggered far more violent outbursts than those that did occur. . . . But everywhere the broadcast journalists acted with professional restraint, without avoiding the responsibility to cover the news



Turmoil in the U.S. included the April assassination of Martin Luther King Jr. by James Earl Ray and the June slaying of Robert F. Kennedy by Sirhan Beshara Sirhan. Racial riots and antiwar demonstrations were also dark pages in 1968’s history. Abroad, the U.S.S. Pueblo and its 83-man crew were seized Jan. 23 by North Koreans in the Sea of Japan and held until Dec. 22. In May, a strike of 10 million workers paralyzed France, but DeGaulle saved the regime with broad social reforms. In August, the Soviet Union and other Warsaw Pact nations invaded Czechoslovakia to crush Alexander Dubcek’s liberal government. At yearend, America looked forward to new White House leadership under Richard M. Nixon and Spiro T. Agnew, victors in the elections over Hubert H. Humphrey and Edmund S. Muskie as well as third party candidate, George Wallace. And in

BROADCASTING . . .

as it was happening.”

The next major broadcast challenge came with the shooting of Senator Robert Kennedy (D-N.Y.) on June 5 after his victory in the California presidential primary. It prompted the most intensive radio-TV coverage since the assassination of his brother, President John Kennedy, in November 1963.

Coverage began with news of the shooting on June 5, and his death the following day, and continued as his body was flown to New York to lie in state at St. Patrick’s Cathedral, then taken by train to Washington and by funeral cortege through the capital to burial in Arlington National Cemetery.

In addition, the networks aired special programs on Sunday, June 9, a day of national mourning declared by President Johnson. The June 5-9 coverage cost the networks

\$20 million, including loss of advertising and the cost of operations.

In response to these bloody events, President Johnson created a Commission on the Causes and Prevention of Violence, headed by Milton Eisenhower—educator, government official and brother of the former President. The commission was directed by the President to answer the question: “Are the seeds of violence nurtured through the public’s airwaves, the screens of neighborhood theaters, the news media and other forms of communications that reach the family and reach the young?”

The networks pledged cooperation with the task force. CBS took immediate steps to de-emphasize violence in its programming by asking story editors to minimize violence and to find other ways to hold audience attention. NBC said that it had established policies to guard against the gratuitous presentation of violence in entertainment programs but that it would continue to report and analyze news in much the same way as it had since “all developments on which public information [depends] is vital in a democracy, and we regard such coverage as an important part of our obligation.”

Television coverage of the war in Vietnam had been rankling Lyndon Johnson. As the Viet Cong Tet offensive, begun Jan. 30, intensified, the networks gave more time to reports from

New York district court's ruling in May by agreeing that the Fortnightly Corp. had violated the copyright laws in using United Artists programs from Pittsburgh; Wheeling, W. Va., and Steubenville, Ohio, on its CATV systems in Clarksburg and Fairmont, W. Va. (see 1966). CATV forces, however, regained some hope when late in the year the Supreme Court agreed to review the case.

The FCC's claim to jurisdiction over cable was further supported in June when the Court of Appeals issued a decision against Buckeye Cablevision of Toledo, Ohio. The ruling upheld an FCC cease-and-desist order against carriage of signals of WJIM-TV Lansing, Mich., whose grade B contour fell short of Toledo.

The court agreed with the FCC conclusion that the continued, unregulated growth of CATV systems was an economic threat to licensed TV stations.

Public television progressed in 1967. In a study released in January, the Carnegie Commission on Educational Television advocated establishment of a Corporation for Public Television. CPTV was envisioned as an organization to commission and buy programing, arrange interconnections, provide live networking on occasion, support experimental programing and technological research, set up program libraries, and provide "effective leadership" for educational TV.

With the Carnegie study as a guide, President Johnson persuaded Congress to pass the Public Broadcasting Act establishing the Corporation for Public Broadcast-

ing with an appropriation of \$20 million for the 1967-68 fiscal year.

Along with the hopes for improved programing, came doubts and a sense of a demanding reality. "Anyone who favors intellectual and cultural development in this country," BROADCASTING wrote, "must agree with the aspirations expressed last week by President Johnson as he signed the Public Broadcasting Act of 1967. Surely all citizens of good will must hope . . . that the new corporation will generate good music, exciting plays, reports on the whole fascinating range of human activity. Similarly they must wish that the President will be proved right in his prediction that the subsidized broadcast system 'will be carefully guarded from government or party control and will be free and independent.' . . . The odds at this moment do not favor the attainment of any of the President's objectives. . . . The question is whether the corporation . . . can work out an operational and funding plan that will be accepted by Congress and at the same time will divorce the enterprise from congressional control."

Despite such caveats, educational television proponents remained jubilant. For ETV, 1967 also brought a \$10-million Ford Foundation gift to establish the Public Broadcast Laboratory, whose PBL became a two-hour Sunday feature on ETV.

A breakthrough in home TV playback gear was promised in August when CBS unveiled plans for a project it had been working on for years. CBS had entered a

partnership for the undertaking with Imperial Chemical Industries Inc. of England and Ciba Ltd. of Switzerland. The system was still some time away and first marketing was planned in England and Europe primarily for instructional use.

The playback machine could be attached to the antenna terminals of the TV receiver to permit programing from low-cost film cartridges to be displayed on the set's screen. The system did not contain a device for making video records in the home because of the skills and equipment needed for such a master TV record, according to CBS. It was conjectured that the playback machine would eventually sell in the U.S. for well under \$300.

Stay Tuned

1. What was the final chapter of the ill-fated ITT-ABC merger?
2. Who was the financial giant who tried to take over ABC at midyear?
3. Which major TV network didn't offer gavel-to-gavel coverage of the national conventions?
4. What was viewer reaction to this bottailed coverage?
5. Did Nixon and Humphrey debate?

The answers
in "1968."

Reagan attacks federal control, subsidized TV

Ronald Reagan, governor of California, last week took a strong position in opposition to federally subsidized broadcasting and to what he saw as a trend toward more government restraints on the commercial broadcasting system.

Governor Reagan spoke in San Francisco at a joint meeting of the California Broadcasters Association and the San Francisco Chamber of Commerce. An audience of some 1,500 attended.

The governor questioned the FCC's ruling of June 2 that stations carrying cigarette commercials must also carry antismoking messages. "Not that smoking is a laudable thing," said Mr. Reagan, "but the sale of tobacco and the smoking of tobacco are not illegal."

Mr. Reagan also pointed to government threats to force broadcasters to divest themselves of sports interests and to limit the number of commercials that may be shown during an event.

"Where," asked the governor, "does regulation end and control begin?"

No Subsidies ■ Mr. Reagan said he favored the concept of broadened television programing as promised by supporters of so-called public television, but not the means by which some want it achieved.

"I do not believe in federal subsidies for TV," said Mr. Reagan,

"any more than I believe in them for any other form of communications—newspapers, magazines, radio."

He said he disapproves of either state or federal governments going into "direct competition with private television" because of the danger of government propaganda. The power to subsidize, he said, "is the power to control, and complete ownership gives complete control."

In Mr. Reagan's view, educational



Gov. Ronald Reagan

television ought to be developed through closed-circuit systems.

Two Honored ■ At the San Francisco meeting Governor Reagan was given the California Broadcasters Association distinguished-service award to a California citizen identified with broadcasting. At the same meeting, the association's national award was presented to Sol Taishoff, editor and publisher of BROADCASTING and Television Magazines. Elton Rule, of KABC-TV Los Angeles, outgoing CBA president, made the presentation.

Mr. Reagan told his audience that television has replaced the stump in political campaigning, but he decried the notion that television favors the skilled performer. "You can't lie to the camera," he said. "On the close-ups insincerity will show up like a putty nose."

Mr. Reagan identified as a problem the broadcasts of early projections of election returns before polls are closed. He said he had not formed a final opinion on the solution, but he was inclined to favor a simultaneous opening and closing of polls in all time zones.

Editorializing ■ At another CBA session last week a panel of state legislators generally agreed that broadcast stations should do more editorializing—but that they should refrain from endorsing individual candidates for public office.

The legislators also agreed that

broadcast editorializing was commanding more and more attention, which may have been the reason for their concern over the endorsement of candidates.

Don Mulford, Republican whip in the California Senate, said broadcast editorials and talk programs reached more people than newspaper editorial pages reach. Assemblyman Charles Conrad said broadcast editorials were more dramatic than print forms. Assemblyman Nicholas Petris said broadcasters face more responsibilities as the number of major-market daily papers declines. Mr. Petris warned, however, that broadcasters ought to avoid what he said was the newspapers' mistake of making editorial endorsements as a reflection of ownership views rather than news judgments.

Under a reorganization of CBA the post of president was made appointive rather than elective, and Howard Smiley, of Sacramento, Calif., former vice president and legislative liaison, was made president. New board chairman, the top elective post, is Jules Dundes, KCBS San Francisco. Other officers: Clayton Brace, KOGO-AM-FM-TV San Diego, vice chairman; Don Curran, KGO San Francisco, vice-chairman radio; Loyd Sigmon, Golden West, Los Angeles, vice chairman TV; Roger Cooper KCRA-AM-FM-TV, Sacramento, secretary-treasurer.

—Broadcasting, June 19



Anti-war pickets in front of the White House, the Pentagon and other Washington places were a common sight in 1967. But the pickets that showed up on a May day in front of the FCC were led by the Rev. Dr. Carl McIntire (right foreground), who was having fairness doctrine problems with the commission. Conductor of *The 20th Century Reformation Hour*, McIntire charged the FCC was cooperating with liberal groups by applying indirect pressures on stations to cancel his program. Also pending at that time in 1967 was a license-renewal hearing for WXUR-AM-FM Media, Pa., owned by the Faith Theological Seminary of Philadelphia, which McIntire headed. At his right was Dr. Charles Richter. Between them (in bow tie) was Donald Waite. Richter and Waite were associated with *The 20th Century Reformation Hour*.

—Broadcasting, May 15

being used to best advantage?

- Do the Communications Act of 1934 and the Communications Satellite Act of 1962 need revision?

- Is a domestic communications satellite system economically feasible, and should there be one system or more? And should it be a single or multipurpose system?

- Is the present administration and regulation of telecommunications by the national government correct, or should it be revamped?

To find answers to the first three questions, Johnson appointed a task force of subcabinet rank under the chairmanship of Eugene V. Rostow, under secretary of state for political affairs. The fourth question went to the Bureau of the Budget.

BROADCASTING offered this assessment of the White House's announcement: "It is a monumental assignment that President Johnson has given his new task force on communications policy . . . Every kind of spectrum user, from the citizen with the short range walkie-talkie to the operator of a sophisticated satellite, could be affected by the task force's work. So could broadcasters be affected—all of them. . . . If Mr. Johnson's task force carries out its assignment, it will deliver in a year a comprehensive proposal, for action . . . It is still too early to know how the task force intends to proceed, but it is not too early for broadcasters to begin organizing a case for their own preservation and for the spectrum space to accommodate expansion of the broadcast services. . . . In any amendment of the law it should be stated, with clearer emphasis than the existing act contains, that the First Amendment is operable in

broadcasting and that the government must stay out of program control."

Within the FCC, there were calls for more active regulation. Commissioners Kenneth A. Cox and Nicholas Johnson criticized the commission for not applying more stringent programming standards when renewing licenses. Johnson charged the commission with making an appearance of considering station programming at renewal time while really cultivating a "complacent and comfortable hear-no-evil, see-no-evil slouch in front of the radio and television sets of America."

In April, Johnson took the FCC to task for what he said was inadequate enforcement of commission regulations. "It is obvious," Johnson intoned, that the commission lacks "the rudimentary information, analysis, staff, funds, public understanding and support necessary to serve the industries we regulate—let alone the long-forgotten and never-defined 'public interest.'"

Viewers of network prime-time schedules were offered at least one movie each night, according to BROADCASTING's showsheet for the fall season. In addition, there was a total of nearly 50 specials on tap in the last quarter of 1967. To help meet the increasing demand for film, CBS in February purchased the Republic Studios in Hollywood for \$9.5 million; NBC in March announced a \$115-million agreement with United Artists for network use of 94 feature films over a nine-year period, and ABC budgeted \$30 million to produce 10-12 feature films by 1970.

Some new season programs and their critical reviews included: *Garrison's Gorillas* (ABC), an adventure show set in

Europe during World War II, with Ron Harper and Rudy Solari which the *New York Daily News* called "... slickly produced, action-packed" but the *Washington Post* downed as a show that "ought to be big with teen-agers and adults with arrested development." *N.Y.P.D.* (ABC), a crime drama involving New York plainclothes detectives, with Jack Warden, Frank Converse, and Robert Hooks, was praised by the *Chicago Daily News* as "an unabashed cross between two successful, realistic police series: *Dragnet* and *Felony Squad*. As such *N.Y.P.D.* may be the best of the three," but the *San Francisco Examiner* branded it as "... a sick show about sick people on an increasingly sick network." *He and She* (CBS), a comedy about a cartoonist and his wife who works as a traveler's company aide, with Richard Benjamin and Paula Prentiss, was reviewed by the *New York Post* as "Three attractive people deserving of an excuse for being on TV [but] somebody let them down hard with a slapstick script," but was lauded by the *Los Angeles Times* for "sophisticated comedy, subtle throwaway lines and touch of slapstick . . . blended skillfully in this highly entertaining series." *Sheriff Who* (NBC) was a comedy with John Astin that UPI categorized as "... the sort of thing W.C. Fields might have had a fine time doing," and that the *Washington Post* felt "... might succeed on the strength of actor John Astin's skills.

While those programs achieved only limited success, there were others that were to attain long runs. These included *Ironside* (NBC), a crime drama with Raymond Burr as a detective confined to a wheelchair, and *Mannix* (CBS), a detective drama with Mike Connors.

As usual, network programming, in general drew criticism. Fred Friendly, who had quit as CBS News president in a row with management, wrote a book, "Due to Circumstances Beyond Our Control," blaming mediocrity in television on the "mercantile advertising system." He called special programming such as ABC's *Stage 67*, NBC's *Hallmark Series* and CBS's *Death of a Salesman* "... occasional high-rise projects in a ghetto of high-return tenements." Friendly advocated "some kind of federal broadcast authority which would make it impossible for one network or station to do its profitable worst while others were doing their best."

Cable television faced more setbacks in 1967. The House in April passed a new copyright bill without any exemptions for CATV liability. As BROADCASTING reported, "The construction of a new copyright law is far from finished . . . Obviously, the organized CATV forces suffered a crushing defeat in the House. Not only that they face the possibility, indeed the probability . . . that the courts will hold them liable to copyright under the existing law. A federal court in New York has already decreed that CATV is subject to infringement suits."

A U.S. Court of Appeals affirmed the

rejecting a code, both CBS and NBC denied that their coverage favored radical over conservative civil rights leaders. NBC President Julian Goodman also said that balancing coverage "is artificial and more in the nature of editorializing than covering the news." CBS President Frank Stanton felt that self-imposed guidelines "seem to us to be our responsibility and obligation as journalists and editors, and we cannot delegate this to anyone else. We are not, however, going to make subjective value judgments that the American people are capable of hearing and evaluating some spokesmen for some point of view and that others are unsafe or too dangerous for them to hear. . . . Any proposal, however high its purpose, to get the press to decide in concert what it will report, and how it will do it, would establish a precedent of the most hazardous implications."

The fourth TV network plan of Daniel H. Overmyer came tumbling down in 1967. Announced in 1966, the project almost faltered before its start, but was rescued by a syndicate of western businessmen and renamed the United Network. On May 1 it began with a flourish, offering a nightly two-hour entertainment program, *The Las Vegas Show*, taped at nine different hotels there and hosted by Bill Dana. It started on 125 stations with 13 advertisers participating in the national sponsorship. But after 31 days of operation, the United Network shut down, unable to post a \$400,000 deposit to cover AT&T intercity connections. Losses for the United Network were estimated at over \$2.3 million.

ABC and ITT persevered in their attempt to merge. Though the FCC in late 1966 had given its approval, the Justice Department in January 1967 asked the FCC to reopen the case, thus placing the merger in jeopardy. ABC in February received a \$25-million loan from ITT to meet what network officials labeled "a critical cash shortage." Some of the issues with which Justice was concerned were: alleged anticompetitive consequences of the merger, the possibility that ABC might be inclined to suppress damaging news about ITT, and ABC's contention that it needed ITT money to be competitive—as opposed to Justice's contention that ITT planned to take money out of ABC for investment elsewhere.

The FCC followed its rehearing of the case with a second approval of the merger (the original approval was in December 1966), but told the applicants not to implement their new relationship for 30 days. That was to give the Justice Department an opportunity to appeal—as it did, charging that serious anticompetitive consequences would result from the merger.

ABC Radio made its move to turn around its networking fortunes in August with an announcement that, effective Jan. 1, 1968, it planned to operate four radio services instead of its then single network. Details were announced by Walter A. Schwartz, who had just succeeded Robert R. Pauley as president of the ABC Radio Net-



The news of ABC Radio's innovation came from Walter A. Schwartz (left), president of ABC Radio Network, and idea man Ralph W. Beaudin, ABC corporate vice president for radio.

—Broadcasting, Aug. 28

work.

Credit for the new concept was given to Ralph W. Beaudin, ABC corporate vice president for radio, who had a record of earlier successes in turning around ABC O&O radio outlets in Pittsburgh, Chicago and New York. The four services envisioned:

- The American Information Network



Eugene V. Rostow of the State Department was LBJ's choice to chair the new task force on telecommunications policy.

—Broadcasting, Aug. 28

for so-called talk and middle-of-the-road music stations.

- The American Personality Network (subsequently renamed The American Entertainment Network) for stations with M-O-R programming that combined news, popular music and features such as Don McNeill's *Breakfast Club*.

- The American Contemporary Network for stations that featured contemporary music (described in 1967 as rock 'n' roll, top 40 and the like).

- The American FM Network which was to give FM outlets their first exclusive news and public affairs service and which was to develop features with specific appeal to FM listeners.

ABC's plan evoked mixed reaction from affiliates and a dim reception from most station representatives who felt it would hurt national spot business by siphoning off spot budgets. FM reps and the National Association of FM Broadcasters, however, were in the forefront of those endorsing the plan. Overall, there was much admiration for "the first real effort to get radio networking off the dead center on which it had rested for years."

As it turned out, one of the last in 1967 to give approval to the four-service plan was the FCC, which waited until late December before it ruled that the new concept did not violate the commission's chain broadcasting rules.

In August, the White House initiated a long-range study of telecommunications policy.

President Johnson sent to Congress a statement devoted principally to international and satellite communications but touching on four elements of importance to broadcasters:

- Is the electro-magnetic spectrum



More than 200 government, education and broadcast notables—many of them principal architects of the Public Broadcasting Act of 1967—were on hand when President Johnson signed the legislation. They included (l-r): Representatives William L. Springer (R-Ill.), Torbert H. Macdonald (D-Mass.) and Harley O. Staggers (D-W.Va.), all of the House Commerce Committee; Senators Norris Cotton (R-N.H.) and John O.

Pastore (D-R.I.), both of the Senate Commerce Committee; Alan Pifer, president of the Carnegie Corp.; Dr. James B. Killian Jr., who was chairman of the Carnegie Commission on ETV, and John W. Gardner, secretary of the Department of Health, Education and Welfare. Ceremony took place in the East Room of the White House.

—Broadcasting, Nov. 13

righteousness of its actions ... and welcomes the opportunity to defend them in court." But in August, it clarified its position on personal attacks by exempting from the fairness rule "bona fide newscasts or news specials concerning a current event, or on-the-spot coverage of a bona fide news event."

In continuance of its challenge of the fairness doctrine, Red Lion Broadcasting (WGCB-AM-FM Red Lion, Pa.) in September asked the U.S. Supreme Court to review the fairness doctrine case dealing with personal attacks that stemmed from the 1964 election campaign. It involved a sponsored program that criticized Fred J.

Cook, author of an anti-Goldwater book. When Cook demanded equal time to reply, the station offered to sell him time. Upon Cook's complaint, the FCC ruled that the station must make time available free or paid. Red Lion branded the FCC's ruling as "precisely the type of broad prophylactic rule which the court [the Supreme Court] has condemned."

Fairness in presentation applied in a different way to broadcast coverage of the Vietnam war. At a Radio-Television News Directors Association conference in September, broadcast journalists discussed some of their problems, particularly the pressure to report from the administration's point of view. Mike Wallace of CBS disclosed that after Harry Reasoner announced that he was going to Vietnam, he was summoned to the White House for a talk about his new assignment. Wallace reported that after Reasoner arrived in Saigon for a two-month tour of duty, General William Westmoreland escorted him about the countryside in the general's helicopter, explaining the American side of the war.

The fairness of the networks' coverage of domestic demonstrations was also questioned in 1967. Senator Hugh Scott (R-Pa.) wrote the major networks to request a "code of emergency procedure" to govern coverage of racial disturbances. Scott felt a code would "balance" what he saw as the disproportionate amount of time given to the "inflammatory" statements of civil rights leaders such as H. Rap Brown and Stokely Carmichael at the expense of such "responsible leaders as Roy Wilkins and Martin Luther King." In



The new head of the Voice of America in 1967 was John Charles Daly Jr. (right), longtime network newsmen and executive who also worked in a 1950-1967 stint as host of CBS-TV's *What's My Line?*. The September swearing-in ceremony was a bit of a family affair with his father-in-law, Chief Justice of the United States Earl Warren, administering the oath. Leonard H. Marks (center), director of the U.S. Information Agency under which the VOA operates, looked on. Daly's predecessor at VOA was John Chancellor, who rejoined NBC News.

—Broadcasting, Sept. 25

THE FIRST 50 YEARS



OF BROADCASTING

The structure of public broadcasting was reshaped in 1967 with the creation of the Corporation for Public Broadcasting. And commercial radio networking was changed with ABC's announcement of a radical plan for four services.

It also was the year in which the FCC applied the fairness doctrine to commercial messages for cigarettes and to personal attacks in broadcast editorials.

By defining smoking as a health issue of national importance, John Banzhaf III, a New York attorney, prodded the FCC to extend its fairness doctrine to cover the issue of cigarette commercials (see 1966).

Most broadcasters rebelled at the FCC pronouncement; in 1967 cigarette advertising accounted for over \$200

million in advertising. BROADCASTING editorialized: "In deciding that radio and television stations that carry cigarette advertising must also carry messages deploring the hazards of cigarette smoking, the FCC may at last have selected the issue that will scuttle its fairness doctrine. . . . It is an issue that may, for the first time, unite the broadcasters in a meaningful effort to free themselves of one of the most insidious instruments the government has used to chisel away at their freedom. The fairness doctrine stands as a classic example of how a body of government restraints can be built bit by bit, without significant resistance, until it becomes intolerable. . . . With its ruling on cigarette advertising, the FCC has made it evident that there is no limit to the regulation that can be applied under a continuing evolution of the fairness doctrine. . . . The immediate threat may seem to be directed at the cigarette business, but the real threat is to the broadcasters' basic modes and policies of operation. And the threat is real enough to justify the organization of a major effort to get the fairness doctrine off the books."

The Association of National Advertisers registered its displeasure in a letter to the FCC asserting that editorial prerogatives could be usurped by the new rules. In the past, the ANA observed, "the decision on what and what not to publish or broadcast has been up to the editor. [The ruling] now instructs



The Green Bay Packers ran over the Kansas City Chiefs 35-10 in Super Bowl I on Jan. 15. Americans streamed across the border to Expo '67 in Montreal. Israeli and Arab forces fought a six-day war that ended June 5 with Israel occupying the Sinai Peninsula, Golan Heights, Gaza Strip and the east bank of the Suez Canal. The summer was marred by racial riots in Detroit; Spanish Harlem; Rochester, N. Y.; Birmingham, Ala., and other cities. On Oct. 2, Thurgood Marshall was sworn in as the first black U.S. Supreme Court justice. On Dec. 3, Dr. Christiaan N. Barnard and a team of South African surgeons performed the first successful human heart transplant. Hollywood had a high batting average for successes with such films as Oscar winner "In the Heat of the Night," "The Graduate," "Bonnie and Clyde," "Cool Hand Luke" and "Guess Who's Coming to Dinner?"

And in BROADCASTING . . .

the broadcast media to use its editorial (noncommercial) time to counter the possible influence of advertisements. [Now] editorial content, in part at least, will not be dictated by the conscience and responsibility of the licensee, but by special interest groups acting through the commission."

The National Association of Broadcasters, maintaining that the requirement that broadcasters make time available for the broadcast of contrasting views was a violation of the constitutional guarantees of free speech and free press, appropriated \$25,000 to fight the FCC's application of the fairness doctrine in the courts. In September the NAB and WTRF-TV Wheeling, W. Va., filed a suit in federal court in Richmond, Va., asking the court to overturn the FCC

rule requiring broadcasters to give time to antismoking spots.

By adopting as formal policy a controversial position on personal attacks in editorials at midyear, the FCC further irked broadcasters. The new rules required stations that broadcast a personal attack to send the objects of attack a script or accurate summary of the attack, notification of the time of broadcast, and an offer of a reasonable opportunity to respond within a week. The commission said the notification requirement "is of the utmost importance" since without it the person or group attacked may be unaware of the editorial "and thus the public may not have a meaningful opportunity to hear the other side."

Broadcasters bridled at what they again perceived as a threat to their freedom. The Radio-Television News Directors Association, eight broadcast licensees and CBS filed suits in the U.S. Court of Appeals (CBS in New York, the others in Chicago), hoping to overturn the FCC's new ruling as a restriction of the rights to free speech guaranteed by the First Amendment. CBS added that in adopting this new rule the FCC had exceeded its authority. Both petitions warned that broadcasters, afraid of violating the new rule, would curtail discussions of controversial issues "vital to the political health of a free society."

The FCC maintained that it "believes in the validity and

Kwai" from Screen Gems for \$2 million. The price to Ford Motor for sponsorship of the first showing was \$1.2 million plus \$600,000 in time costs.

The new season provided the viewer with such TV series as: *The Tammy Grimes Show* (ABC), *Star Trek* (NBC), *That Girl* (ABC), *The Green Hornet* (ABC), *Tarzan* (NBC), *The Monkees* (NBC), *The Roger Miller Show* (NBC), *Family Affair* (CBS) and *The Girl From U.N.C.L.E.* (NBC).

The new technology of broadcasting provided viewers with the special attractions of shows relayed via Comsat and Lani Bird satellites, the takeoff and splashdown of Gemini 8 and Gemini 9 and spectacular close-up pictures of the

moon sent back by Surveyor I.

"Man's accomplishments in space," BROADCASTING commented, "leave us speechless, and we find that we are also running out of words to describe television's coverage of those events. The Surveyor spacecraft's pictures from the moon and the Gemini 9 flight, especially the on-camera splashdown, are the most recent and spectacular cases in point. . . . It would be easier to describe the excitement and wonder of television's coverage of Surveyor and Gemini 9 if they had been among the first rather than merely the most recent of such events. Television has entrenched itself so firmly that the superlatives wear thin and the mind no longer boggles."

Stay Tuned

1. What milestone in public broadcasting history occurred in 1967?
2. What happened to the Overmyer Network?
3. What then-radical plan did ABC conceive for radio networking?
4. Who announced a new video recording and playback system for the home?
5. What developed in the proposed ABC-ITT merger?

The answers
in "1967."

They're doing the frug to Alka-Seltzer theme



The stomachs that last spring shook up the commercial world are now giving the record business a whirl for its money. The stomachs in question belong to Miles Laboratories Inc. and its Alka-Seltzer product. They appear in a series of soft and humorous sell commercials devised last year by Alka-Seltzer's agency, Jack Tinker & Partners. In the background of the commercial is a lilting musical tempo specially composed by Sascha Burland. Liberty Records in Hollywood has taken this background beat, given it a new arrangement and made a smash hit commercial record out of it.

It all started last winter when Liberty producer Joe Saraceno decided the Alka-Seltzer music had all the elements of being a hit single record. He contacted Miles Labs in Elkhart, Ind., and received full rights



to go ahead with the project.

Perry Botkin Jr. was called in to arrange the instrumental and he gave it a rock-'n'-roll top-40 type sound. Then a pick-up group of musicians—lead, rhythm and bass guitarists, drummer and organist—were thrown together to record the music. The record was called "No Matter What Shape (Your Stomach's In)" and the recording group was named the T-Bones.

The combination had instant success. In less than two months on the market, the record is already number three on most national popularity lists. Liberty officials feel it's well on its way to chalking up that recording business millennium: a 1-million record seller.

Following up the initial success, Liberty has just completed an LP album by the T-Bones which features



the original hit Alka-Seltzer tune and other unusual TV commercial themes. The backliner on the album has storyboard pictures from the commercial and in a promotional tie-in Miles Labs includes a merchandising letter and a sample of Alka-Seltzer with each record.

Jack Tinker & Partners, the agency that produced the commercial, always felt that the background music made all the difference in the acceptance of the TV spots. From the beginning, the agency received requests from viewers for records of the music. The point of the commercial is that it takes all kinds of stomachs to make up the world and Alka-Seltzer is good for all of them. The commercial shows various stomachs (six examples shown here), shaking in tempo to the background music.



—Broadcasting, Feb. 7



Leonard Goldenson (left), ABC president, and Harold S. Geneen, president and chairman of ITT, had reason to smile when the FCC gave its approval to the planned merger.

Broadcasting, Dec. 22

the diversity of TV programming should be welcomed."

The FCC in December, by a 4-3 vote, approved ABC's merger with ITT. It brought hope that the pact would survive government roadblocks and provide the network with funds to improve its programming.

By fall 1966 both CBS and NBC were broadcasting virtually all of their prime-time shows in color, although ABC lagged.

NBC's TV network was 100% converted to color by Nov. 7, 1966. CBS at yearend was replacing its remaining black-and-white programs with color, and ABC said it hoped to be almost fully in color by the fall of 1967.

In addition, NBC and the National Association of Broadcasters challenged the FCC's authority to regulate the networks, stating, "The commission cannot, by redefining terms [of the Communications Act], vest itself with jurisdiction which the terms—as defined in the act—do not give."

BROADCASTING offered another assessment of the FCC's crusade: "The network-study boondoggle has been going on nearly 11 years. It started in September 1955 when Roscoe Barrow ... was hired with a special staff to investigate network practices. Two years later ... the Barrow Report urged a continuation of the FCC inquiry into that field ... In February 1959 the FCC took Dean Barrow's advice and created the still existing network-study staff which has four lawyers, two statistical

clerks and a stenographer ... at an annual budget of \$90,000. For seven years [this staff] has cost the government something more than \$630,000. That does not take into account expenses. ... Taxpayers are entitled to ask what they have bought with their money. The answer ... is that they have bought a mountain of useless paperwork ... The factual information ... is obsolete, the conclusions are unrealistic, and the recommendations welcomed by nobody of consequence. ... In these times of inflation there is no need for the FCC to be harboring its own WPA."

Subscription Television Inc. belatedly won a battle for survival, but it was to come out at a time when STV was wobbling on its last legs. In March 1966, the California Supreme Court ruled that the state's Proposition 15, which banned pay TV in November 1964, was unconstitutional since it abridged freedom of speech. In October 1966, the U.S. Supreme Court refused to review the state court's March decision. That opened the way for toll TV to return to California, but by then Subscription Television Inc. said it was broke. Its president, Pat Weaver, had resigned in April.

For the commercial broadcasting system, 1966 proved to be another year of growth, as typified by these numbers:

The 623 TV stations on the air (769 authorized) chalked up a record \$1,834,800,000 in net time sales, up 9.1% from 1965, while the 4,121 AM stations (4,190 authorized) and 1,643 FM stations (1,865

authorized), recorded net time sales of \$911,979,000, up 10.2% from 1965.

On that list were made-for-TV productions and successful motion pictures that included *King Kong* (ABC), *Glass Menagerie* (CBS), *How the Grinch Stole Christmas* (CBS), *Alice Through the Looking Glass* (NBC), *Mr. Magoo's Christmas Carol* (NBC), *The Faces of Rome* (ABC), *Lucy in London* (CBS), *Frank Sinatra: a Man and His Music* (CBS), *Campaign and the Candidates* (NBC), *Jack Benny Comedy Special* (NBC), *Death of a Salesman* (CBS) and "The Bridge on the River Kwai" (ABC).

Death of a Salesman, aired by CBS in May, received widespread acclaim, but no exceptional ratings. BROADCASTING commented: "It is this publication's subjective view that anyone who ignored or turned away from the magnificent television production of the Arthur Miller play missed an experience of rare enrichment ... The 30% that did see *Death of a Salesman* owes CBS-TV a debt that we hope will be paid in lasting gratitude."

"The Bridge on the River Kwai," a three-hour presentation by ABC of the 1957 Oscar-winning film, received the highest ratings for any TV movie up to that time; ABC estimated that more than 60 million people viewed the show. That same week CBS bought 63 Metro-Goldwyn-Mayer films for \$52.8 million. ABC bought 17 20th Century-Fox films for \$19.5 million as well as 32 Paramount films for \$20 million.

ABC-TV had bought the rights for two showings of "The Bridge on the River



John P. Fraim came to broadcasting in 1966 when a new corporation, initially identified as Mutual Industries Inc., purchased Mutual Broadcasting System for \$3.1 million. Seller was 3M Co., which had bought the radio network in 1960 for an estimated \$1.3 million. Fraim had been in various educational and business enterprises and during the 1964 presidential campaign was vice chairman of the Republican national finance committee. Fraim served as chairman and president of the new parent company of MBS.



Richard M. Nixon was sworn in as President of the United States by Chief Justice Earl Warren, while Mrs. Nixon stood by in her "Republican cloth coat." BROADCASTING reported (in its Jan. 27 issue) that, "for the first time, the inauguration and its allied events were shown completely in color."

gathered to hear the President of the United States—was inherited by a small band of network commentators and self-appointed analysts, the majority of whom expressed, in one way or another, their hostility to what he had to say. It was obvious their minds were made up in advance."

Agnew's speech was followed by the disclosure that the new chairman of the FCC, Dean Burch, one-time chairman of the Republican National Committee, had telephoned requests to the television networks for transcripts of their analyses of the Nixon speech. It was followed a week

later by another Agnew speech expanding his criticism of slanted journalism to include such newspapers as the *New York Times*, and *Washington Post*. (It was not until the next year that Agnew, warming to the attack, would describe his critics as "nattering nabobs of negativism.")

It began to look like an orchestrated White House campaign, an impression that was solidified by President Nixon's remark, in answer to a question at a news conference: "I believe the Vice President rendered a public service in talking in a very dignified and courageous way about a problem that many Americans are con-

cerned about, and that is coverage by the news media—in particular, television news media—of public figures."

At the FCC, Burch described Agnew's observations as "thoughtful, provocative and deserving of careful consideration by the industry and the public."

Broadcasters were quick to respond. At an International Radio and Television Society luncheon speech in New York, Frank Stanton, CBS president, declared: "In my judgment, the whole tone, the whole content, and the whole pattern of this government intrusion into the substance and methods of the broadcast press, and indeed of all journalism, have the gravest implications. Because a federally licensed medium is involved, no more serious episode has occurred in government-press relationships since the dark days in the fumbling infancy of this republic when the ill-fated Alien and Sedition Acts forbade criticism of the government and its policies on pain of exile or imprisonment.

"If these threats implicit in the developments of the past week are not openly recognized, unequivocally denounced and firmly resisted, freedom of communications in this country will suffer a setback that will not be limited to checking the freedom of television or to barring critical comment of government policy. It will precipitate an erosion that will inevitably



President Nixon paid a call on the National Association of Broadcasters convention at a management luncheon last Tuesday, spoke for about 25 minutes about his Vietnam and ABM policies, but never said a word about the letter he wrote the same day endorsing Senator John O. Pastore's crusade against sex and violence on television. In picture above are Grover Cobb, KTVB Great Bend, Kan., NAB joint-board chairman; Frank Pace Jr., chairman of the Corp. for Public Broadcasting, who addressed the same meeting;

Harold Essex, WSJS-TV Winston-Salem, N. C., co-chairman of the NAB convention committee; the President, and, partly hidden, Vincent T. Wasilewski, NAB president. In his speech Mr. Nixon said: "I am addressing one of the most powerful groups in the nation." Then he added: "I am the world's living example of what television can do to—and for—a candidate." Of radio he said: "We found a useful medium in the last campaign." The rest of his remarks were concerned with Vietnam and the missile-defense system.

Broadcasting, March 31

THE FIRST 50 YEARS



OF BROADCASTING

In an editorial that turned out to be as prescient as it was foreboding, BROADCASTING commented in its first issue of 1969: "As the new year breaks, the outlook is bad... The unvarnished fact is that broadcasters are in a state of emergency!"

Within the year, the Supreme Court issued its Red Lion decision, limiting broadcasting's First Amendment rights; the Nixon administration began a public campaign to discredit broadcast journalism, and tobacco interests struck a deal with the Senate to abandon \$230 million a year in broadcast advertising for cigarettes in exchange for escape from legislation imposing controls on cigarette marketing.

In January the Supreme Court agreed to review two contradictory decisions by appellate courts on the constitutionality of the FCC's fairness doctrine. In the Seventh Circuit Court of Appeals, in Chicago, the Radio-Television News Directors Association had won an appeal and a resounding affirmation of the First Amendment's application to "the broadcast press." In the Court of Appeals for the District of Columbia, WGBH-AM-FM Red Lion, Pa., had lost an appeal and its argument that the stations were constitutionally protected against an FCC order to give time to an author, Fred J. Cook, who had been personally attacked on a commercially sponsored program.

To the broadcasters' dismay, a unanimous Supreme Court in June held that the fairness doctrine and the FCC's rules requiring the offering of time for answers to personal attacks "enhance rather than abridge the freedoms of speech and press protected by the First Amendment." Although agreeing that broadcasting is "affected by First Amendment interest," the Supreme Court held: "Where there are substantially more individuals who want to broadcast than there are frequencies to allocate, it is idle to posit an unbridgeable First Amendment right to broadcast comparable to the right of every individual to speak, write or publish. It is the right of the viewers and listeners, not the right of the broadcasters, which is paramount."

Of the scope of the opinion, BROADCASTING commented: "It is all but inevitable that broadcast journalism will be to some degree arrested in its development. The regular coverage



Expanded Vietnam peace talks began in January; U.S. troops in that country peaked in April at 543,000, and President Nixon started American withdrawal in July. Former President Dwight D. Eisenhower died March 28, and his World War II colleague, Charles de Gaulle, resigned as president of France in April after narrowly losing a referendum. Scandal and tragedy plagued the Kennedy family when a car driven by Senator Edward M. Kennedy (D-Mass.) ran off a bridge into a tidal pool on Chappaquiddick Island, Mass., and a 28-year-old secretary, Mary Jo Kopechne, was found drowned in the car. It was "One small step for a man, one giant leap for mankind," as astronaut Neil A. Armstrong, 38, became the first man to set foot on the moon on July 20.

And in BROADCASTING...

of hard news need not be seriously affected, but broadcast management will think twice before approving the documentary that exposes or the editorial that bites... But journalism is not the only form of programming that is now vulnerable to governmental control... There can be no doubt that broadcasters have lost a significant measure of their freedom to program their stations... On balance, the Supreme Court's decision must be counted a grave disadvantage to media that trade in the exchange of information that the First Amendment was written to immunize from government control. It may only be hoped that the court's conferred authority

will be exercised with restraint."

The Supreme Court's Red Lion ruling of June was a forecast of action it was to take in October, when it let stand an appellate-court affirmation of the FCC's authority to apply the fairness doctrine to cigarette advertising. By then, however, the cigarette controversy had passed beyond the dispute over the FCC's ruling of 1967 that broadcasters carrying cigarette commercials must also carry antismoking messages. Indeed in February 1969 the FCC issued a notice of proposed rulemaking to prohibit cigarette advertising on the air.

In the Senate there was increasing demand for legislation to suppress cigarette advertising and distribution. The National Association of Broadcasters proposed a gradual phaseout of cigarette commercials by September 1973. Some broadcasters, including the Post-Newsweek, Westinghouse and Bonneville groups, voluntarily began excluding cigarette business. It was not enough to diminish the clamor for government controls.

In July the cigarette companies, acting in unison and with the knowledge of key members of the Senate, offered to discontinue all radio and television advertising for cigarettes by September 1970. It was ultimately agreed that cigarette advertising would be withdrawn from the air on Jan. 1, 1971.

Late in 1969 broadcasters came under attack from another quarter in Washington, the White House. Without warning, Vice President Spiro T. Agnew delivered a speech rebuking television network newsmen for analyses broadcast after a speech about the Vietnam war by President Richard M. Nixon. Said Agnew: "The audience of 70 million Americans—



Another big merger that was proposed in 1968 was the \$600-million deal that would find Metromedia Inc. absorbed by giant Transamerica Corp. Official announcement of their respective boards' approval of the proposal was announced in New York by James H. Beckett (left), president and CEO of the San Francisco-based Transamerica, and John W. Kluge, chairman and president of Metromedia. However, the merger was called off in 1969.

—Broadcasting, Oct. 14

below the top 100 by limiting the signals that CATV's could import.

The events of 1968 did little to ease radio and television's fears about what was ahead. With a new FCC commissioner, H. Rex Lee, taking the place of Lee

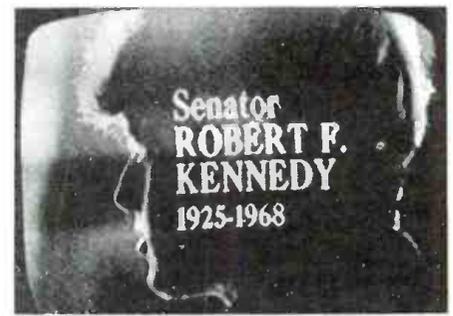
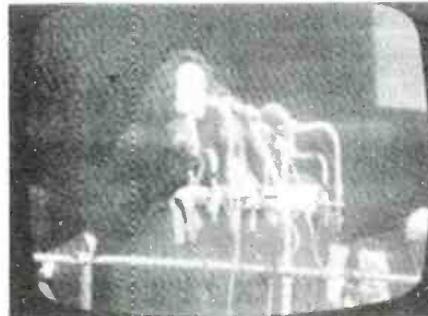
Loevinger, and Richard M. Nixon and the Republicans in control of the White House, broadcasters wondered what their future held, especially since witnesses at hearings of the President's Commission on the Causes and Prevention of Violence

denigrated television as a corrosive force that contributed to violence in the society. Television felt itself to be under attack by Congress as well for the coverage of the more violent events of the year, particularly of the Democratic convention. House investigators under Harley Staggers (D-W.Va.), chairman of the Commerce Committee, gathered evidence for possible congressional hearings on news coverage to be held in 1969. Walter Cronkite stated that the only purpose of such an investigation would be "intimidation." One station news director felt that TV received the blame for presenting the public with a bad image of America when for a long time the public saw mostly the good. "Then suddenly we show them Watts and other riot-torn situations. Radio and television news begins reflecting reality more, and the public and the politicians have gotten angry at the purveyor of all this bad news." Despite the injustice of blaming the messenger for the message, broadcasters, and particularly broadcast journalists, looked to the year ahead as one which would increasingly test broadcasting's First Amendment freedoms.

Stay Tuned

1. What Boston TV licensee was stripped of its license by the FCC?
2. How did Vice President Spiro T. Agnew stir up broadcasters?
3. What memorable event was telecast in July?
4. What were the major developments in the growing attack on cigarette advertising?
5. Who was the former chairman of the Republican National Committee appointed to the FCC?

The answers in "1969."



Covering a watershed year. The year 1968 proved to be both busy and costly for American broadcasters. With continued coverage of the Vietnam war (including the Tet offensive, upper left), the assassinations of Dr. Martin Luther King Jr. (above) and Senator Robert F. Kennedy (upper right), the U.S.-U.S.S.R. space race (left) and the presidential campaign culminating on election night (right), the three television networks spent an estimated \$150 million.

—Broadcasting, Nov. 18





CBS-TV's Mike Wallace as he was hustled off the floor of the Democratic convention in Chicago in the aftermath of an argument between some delegates and security officials.

—Broadcasting, Sept. 2

Below: Mayor Daley as he directed traffic from the Illinois delegates's section.



up in court on appeal of the Justice Department. Major factor in the souring of the deal was the difference in what ITT would have had to pay: The merger when originally proposed in December 1965, based on price of ITT stock, would have cost ITT \$379.75 million; when the deal was terminated in January 1968 the increase in ITT's stock value would have meant an outlay of \$661.2 million by ITT.

Undaunted, ABC started a new search for funding. In July, it almost became the reluctant bride of billionaire Howard Hughes, who made a \$150-million effort to gain working control of the network. However, Hughes dropped his tender offer three weeks later when ABC prepared to go to court to fight the takeover and the FCC said it was going to hold a hearing on the matter.

In the fall of 1968, the TV networks offered a new season composed with an eye on the President's task force on violence. New shows included *The New Adventures of Huckleberry Finn* (NBC); *The Beautiful Phyllis Diller Show* (NBC); *Julia* (NBC), a situation comedy with Diahann Carroll; *Mayberry RFD* (CBS), a rural comedy with Ken Berry, Buddy Foster and George Lindsey; *The Outcasts* (ABC), a western; *The Doris Day Show* (CBS); *That's Life* (ABC), a music comedy with Robert Morse and Shelly Berman, and *Mod Squad* (ABC), a crime drama. Earlier in the year, as a midseason replacement, there was *Laugh-In*, (NBC), a comedy-variety that satirized contemporary events through short segments of music and black-out skits.

ETV in 1968 made advances in children's programming. The Children's Television Workshop, a joint project of the Ford Foundation, the Carnegie Corp., and the U.S. Office of Education, was formed to create a 26-week National Educational Television color series designed to provide an educational head start for preschool children.

In September, the FCC pressured Congress to make up its mind on pay television. Pending before the commission was a proposal to authorize subscription TV on the air, but no action had been taken because of a House Commerce Committee resolution that congressional consideration should take precedence. However, FCC Chairman Rosel Hyde wrote the committee that the commission intended to take action very soon. "We believe," Hyde wrote, "that we cannot, consistent with our responsibilities to the public, continue to delay resolution of this important question. Indeed, further substantial delay in this matter would constitute, in effect, a failure of administrative process." In December, BROADCASTING reported that "The FCC last week surmounted 17 years of study, dispute, charges, countercharges, advances, delays, hopes, disappointments and simple human confusion with the adoption of rules authorizing a nationwide system of over-the-air pay television." The FCC delayed implementation of its rules until June 12, 1969 to



Senate Minority Leader Everett Dirksen was credited with keeping his Republican troops away so that lack of a quorum prevented a vote on the resolution to suspend Section 315 and allow presidential and vice presidential debates in 1968. In a victory speech later, Dirksen said he had been prepared to use "every weapon available" to prevent final vote on the resolution.

—Broadcasting, Oct. 14

provide time for congressional reaction as well as judicial review. Among other stipulations for pay TV were requirements that movies for pay TV had to be less than two years old, that sports events could not have appeared on free TV in the last two years, that no continuing series could be shown, that over-the-air pay TV could be established only in cities with more than four commercial stations, that there could be no commercials during periods of pay programming and that at least 10% of the offerings had to be other than sports or movies."

The Supreme Court in June dropped a blockbuster on broadcasters. It ruled that cable systems incurred no copyright liability in the carriage of broadcast programs. "What the court's copyright opinion does," BROADCASTING analyzed, "is to pass the buck to Congress to legislate on the issue." Two weeks earlier the court had affirmed the FCC's authority to regulate cable as an adjunct to television broadcasting.

In December, the FCC proposed new cable rules designed to equalize the competition between CATV and commercial television. According to the proposal, cable systems within 35 miles of a major city in any of the top 100 markets would be required to obtain the permission of distant stations whose signals they wanted to import. The proposed rules for the first time provided protection for stations in markets

in some situations.

■ A rule was proposed for multiple ownership of CATV systems as follows: a limit of 50 systems with 1,000 or more subscribers in each in the 100 biggest population centers, according to a sliding scale of distribution through the list of markets; for CATV operators that also owned one TV, two AM's, two FM's or two newspapers, the limit would be reduced to 25 systems. As an alternative, the FCC asked for comments on a limit of 2 million subscribers for all CATV systems in a group.

■ A rule was proposed to permit cable systems in the top 100 markets to carry four distant independent signals in addition to local TV signals. A condition would be that commercials in distant signals be replaced by commercials provided by local UHF's or by local VHF's that could prove their survival was threatened by cable. Systems importing distant signals would also be required to pay 5% of their subscriber revenues to noncommercial broadcasting.

■ Comments were asked on how cable channels, other than those used for regular programing, could be used for other services.

■ A rule was adopted to prohibit CATV's from distributing on pay-TV channels any of the program types denied to broadcast pay-TV service.

■ A change was proposed to increase from two years to five the time in which the antisiphoning sports rule would be in effect. This precluded the live presentation on pay TV, whether distributed on-air or by cable, of sports events that had been carried on free TV.

■ Comments were invited on other subjects that included local government authority, proposed ceilings on franchise

fees and technical standards for broadband services of the future.

Estimates placed the number of cable systems in 1970 at about 2,500, approximately 8% of TV homes, with 4.5 million subscribers.

Other government decisions also affected pay television. The Supreme Court in February, with Justice William O. Douglas dissenting, refused to review a lower court's decision that upheld the FCC's order authorizing pay television. The last legal barrier to pay television appeared to be surmounted. However, the House Commerce Committee placed another obstacle in the way when it reported out a bill to prohibit subscription stations from devoting more than 45% of their total air time, and more than 60% of their prime-time hours to feature films and sports, to bar pay TV stations from taking any program of any kind from standard television, to ban all commercials on pay television stations, to bar pay TV operation on any station licensed by the FCC prior to the enactment of the bill, to prohibit the broadcast on pay TV of any feature film that had been in general release for more than one year on a non-reserved seat basis, and to require subscription stations to broadcast at least eight hours a day.

The House Commerce Committee's minority report called this proposed bill "mischievous legislation dictated by powerful interest groups—the broadcasters and theater owners." The bill, the minority members argued, would "kill any possibility of STV, and that is what the proponents of the bill intended. . . . Is it any wonder that our youth are cynical about our values when the very committee which reported the Fair Packaging and Labeling Act is now trying to flim-flam the

Stay Tuned

1. What congressional request and subpoena did CBS President Stanton refuse to honor?
2. What important fairness doctrine ruling did the U.S. Court of Appeals reverse, thereby jeopardizing a sizable portion of broadcasting revenues?
3. Name the broadcast pioneer who died in December.
4. What program developed by Tandem Productions debuted in January, created controversy but reshaped TV's approach to contemporary issues?
5. What organization was instrumental in orchestrating a compromise on cable regulation?

The answers in "1971."

House of Representatives with a bill which, according to its label, regulates STV, when each and every member of this committee knows that legislation is intended to destroy any possibility of STV."

Despite these problems the FCC in August granted technical approval for the Phonevision System that Zenith Radio Corp. had been promoting for 20 years. With the FCC's technical approval, Teco Inc., Zenith's licensee for commercial development of Phonevision in North America, instituted plans to introduce this new box office TV service.

In 1970 President Nixon established the Office of Telecommunications Policy and appointed Clay T. Whitehead as director. The powers of the office were to be expanded beyond those exercised before by the executive branch. Nixon appointed a broadcaster, Robert Wells, to a seven-year term on the FCC as a successor to retiring Kenneth Cox, and Thomas J. Houser to a short term after Sherman Unger withdrew his name because of a tax audit problem, creating a new configuration for the FCC.

In 1970, broadcasting celebrated 50 years of existence. BROADCASTING used the occasion to call for fewer government controls. Arguing that "there is intense competition among stations and networks and other media," BROADCASTING noted that "monopolies exist almost everywhere else. This being true, why waste the taxpayers' money and civil servants' time that should be devoted to such painfully distressing life-and-death problems as drug control, crime on the streets, campus unrest, pollution, unemployment? Banning newspaper ownership, one-to-a-customer, the contrived conglomerate inquiry, and program controls are illusory, make-work, nonessentials. If those activists in government were completely dedicated and honest, they would stop this malicious nonsense and get back to the basic needs of the people."

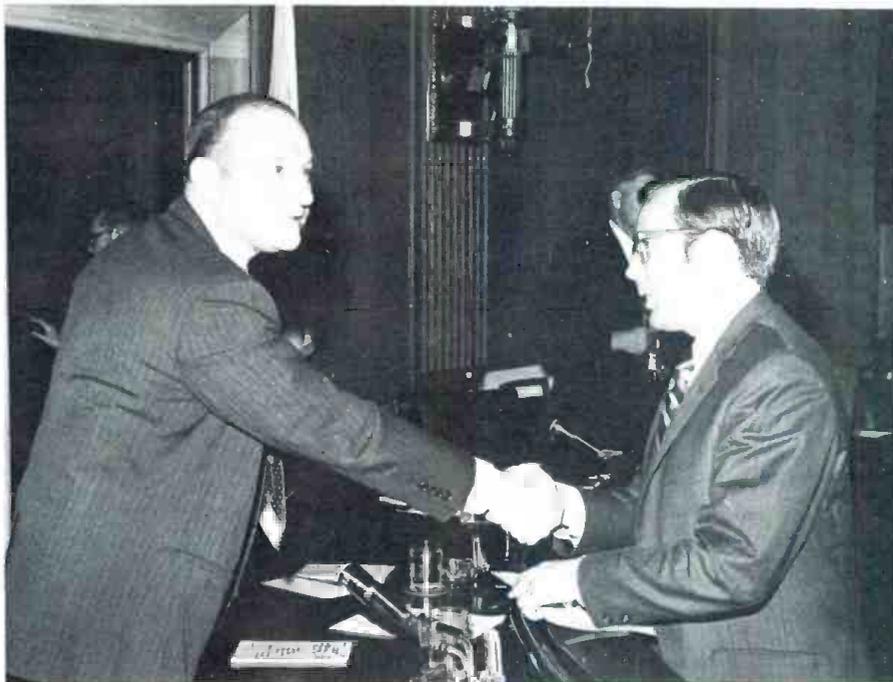


Drawn for BROADCASTING by Sid Hix
"\$240 million . . . and he took it all with him!"



National Football League Commissioner Pete Rozelle put a new kid on the prime-time block in 1970, when he exacted \$8.5 million from ABC-TV for a Monday night schedule of games.

Broadcasting, May 18



Dr. Clay T. Whitehead (right), President Nixon's choice to be the first director of the Office of Telecommunications Policy, chats with his home-state senator, James B. Pearson (R-Kan.). Occasion was the July 1970 hearing by the Senate Commerce Committee on Whitehead's appointment. Pearson was a member of that committee.

In June the FCC clarified its policy in the sale of political time. The agency decided that a broadcaster who sells time to supporters of a political candidate must also sell time to the candidate's opponents or supporters but does not have to provide reply time at no charge.

Robert Pauley, former president of ABC and Mutual, and Murry Woroner, head of Woroner Productions, announced in June the formation of the radio National Black Network Inc. to provide "news of primary interest to the 22 million black citizens of the country, a service not now being performed by any other medium."

There was fallout in 1970 from the FCC's 1969 decision stripping WHDH-TV Boston of its license. Faced with the specter of numerous challenges to licensees with multimedia ties, the FCC in January attempted to allay broadcasters' fears by adopting a policy favoring an incumbent broadcaster over rival applicants if the licensee could show in a comparative hearing that its programing "has been substantially attuned to the needs and interests" of its area. BROADCASTING commended the FCC's policy, stating that "as an articulation of general policy, the statement adopted last week by the FCC establishes commendable ground rules for the consideration of competing applications filed against incumbent licensees. . . . The protection offered by the commission's policy statement is infinitely more than broadcasters have now, and, assuming the future FCC is reasonable in its definition of substantial service, it is probably as much as they can hope for."

The FCC's adoption of its prime-time

access rule, to be implemented Sept. 1, 1971, brought accusations of commission interference with programing. The new rule, designed to promote diversity in the sources of programing by limiting network domination, prohibited affiliates in the top-50 markets from accepting more than three hours of network programing between 7 and 11 p.m., barred the networks from domestic syndication in programing, permitted networks to sell abroad only those programs they produced themselves, and barred networks after Sept. 1, 1970, from acquiring subsidiary rights or interests in independently produced programs. FCC Chairman Dean Burch dissented, saying that the commission's majority decision constituted "an economic mistake that will not produce the results sought, a healthy television film-producing market."

When the U.S. Second Circuit Court of Appeals in New York refused to stay the effective date of the FCC's prime-time access rule, the networks braced for an expected cut in programing of three to four hours a week. Although CBS-TV and NBC-TV deplored the loss of such air time and revenue, the less-dominant ABC-TV felt that the implementation of the FCC's rule would strengthen its efforts to become a more fully competitive network. Meanwhile, network affiliates prepared for the programing changes. Program suppliers suggested that the 1971-72 season would be a year of experimentation by stations adapting to the new rule.

For the last season unaffected by the FCC's prime-time access rule, TV networks spent \$16.7 million a week in

prime-time production costs.

New TV shows included: *The Don Knotts Show* (NBC), a 60-minute comedy; *The Flip Wilson Show* (NBC), 60-minute variety; *The Interns* (CBS), a medical drama with Broderick Crawford; *Arnie* (CBS), a comedy with Herschel Bernardi and Sue Ann Langdon; *The Young Rebels* (ABC), an adventure set in colonial America; *The Tim Conway Show* (CBS), a comedy; *The Young Lawyers* (ABC), a drama about a neighborhood law office in Boston with Lee J. Cobb; *Barefoot in the Park* (ABC), a comedy about newlyweds, with Scoey Mitchell and Tracy Reed; *The Odd Couple* (ABC), with Tony Randall and Jack Klugman; and *The Partridge Family* (ABC), a comedy about a family rock group, with Shirley Jones and David Cassidy. It was also the year of the introduction of *The Mary Tyler Moore Show* on CBS.

Government decisions in 1970 also affected both cable and pay television. New CATV rules adopted or proposed by the FCC in June envisioned a cable industry that would eventually originate programing and provide two-way communications while not threatening the viability of existing UHF stations.

The principal components of the FCC's package:

- A rule was adopted to prohibit local crossownership of cable and TV stations.

- A rule was adopted to prohibit TV networks from owning cable systems anywhere in the U.S.

- A rule was adopted to prohibit local crossownerships of cable and translator stations, but with the possibility of waivers



The donation of WFMT(TV) Chicago, valued then at more than \$1.5 million, by WGN Continental Broadcasting to the Chicago Educational Television Association was completed in early 1970. Following FCC approval, the shares of licensee WFMT Inc. were given to the association, also licensee of Chicago's noncommercial WTTW(TV) and WXXW(TV) L-r: Dr. John W. Taylor, executive director of the association; Ward L. Quaal, president of WGN Continental; Raymond Nordstrand, president and general manager of WFMT Inc., and former FCC Chairman Newton Minow, chairman of the association.

Broadcasting, March 16



Representative John D. Dingell (R-Mich.) who helped to put the lid back on pay TV in 1970.

Broadcasting, May 4

pressed concern about the air pollution caused by the normal use of automobiles more than meets this test."

In a 6-1 decision the FCC refused to apply the fairness doctrine to automobile and gasoline advertising. Automobiles, the commission asserted, were different from cigarettes. They posed no inherent danger to health. FCC Commissioner Johnson disagreed with the majority and exhorted: "You must not lose sight of what is fundamentally at issue here: whether our citizens should be told the *whole* truth about the products they use and consume. . . . It is sad and somewhat disheartening that this commission holds dearer the quantity of commercial profits than the quality of life itself."

Antiwar groups also invoked the fairness doctrine to oppose America's involvement in Vietnam. A coalition of Yale University professors and law students and the New Haven Black Coalition filed a petition with the FCC charging that WCBS-TV New York and WTIC-TV Hartford, Conn., violated the fairness doctrine by "consistent, willful and repeated failure to afford fair and reasonable opportunity for the balanced presentation of the contrary views when the President of the U.S. addresses the nation on television on the administration's policies in Southeast Asia."

Anti-Vietnam war petitioners requested time under the fairness doctrine to reply to the Nixon administration's broadcasts for armed forces recruiting. As interpreted by the FCC, the crucial question was "whether armed forces recruitment messages constitute the presentation of one side of a controversial issue of public importance." The FCC said no.

Senator J. William Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee and one of the foremost congressional critics of the administration's Vietnam policies, also invoked the fairness doctrine. Displeased with Nixon's frequent use of prime-time television and radio, Fulbright proposed legislation to give Congress air time equal to that of the President to break what he saw as the Nixon administration's "near-monopoly on effective access to the public attention."

As its solution to the equal access issue, CBS created *The Loyal Opposition*, a series in which the party out of power would receive free program time. Following Lawrence F. O'Brien's appearance on *The Loyal Opposition*, in which the Democratic national chairman attacked the Nixon administration on Vietnam, the economy, civil rights and the environment, Rogers C.B. Morton (R-Md.), GOP national chairman, demanded equal time to reply. When the FCC in August required

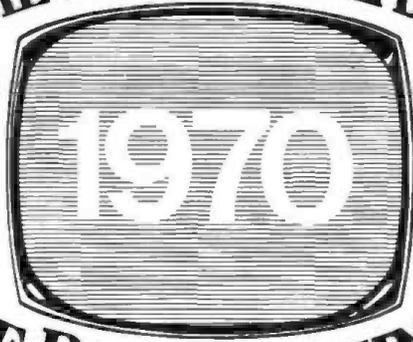
On a lonely road in Asia. CBS News correspondent George Syvertsen was listed by State and Defense Department officials in Washington as the first broadcast newsman to be killed in the Vietnam conflict. Syvertsen, 38, was reported dead shortly after searchers found a body in a freshly dug grave 31 miles south of the Cambodian capital of Phnom Penh where three cars with eight newsmen had disappeared on May 31, 1970. The group also included NBC correspondent Welles Hangen, who never was found.

CBS to afford "some reasonable period of time" to a Republican spokesman to reply to O'Brien's 25-minute appearance on *The Loyal Opposition*, CBS President Frank Stanton said he would suspend the series. "The effect of this ruling," Stanton declared, "far from redressing the imbalance, would increase it, and we are appealing it. . . . The purpose of these broadcasts is not to diminish the force of the President's exposition of his views and his administration's policies. Nor is it to enhance the force of opposing views and criticism of those policies. It is solely to enlarge and to deepen public awareness of the complexities and significance of urgent matters which concern us as a nation and which demand the national commitment, in one direction or another, of the energies, the resources and the intellectual and emotional fiber of the American people."

Despite CBS's efforts and similar attempts by the other networks, to assure fairness in broadcast journalism, the Nixon administration continued its attack upon the medium. Vice President Spiro Agnew accused television of presenting young people with "action, violence, and confrontation . . . and they are naturally more conditioned to action than logic." As for television's coverage of civil demonstrations, Agnew accused TV of presenting "manufactured news of revolutionary theater brought into millions of living rooms by the networks."

CBS News correspondent Eric Sevareid proposed that the networks increase their coverage of evening news to one hour to accommodate a balance of the day's events; to allow rebuttals.

THE FIRST 50 YEARS



OF BROADCASTING

A political broadcasting bill that President Nixon vetoed at the last minute was a near defeat for broadcasters in 1970. The direct hit of the year was the FCC's adoption of its "50-50" rule that, as the Prime-Time Access Rule (PTAR), was to change life for the TV networks, their affiliates and program syndicators, among others.

The scenario for the White House veto in October was set by House passage, in early September, and Senate approval two weeks later of the bill that would have required broadcasters to sell time to political candidates at minimum rates, would have set limits on the amounts of money candi-

dates could spend on radio and TV (but not on spending in other media) and would have repealed the equal-time law application to presidential and vice presidential candidates.

Broadcasters generally opposed the measure as did Republicans in Congress. The bill's supporters, mostly Democrats, felt such a law would lessen the campaign advantage of wealthier candidates.

In his veto message, Nixon called the legislation "a good aim gone amiss." He said: "The problem with campaigns is not radio and television: the problem is spending. This bill plugs only one hole in a sieve. . . . By restricting the amount of time a candidate can obtain on television and radio, this legislation would severely limit the ability of many candidates to get their message to the greatest number of the electorate. The people deserve to know more, not less about the candidates and where they stand. . . . There is another issue here which is perhaps the most important of all. An honored part of the American political tradition is that any little-known, but highly qualified citizen has the opportunity to seek and ultimately win elective office. This bill would strike a serious blow at that tradition. The incumbent—because he has a natural avenue of public attention through the news media and the conduct of his office—would have an immeasurable advantage over the 'out' who was trying to get in. . . . I am as opposed to big spending in campaigns as I am to big spending in government. But before we tamper with something as fundamental as the electoral process, we must be certain that we never give the celebrity an advantage over an unknown, or the office holder an extra advantage over the challenger."



United Mine Workers official Joseph A. Yablonski, his wife, and their daughter were found shot to death in Clarksville, Pa., Jan. 5. Rhodesia severed connections with the British Crown on March 1 and declared itself a racially segregated republic. Four people at a Kent State University antiwar demonstration were slain May 4 by National Guardsmen. A May 31 earthquake in Peru left more than 50,000 dead, a disaster surpassed Nov. 13 in Pakistan where a cyclone and giant waves killed an estimated 300,000 persons. America's growth was reflected in 1970 when the gross national product reached \$1 trillion while the resident population passed the 203-million mark, up from 179 million in 1960. And in BROADCASTING . . .

tial veto, a state of affairs that "depressed" FCC Commissioner Nicholas Johnson, the *enfant terrible* of broadcast regulation. Johnson predicted that the Senate's failure to override Nixon's veto may one day be marked as "the last gasp, the last effort to get back government from big business and we couldn't do it."

To many broadcasters, big business—particularly their business—had suffered a stunning defeat at the hands of government in 1969 when Congress passed a bill banning cigarette commercials from radio and television, effective Jan. 1, 1971. In a minor attempt to assuage broadcasters facing an annual loss of \$230 million in cigarette revenues, Congress in March 1970 agreed to delay the ban an extra day, to Jan. 2, 1971, to allow cigarette commercials on New Year's Day football broadcasts.

Taking their cues from the success of cigarette advertising opponents, other groups with reform on their minds turned to the fairness doctrine. To promote clean air, "Friends of the Earth," an antipollution organization, filed a complaint with the FCC against WNBC-TV New York, charging the station with failure to balance its airing of gasoline and automobile commercials with messages about clean air. Using the cigarette case as a precedent, the ecology group argued: "The test posed by the commission [in its 1967 cigarette fairness-doctrine ruling] is whether the product's 'normal use has been found by congressional and other governmental action to pose such a serious threat to general public health that advertising promoting such use would raise a substantial controversial issue of public importance.' . . . It seems clear the government's ex-

Amid cries of outrage against Nixon's veto, BROADCASTING cited gaps in the legislation, said there was a need for a better political broadcasting bill, and urged that "it will be not only in their own but also in the public's interest if broadcasters can persuade their congressmen to let the presidential veto stand. The persuasion should be accompanied by a tangible offer of support for a truly effective bill to limit political spending. If broadcasters will take the lead in drafting legislation and campaigning for public endorsement, they will be practicing governmental and public relations with a creative touch." The Senate failed by four votes to override the presiden-



Robert Wells, FCC-bound Kansas broadcaster, sailed through hearing. Fifty-two minutes had passed before he asked a question.



Absalom Jordan Jr., representing Black Efforts for Soul in Television (BEST), objected to appointment of whites.



Dean Burch, slated for FCC chairmanship, denied he was either racist or rich, as Mr. Jordan had protested.

Broadcasting, Oct. 20

proposal to limit to 50% a network's ownership and control over its nonnews, prime-time programming, although a 210-page report on the production, procurement, distribution and scheduling of television programming prepared by the Cambridge, Mass.-based research firm of Arthur D. Little, Inc. concluded that the FCC's proposal was both unworkable and unfounded.

For multimedia owners, 1969 opened with ominous signs. In early January the Justice Department intervened in a license renewal at the FCC to urge the agency to force Frontier Broadcasting Co. to sell KFBC-TV Cheyenne, Wyo. Frontier also owned the city's only full-time AM station, only CATV system, the city's second FM station and Cheyenne's only morning, evening, and Sunday newspaper.

Later that month, acting on its own, the FCC in a 3-1 decision stripped WHDH Inc. of its license to operate WHDH-TV on channel 5 in Boston and awarded the license to a competing applicant, Boston Broadcasters Inc. Despite the station's satisfactory record in programming, the FCC held that the common ownership of WHDH-AM-FM-TV and two of Boston's daily papers gave it a demerit against a rival applicant without other media ties.

An applicant's record at renewal time, the commission asserted, "is meaningful in the comparative context only if it exceeds the bounds of average performance. . . . [otherwise] new applicants . . . would be placed at a disadvantage." FCC Commissioner Nicholas Johnson commented: "The door is thus opened for local citizens to challenge media giants in their local community at renewal time with some hope for success before the licensing agency where previously the only response had been a blind affirmation of the present license holder." Such hopes placed more than \$3 billion of broadcast properties in jeopardy, according to BROADCASTING estimates.

(The commission's interest in media diversification did not extend to an argu-

ment made by the WHDH-TV licensee that the co-owned Boston *Herald-Traveler* would go under if deprived of the subsidy that the television station had provided. After the legal appeals had been exhausted and the station was transferred, the *Herald-Traveler* folded.)

To foster CATV independence, the FCC in October adopted rules requiring that CATV systems with over 3,500 subscribers to originate programming "to a significant extent" as of Jan. 1, 1971, and adopted rules permitting CATV systems to air commercials.

To resolve the copyright dispute between broadcasters and CATV owners, the Senate proposed a bill that imposed copyright liability on all CATV systems, but set limits on fees, from 1% on the first \$40,000 of gross revenue to 5% on revenues over \$160,000. The usual battle, as BROADCASTING noted, of broadcasting versus cable interests ensued: "It now becomes apparent that reflexes are permanently conditioned to respond in absolutely predictable ways whenever the subject of cable arises. The Association of Maximum Service Telecasters is going to hate any proposal that promises to let cable expand. . . . The NAB . . . has learned that on cable matters it is wise to follow AMST's suit. The NCTA is doing what it can wherever it can gain an audience to create the conditions that will make possible a cable grid throughout the country."

By the fall Congress considered legislation to strengthen public television while the courts upheld FCC rules that strengthened pay television. The House in October approved a bill authorizing \$20 million for the Corporation for Public Broadcasting, and \$15 million a year for three years for facilities grants through the Department of Health, Education and Welfare. Earlier in the year, the Corporation for Public Broadcasting created the Public Broadcasting System, whose function was to distribute programming to educational television stations. Thus, by its second birthday, CPB possessed both a

promise of money and a plan for program distribution.

Seventeen years after the Zenith Corp. first championed pay television, it and fellow advocates still faced restrictive legislation initiated by a variety of opponents, particularly the National Association of Theater Owners. The U.S. Court of Appeals in September ruled that the FCC had "acted reasonably and within the scope of its authority, both in making its initial decision to authorize permanent, nationwide STV and in imposing specific regulations on subscription television." Pay TV opponents turned to Congress and some 20 bills that would outlaw pay TV.

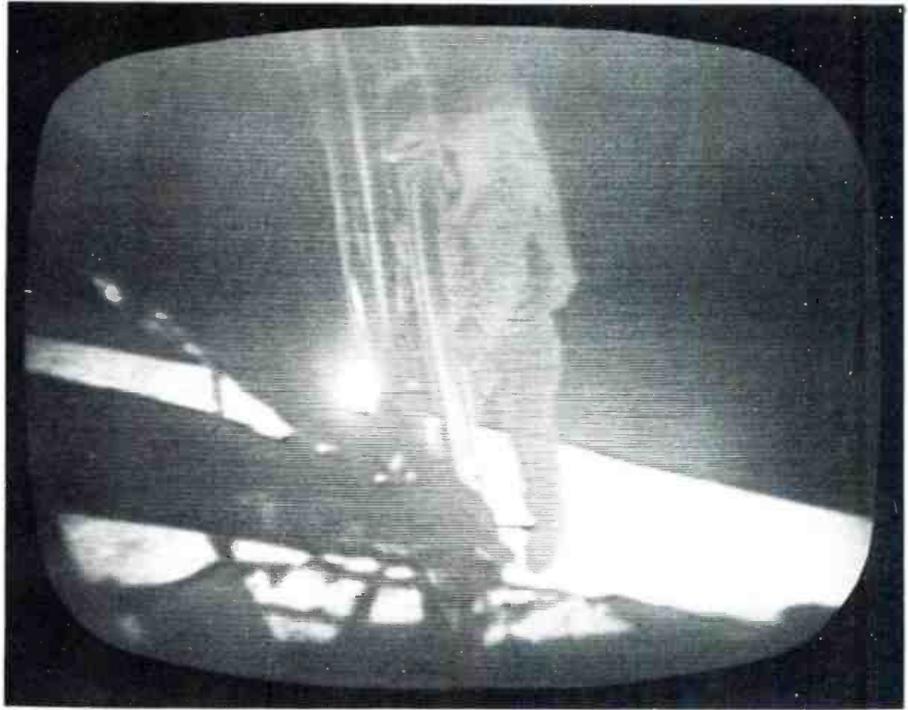
Whether or not the new decade would bring a nationwide system of pay television or would nurture a nascent public broadcasting service remained to be seen. In a decade in which broadcasting served with skill as both witness and purveyor of some of the most dramatic events in American history—assassinations, race riots, space missions—the specter of increasing government regulation and increasing competition from alternative systems posed a noticeable threat to the domain and profitability of the well-established commercial broadcasting system.

Stay Tuned

1. What major piece of broadcast legislation did President Nixon veto?
2. Name two groups that attempted to invoke the fairness doctrine in order to gain access to prime time television.
3. Name the organization developed to disseminate news about the black community to broadcast stations.
4. Name one comedy show that debuted in 1970.
5. Who did President Nixon appoint to the FCC?

The answers
in "1970."

Man took his first steps on the moon in 1969, and television was there to deliver history as it happened. This off-the-tube photo from CBS News shows astronaut Neil Armstrong descending from the lunar module.
Broadcasting, July 28



destroy the most powerful safeguard of the free society—free, unhampered and unharassed news media.”

While broadcasters decried pressures by the administration to influence network news, Tommy and Dick Smothers of *The Smothers Brothers Show* on CBS had been complaining of interference from the network. Tommy Smothers said: “I used to call it artistic interference. Now, after three years, I’m calling it exactly what it is—censorship,” Smothers went to Washington to make a federal case of it.

In April CBS-TV announced it was canceling *The Smothers Brothers Show* as of September. The brothers followed with six months of recriminations and appeals, culminating in September in a \$31-million suit against CBS.

Dan Rowan, co-star of *Laugh-In* on NBC-TV, noted that the Smothers show’s position of 58 in the ratings was of little help in their dispute with the network. “If the Smothers brothers had been number one,” Rowan said, “they wouldn’t have been muzzled—or canceled.” About his own show, Mr. Rowan observed: “If we have 20 things we want to do and the network takes 12 out, we are still happy to get the eight . . . I’d much rather be a working coward than a canceled hero.”

On other programing fronts, networks continued to face charges of excessive violence. In January more than 60 congressmen co-sponsored legislation directing the FCC to conduct a comprehensive investigation of the effects of TV violence. In March Senator John O. Pastore (D-R.I.), chairman of the Senate Communications Subcommittee, obtained authorization of \$1 million for a study to determine the effects of television violence on the public. William H. Stuart, surgeon general, who was named to head the study, said: “There is little doubt that television and televised violence have an impact on the viewing public—adults as well as children.”

BROADCASTING commented: “In principle, the launching of the study by the surgeon general into causal relationships, if any, between violence on television and violence in real life must be regarded as a progressive step. It is surely the most realistic approach to the dispute over television violence that anyone in the Congress has yet made. . . . The danger, of course, in this kind of undertaking is that it will fall into the hands of academic types with built-in prejudices against mass media . . . As this publication has observed before, an impartial, scientific study ought not to be feared. If such a study finally disproves the notion that television, all by itself, can breed violence in real life, it will put an end to the harassment to which

broadcasters have been subjected. If it reveals the opposite, it will provide a guide to the program revisions broadcasters will want to make upon discovering effects that are now not recognized.”

BROADCASTING noted about the new television season that “whatever else may be said for it, there can be no doubt that the new prime-time schedule is unusual in one respect: Virtually everything resembling violence has been deleted.” Network offerings for 1969-70 season included: *The*

Survivors (ABC), about the problems of the rich, with Ralph Bellamy and Lana Turner; *Movie of the Week* (ABC); *Room 222* (ABC), a comedy-drama about an integrated, urban high school; *The Leslie Uggams Show* (CBS), variety; *The Jim Nabors Hour* (CBS), variety; *The Bold Ones* (NBC), a comprehensive title for four rotating series: *The Doctors* with E.G. Marshall; *The Lawyers* with Burl Ives; *The Protectors* with Leslie Nielsen and *The Senator* with Hal Holbrook; *Then Came Bronson* (CBS), an adventure about an ex-reporter traveling cross-country on a motorcycle, and *Bracken’s World* (NBC), a drama about film producing.

Besides the usual assortment of variety, drama, and comedy specials, the networks offered such news attractions as the coverage of former President Dwight D. Eisenhower’s funeral and of the Apollo 9, 10 and 11 missions, including a walk on the moon. For Eisenhower’s funeral the networks pre-empted many, but not all of their normally scheduled programs. Space coverage, no longer a novelty, was principally of launches and splashdowns. Coverage of the Apollo 10 mission in May included the first color pictures of the moon as well as the first color pictures of the earth taken from space. Coverage of the Apollo 11 mission, which cost the three networks \$11 million in pre-emptions, included a live color telecast from the command module and the telecast from 148,000 miles out in space of astronaut Neil Armstrong’s and Edwin Aldrin’s walks in space.

Despite such demonstrations of network service, the FCC and citizen groups, such as Thomas Hoving’s National Citizens Committee for Broadcasting, agitated for less network power over programing. The FCC still pursued its “50-50”



Vice President Spiro Agnew as he spoke to a nationwide audience Nov. 13. All three television networks gave live coverage to his speech before the Midwest regional Republican meeting in Des Moines.

Broadcasting, Nov. 17

the first \$100,000 of their gross annual service revenues, a plan that would put approximately 1,800 cable systems beyond the reach of copyright liability. In addition, the NCTA favored a proposed House bill that contained a permanent scale of royalties for broadcast program carriage. The Community Antenna Television Association, however, opposed the NCTA. The CATA asserted that copyright payments by cable should be prohibited. The CATA reasoned that the audience paid once for all programs watched on television by paying for television-advertised products; to make cable subscribers pay an additional tax or copyright payment, CATA said, would amount to paying for the same thing twice. Indeed, Robert Cooper Jr., executive director of CATA, proposed that cable operators charge program suppliers a fee for extending the circulation of their programs. And the battle continued with legislation pending in both the House and the Senate.

The FCC issued revised pay-cable rules in March and incurred the wrath of cablecasters and broadcasters alike. Broadcasters objected to a provision allowing pay cable and pay television to bid on films less than three years old, more than 10 years old if they had not been shown in the market in the preceding three years as well as on films of any age if they were under contract to a station in the market or to a network with an affiliate there. Arguing that the movie rules would increase siphoning and reduce entertainment for the public that relied on free TV, ABC, CBS, NBC and Metromedia filed appeals.

Cablecasters such as Viacom, Home Box Office, American Television & Communications Corp., Manhattan Cable Television Inc., UA-Columbia Cablevision, Warner Communications, Teleprompter Corp. and Theatlevision

also filed suit against the rules, arguing that they exceeded the commission's authority in regulating program content, conflicted with antitrust principles by inhibiting competition and violated the First Amendment.

An innovation in cable programming in 1975 was Home Box Office's use of a satellite distribution system. HBO and Teleprompter, the nation's largest cable TV operator at that time with 141 systems and 1,060,000 subscribers, signed an agreement for HBO to provide programming to about 800,000 cable subscribers nationally, at first through HBO's terrestrial microwave system and later via satellite. HBO initiated the first pay-cable satellite feed in October to a UA-Columbia Cablevision system in Florida and to an American Television & Communications system in Mississippi.

With national elections approaching in the sensitive post-Watergate climate, the fairness doctrine and issues of equal time once again concerned the industry. At hearings before the Senate Communications Subcommittee in May, CBS and NBC, arguing for repeal of the fairness doctrine, labeled it "a potential tool for determined and unscrupulous public officials to destroy what is, in effect, the only national daily press that this diverse nation has. . . . The broadcaster has earned the right . . . of reprieve [from the doctrine]." ABC argued for retention of the fairness doctrine saying "we have not found it to be an inhibition which need hurt us in our coverage of news or in our investigative journalism." Donald McGannon, chairman and president of Westinghouse Broadcasting Co., agreed with ABC, saying: "I can say implementation of the doctrine has not been a significant or troublesome problem. It has never hampered our editorial judgment or caused us

to shy away from any issues other than for reasons of good journalistic practice."

FCC Chairman Richard Wiley favored retention of the doctrine because he felt it afforded the broadcaster "considerable latitude" without impinging on the broadcaster's judgment in balancing points of view. But FCC Commissioner Glen Robinson wanted repeal because "the doctrine may have a chilling effect on the licensee's disposition to present controversial material on television or radio." At the end of the year, Congress was still considering a bill, introduced by Senator William Proxmire (D-Wis.), which would delete Section 315 from the Communications Act and prohibit the FCC from influencing broadcast programming in any way.

With President Gerald Ford's announcement of his candidacy, broadcasters faced the inevitable issue of politicians seeking equal time under Section 315 of the Communications Act. As usual, proposed remedies for the rule's weaknesses engendered a diversity of opinion. The FCC in September admitted to over a decade of error in disqualifying debates between political candidates and candidate news conferences from the news-type exemptions to the equal time law. By a 5-to-2 vote, the commission voted to extend the exemptions as "on-the-spot bona-fide news events." The FCC stipulated, however, that debates, to be exempt, must be under the control of a third party other than the broadcaster or the candidates. In its majority opinion the commission said: "The stifling of broadcast coverage of news events involving candidates for public office has been unfortunate, and we believe that this remedy will go a long way toward ameliorating the paucity of coverage accorded these events during the past 15 years." Robert E. Lee, one of the



Presidential presence. It wasn't what he said. It was the simple fact that he was there that jammed the ballroom of the Las Vegas Hilton hotel last Monday when the President came to town. Among those with him at the head table (l to r): FCC Chairman Richard E. Wiley; Secretary of State Henry Kissinger; Pat Wasilewski, wife of the NAB president; Andrew Ockershausen, chairman of NAB's joint board; Mrs. Ford; Mr. Wasilewski, Charles Dickoff, WFAO(IAM) Eau Claire, Wis., co-chairman of

the 1975 NAB convention committee; the President; Harold Krelstein, Plough Broadcasting Co., chairman of the NAB radio board; Arthur Taylor, president, CBS Inc.; Rosel Hyde, communications attorney and former FCC chairman; Sol Taishoff, editor, *Broadcasting*; Clark Pollock, president, Broadcast Education Association. The cordiality of the occasion outweighed the consequence (to broadcasting) of his remarks.

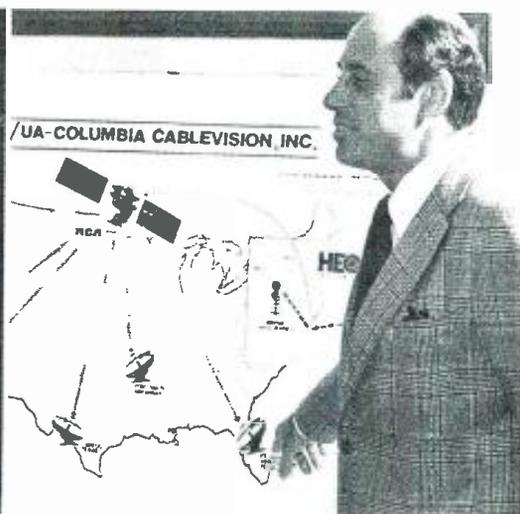
Broadcasting, April 14

of America, Screen Actors Guild and a number of individual writers, directors and producers, including Norman Lear, filed suit asking a Los Angeles court to declare the NAB's self-regulatory plan a violation of the First Amendment. The suit charged that Wiley decided "to initiate, foster, encourage and pressure the broadcast industry, networks and the NAB to censor prime-time programs in an attempt to circumvent the time-consuming procedural safeguards for rulemaking [and] the restraint of Section 326 of the Communications Act and the First Amendment." The suit also claimed that the family hour negatively affected those shows that would be moved to after 9 p.m. since they would have been labeled unacceptable for viewing by a general audience. In addition, the plaintiffs charged that the family hour concept cast a "chilling ... pall ... over the creative television industry," and "unreasonably restrained and lessened competition in television" in that TV show creators were denied from a third to a half of their market if they could not write for the 7-9 p.m. period. Lear's Tandem Productions followed with a suit of its own against the FCC, NAB and the networks, charging violations of the anti-trust laws and First Amendment.

With family programming and the prime-time access rule operating, the 1975-76 TV season promised to be different from its predecessors. An early survey of network programming, designed to assess the impact of the family-viewing period, showed that for the first two weeks of the season adult viewing in the 8 to 9 p.m. period declined about 6% from the preceding year, but young viewers (from 2 to 17 years) increased about 4%. Viewing among children 2-11 remained the same in the post-family 9 to 11 time period, while teen-age viewing increased in the post family hours by 14%.

Network executive changes added another element to the new season. Fred Silverman, who as vice president for CBS programming for the previous five seasons led that network to the number-one prime-time spot, moved to ABC as president of ABC Entertainment. Lee Currin replaced Silverman at CBS. Marvin Antonowsky had replaced Larry White earlier in the year as vice president, programs, at NBC. At the very top echelon, Robert Sarnoff resigned under pressure as RCA board chairman to be replaced by Anthony L. Conrad as chief executive officer.

In nonprime time there were other program innovations. A trend was seen to 60-minute daytime "soaps," following NBC's rating success with its longer version of *Another World*. There was a new entry in the late-night schedule, NBC's *Saturday Night Live*, a comedy with rotating hosts and a cast of regulars that included Jim Henson and the Muppets, Dan Ackroyd, John Belushi and Gilda Radner. Among the programming failures were the costly and much touted *Beacon Hill* and the so-called adult comedy, *Fay*. *Beacon Hill* (CBS), with Stephen Elliot and Nancy Marchand, hoped to capitalize on plots of



Idea whose time has come. The best news cable television has heard in two years was delivered to the NCTA convention last week by Gerald M. Levin (l), president of Home Box Office, and Robert M. Rosencrans, president of UA-Columbia Cablevision. HBO will extend its present pay cable service from the Northeast to nationwide via satellite this fall. UA-Columbia has signed on as the charter subscriber, and agreed to buy earth stations to serve seven of its systems. Mr. Rosencrans is pointing to Fort Pierce, Fla., where the first earth station is targeted for operation Oct. 1.

Broadcasting, April 21

the Boston upper class and its servants, in the mold of the popular British series, *Upstairs Downstairs*. *Fay* (NBC), with Lee Grant, hoped to blend comedy with reality by focusing on the life style of a middle-aged divorcee.

Other entries among 27 new programs, the largest number of new season premieres, included: *Phyllis* (CBS), a *Mary Tyler Moore* comedy spinoff about the title character, a selfish eccentric, starring Cloris Leachman; *Welcome Back, Kotter* (ABC), a comedy about teaching borderline delinquents in Brooklyn, N.Y., starring Gabriel Kaplan and John Travolta; *Starsky and Hutch* (NBC), a drama about plainclothes police detectives, starring Paul Michael Glaser and David Soul; *The Jeffersons* (CBS), a January spinoff of *All in the Family*, depicting the situations of a successful black businessman, starring Sherman Hemsley and Isabel Sanford; and *Hot 1 Baltimore* (ABC), premiering in January about characters of a rundown Baltimore hotel.

Cable television continued to grapple with deregulation, copyright and pay cable. With the FCC's revocation in July of the March 31, 1977, deadline for the rebuilding of the channel capacity of cable systems operating before 1972, many in cable became optimistic about what appeared to be a new sensitivity to their problems by the FCC. The commission canceled the 1977 deadline as unrealistic, on the grounds that the cable industry could not raise the necessary \$275 million to \$375 million to finance the modernization. In another move, the FCC formally adopted a sports blackout rule that banned a cable system from carrying a distant telecast of an event being played locally and denied to the local TV station.

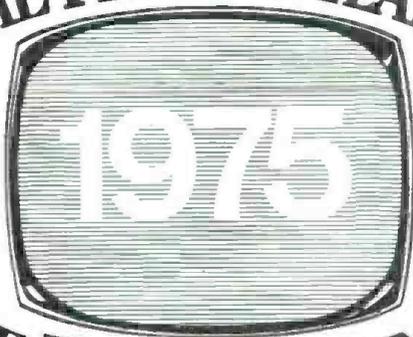
As for rebuilding, cable operators, con-

sistent with their hopes for deregulation, lobbied the FCC to approve a "natural rebuild" plan in which each system would devise its own timetable based on the natural obsolescence of its equipment. Commercial broadcasters, such as ABC and Metromedia Inc., opposed the plan. They argued that the quadrupling of cable subscriptions in the past 12 months made it financially possible for cable to follow a planned rebuilding policy.

The copyright issue continued to be debated by cablecasters and broadcasters. A prevalent broadcasting view of cable was voiced by Wilson C. Wearn of Multimedia Broadcasting, NAB board chairman, who characterized the cable industry as "unique in American industry because it does not operate, and has never operated, in a free, competitive market. Unlike every other American industry, it has developed and exists by appropriating the services and product of another industry with which it now seeks to compete, and these services have been appropriated without bargaining or paying for them." Copyright and pay cable in particular irked broadcasters.

At congressional hearings in June, all sides of the copyright issue were heard. Jack Valenti, president of the Motion Picture Association of America, argued that a copyright bill should make cable pay a reasonable sum for a product indispensable to its operations. Some representatives of the cable industry argued that because of the expanded market that cable provided, copyright owners were already being compensated through higher advertising rates and the higher copyright payments from broadcasters. The National Cable Television Association proposed a system giving a blanket exemption for all cable systems from copyright liability on

THE FIRST 50 YEARS



OF BROADCASTING

The FCC in 1975 increasingly played sheriff in a town where the distinctions between good guys and bad guys were fading in a diversity of interests and where technological evolution was beginning to be felt.

The FCC formally adopted its third version of the prime-time access rule (PTAR III) in January. The rule, to be effective in September 1975, limited television network affiliates in the top 50 markets to three hours of network or off-network programming between 7 and 11 p.m. Eastern and Pacific times and between 6 and 10 p.m. central and mountain time. But unlike the original PTAR, it contained exemptions for public affairs programming, children's programming, documentaries, special news broadcasts and feature films not previously shown on networks. The National Association of Independent Television Producers and Distributors was pleased with the limits on network programming, but protested that the exemptions would enable networks to monopolize prime time if they chose to go into the exempt types of programming. The major producers, whose markets were networks and off-network syndication, deplored the new rule and predicted that PTAR III would spawn a rash of cheap game shows and animal series. CBS denounced PTAR III as a violation of the First Amendment. ABC and NBC accepted it. Although an appeals court in New York had upheld the original prime-time rule as constitutional, CBS filed a new appeal, asserting "the commission's manifest and announced intention to scrutinize programming under the rule and to pass judgment on whether particular programs 'will best serve the interest of the public' presages the kind of involvement in the day-to-day functioning of broadcasters which the Supreme Court has held to be inconsistent with the basic values of the First Amendment." CBS was joined in the appeal by the major studios. The NAITPD, however, went to court to protest that the exemptions would permit the networks to recapture 100% of access time.

The U.S. Court of Appeals in New York upheld the constitutionality of PTAR III in April, but suggested that the FCC reconsider the date of the rule's implementation, which the NAITPD had asked to be postponed, consider placing a ceiling on exempted network hours, and define public affairs programming. The FCC reaffirmed Sept. 8 as the start of PTAR



John Mitchell, H.R. Haldeman and John Ehrlichman were found guilty Jan. 1 of Watergate cover-up charges. In July, U.S. Apollo and Russian Soyuz spacecraft linked together 140 miles above the Atlantic. Fiery Teamsters Union ex-president, Jimmy Hoffa, disappeared July 30, and on Sept. 18, FBI agents captured Patty Hearst, kidnapped the year before, and charged her with bank robbery. Two assassination attempts by women against President Ford in California failed in September. On Sept. 10, Mother Elizabeth Bayley Seton was canonized as the Catholic Church's first U.S.-born saint. Ohio State's Archie Griffin won the Heisman Trophy for the second year in a row, the first person to do so. And in BROADCASTING ...

III, placed no limit on exempted network programming and wrote this definition of public affairs programming: "talks, commentaries, discussions, speeches, editorials, political programs, documentaries, forums, panels, roundtables and similar programs primarily concerning local, national and international public affairs."

While PTAR III was being adopted, praised, excoriated and attacked and defended in court, television broadcasters were in the throes of adopting "family viewing time" in their television code. Family viewing would create its own disputes and litigation.

FCC Chairman Richard E. Wiley toward the end of 1974 had adopted as a cause the removal of excessive sex and violence from early-evening periods of television programming. He called a meeting of senior executives of television networks on Nov. 22, 1974, to urge voluntary compliance with his objective. By the beginning of 1975, Richard Wiley's cause had become the cause of Arthur Taylor, president of CBS Inc., who was later to claim that the family viewing period was his idea all along.

At the outset of the new year, Taylor dispatched a letter by high-level courier, Richard Jencks, CBS vice president, Washington, to Wayne Kearl of CBS-affiliate, KENS-TV San Antonio, Tex., chairman of the National Association of Broadcasters television code review board. Taylor proposed that the code include a provision for a family-viewing period for all broadcasters.

By Feb. 10, the code board had recommended adoption of a code provision to exclude programs "inappropriate for viewing by a family audience" from the 7-9 p.m. period (6-8 p.m. central time). At a special meeting during the association's annual convention, the NAB television board accepted the code board's recommendation, and family viewing became part of the code. The action was taken immediately after Wiley, in a convention speech, had argued for self-regulation as an antidote to government control and referred to "my friends on the television board." It came a day after the family viewing concept had aroused sharply divergent opinion during a panel session at the convention. An estimated 400 broadcasters at the session indicated more opposition than support in their reactions to a discussion of the subject.

In October, the Writers Guild of America, Directors Guild

that pay cable was "sheltered from the normal American standards of fair competition [thus making it] less a revolution than a sneak attack on the family pocket-book." Bruce Lovett, chairman of the National Cable Television Association, reacted: "A lot of people believe that cable cuts across their backyards—including telco, broadcasters, theater owners, copyright owners. That explains why the [cable] industry has had such a difficult time with growth. The biggest problem is the FCC, in terms of trying to protect broadcasters without any indication of its necessity."

The NCTA called for a re-examination of the FCC's rules, "Since 1966 all the commission has ever done," Lovett stated. "is try to figure out ways to give us a little, little bit and still protect the broadcasters to the bitter end. That's been the entire regulatory philosophy of cable. . . . The biggest priority the cable industry has is to try to get the FCC to regulate on a positive basis instead of a negative regulation that we have now."

At the Northeast Cable Expo in October the cable industry promulgated its goals for the coming year: a suspension of all restrictions on broadcast carriage, and the postponement or abandonment of the March 31, 1977, deadline for compliance by all systems with the FCC's technological rules. Daniel Aaron, chairman of an NCTA committee studying the 1977 deadline, claimed the rules imposed enormous technical and financial burdens. He forecast that in the 30 months until the rules became law at least 438 systems would have to be totally rebuilt, 50,000 miles of new cable laid, and three million new converters obtained. Such "renovation" would call for a capital investment by the cable television industry of over \$500 million.

The FCC itself underwent significant changes in 1974. Early in the year FCC Chairman Burch resigned to accept a post at the Nixon White House, and Richard Wiley became chairman in February. To fill the vacancy that would be created by H. Rex Lee's June 30 retirement, President Nixon in March nominated Luther Holcomb, vice chairman of the Equal Employment Opportunity Commission. But Holcomb, a Democrat, withdrew his name in April. It came after evidence that showed his strong allegiance to Nixon, raising questions of party loyalty and Holcomb's qualifications to fill a post on the FCC as a Democrat. However, the Senate in April confirmed the nomination of James Quello and in May he was sworn in.

With still more vacancies to fill, Nixon nominated Glen O. Robinson of the University of Minnesota Law School and Washington consultant Abbott M. Washburn. In addition, Nixon re-appointed FCC Commissioner Robert E. Lee. As the new FCC reached its full quota of seven commissioners in September, BROADCASTING offered these observations: "If past is prologue it isn't difficult



Radio drama was making a comeback in 1974, thanks to such undertakings as the *CBS Radio Mystery Theater* under veteran producer-director Himan Brown (r). The first anniversary of the nightly chiller series was the occasion for this birthday cake presentation by Sam Cook Digges, president of the CBS Radio Division. *Broadcasting*, Dec. 16

to assess the probable postures of two of the three sworn in last week. Mr. Lee's philosophy is an open book. He hasn't allowed partisan politics to blight his judgments. He believes licensees are honest until they prove themselves otherwise. . . . With both a business and a government background, Mr. Washburn has an expert's knowledge of the international communications so vital in FCC's future. He should prove an asset from the start. Professor Robinson—bright, young, and energetic—comes straight from the campus and that, without provocation is enough to make him controversial. Anti-cross-ownership and fairness doctrine comments attributed to him have aroused the interest of diverse groups."

The FCC's regulatory domain continued to grow. By the end of the year, 4,432 AM stations were on the air (4,497 authorized), 3,353 FM stations in operation (3,617 authorized), and 952 TV stations on the air (1,010 authorized). Radio net times sales increased 6.6% to \$1,755,900,000 and TV net time sales increased 8.9% to \$4,356,600,000.

The dramatic growth of FM radio was the focus of a special report in BROADCASTING on Oct. 7. The report pointed out that from 1964 to 1974, FM annual revenues had increased from \$19.7 million to about \$224 million and FM's share of radio revenues had risen from about 2.5% to an estimated 14% in 1974.

The report also noted how FM's formats had become more varied and sophisticated, attracting ever-greater audiences. And finally, BROADCASTING said, one sure indicator of FM's growth was the multimillion-dollar price tags that had become commonplace in FM station sales.

The beginning of the Associated Press Radio service marked another change for radio. The 24-hour Washington-based service provided five-and-a-half-minute newscasts hourly. AP Radio's announcement in July to begin operations in October, prompted the Mutual Broadcasting System to petition the FCC to declare both AP Radio and UPI Audio, a 15-year-old operation, to be networks. As networks,

those services would be prevented from affiliating with more than one station in a given market for simultaneous broadcast of their programs. Also, affiliated stations would be required to file network agreements with the FCC for public inspection and would be restricted to network contracts of a two-year duration. Both UPI Audio and AP Radio denied that they functioned as a network.

Looking ahead to the new year, BROADCASTING assessed both the mood in Washington and the industry's economic position. On Washington, BROADCASTING said: "A majority of the commissioners are philosophically tuned to the prevailing wavelengths of the broadcasting business, but events are not altogether under their control. However they may personally dislike repressive regulations, they are beset by pressures from outside that cannot be politically ignored. In the circumstances, Chairman Richard E. Wiley has hit upon negotiation as an alternative to rulemaking. . . . There are broadcasters who think of this as a detente between themselves and the regulatory agency. It may be detente, but it has been reached by broadcaster concessions. Self-regulation has been used effectively as an instrument of government regulation, and the two will become indistinguishable if the process is allowed to go on."

On the industry's economics, BROADCASTING noted: "By all available evidence, broadcasting is emerging from 1974 in better shape than many other businesses. . . . The paradox in broadcasting's economics—especially television's—is that the higher profits rise, the more critics zero in on performance. The condition is only aggravated when other elements of the national economy are suffering declines in revenues and when unemployment keeps rising. . . ." As a motto for the new year's BROADCASTING offered: "Public service and profitability are fully compatible as long as appropriate attention is paid to both."

Stay Tuned

1. Name the groups that filed suit to protest the constitutionality of the FCC's prime-time-access rule.
2. Name two groups that filed suit to protest the constitutionality of the family-viewing time period.
3. Name the groups that filed suit in protest of the FCC's new pay-cable rules.
4. Name two groups that filed suit against FCC's changes in its application of the fairness doctrine as well as two groups that supported the ruling.
5. What heavily promoted nighttime saga based on the BBC's *Upstairs, Downstairs* met an early demise in the new TV season?

The answers
in "1975."



This Dec. 18 luncheon at the White House exemplified the improved relations between the administration and the networks under new President Gerald R. Ford. Clockwise to the immediate left of the President (center): Herbert Schlosser, NBC; Ernest Leiser, ABC; Richard Wald, NBC. Robert T. Hartmann, counselor to the President, and Richard Salant, CBS. Counterclockwise to the President's right: William

Sheehan, ABC; Arthur Taylor, CBS (partially hidden), and Lester Crystal, NBC. Also partially hidden or totally blocked out in photo were Gerald Warren, White House deputy news secretary; Julian Goodman, NBC; William S. Paley, CBS; Paul Greenberg, CBS; Elton Rule, ABC; Robert Mead, TV adviser to the President, and Donald H. Rumsfeld, assistant to the President.

Broadcasting, Dec. 23

newspapers. The court ruled that public access to newspapers was not a right. Tornillo, invoking a 1913 Florida statute, said a candidate had the right to reply in a newspaper attacking his character or record. The Supreme Court declared that any "compulsion" to publish anything is unconstitutional; a responsible press is an undoubtedly desirable goal, but press responsibility is not mandated by the Constitution, and, like many virtues, cannot be legislated.

Some prime-time TV offerings of the television networks for the "second season" that started in January-February 1974 included: *Happy Days* (ABC), a comedy about teen-agers in the 50's, starring Ron Howard and Henry Winkler; *Good Times* (CBS), a comedy about a black family living in public housing, with Esther Rolle and Jimmy Walker. New shows for the regular fall season later that year included: *Rhoda* (CBS), a comedy spinoff from the *Mary Tyler Moore Show* about newlyweds, with Valerie Harper, David Groh and Nancy Walker; *Little House on the Prairie* (NBC), a drama about a pioneering family in the 1870's in a small Minnesota town, with Michael Landon and Karen Grassle; *Harry O* (ABC), about a private detective, with David Janssen; *Planet of the Apes* (CBS), a science-fiction adventure with Roddy McDowall; *Chico and the Man* (NBC), the first show featuring a Mexican-American in a starring role, set around the cultural and generational gap between a garage owner and his Mexican-American mechanic, with Jack Albertson and Freddie Prinze; and *Rockford Files* (NBC), a crime drama about detective James Rockford, with James Garner.

In a record film deal, NBC paid Paramount \$10 million for one showing (in two parts) of "The Godfather." While

"The Godfather" drew high ratings—a 37 with a 61 share for part one, and a 39.4 with a 57 share for part two—it failed to match the record ratings, all held by ABC, of "Airport" (42.3 with a 63 share), "Love Story" (42.3 with a 62 share), and "The Poseidon Adventure" (39/62).

With a news documentary about prime-time TV programing that BROADCASTING called "a frank examination that exposes the blemishes along with everything else," ABC offered a critical analysis of programing on the networks. Roger Grimsby, ABC news correspondent, gave this definition of commercial television: A service that "is dedicated to giving the greatest number of people entertainment at the lowest cost. It must satisfy its stockholders and not take unnecessary risks. It seeks the highest return and profits from advertising, a factor which determines what gets on the air and what stays on." Grimsby also claimed that violence on television had not abated and that more shows had a sexual content than in the past. In addition, the ABC documentary indicted TV for "too little experimentation and too much concern for playing it safe."

For the cable industry, three issues remained dominant: copyright, pay cable and deregulation. As of April 1974, 3,100 cable systems served 5,770 communities and reached about 8.1 million subscribers or almost 26 million people. A total of 2,500 additional systems had received approval, but were still to be built. The largest system, Cox Cable in San Diego, had 75,000 subscribers; Teleprompter, the largest multiple system operator, had more than one million subscribers. Most systems offered between eight and 12 channels at a monthly subscriber fee that averaged \$5.40. Nearly 600 of the operating cable systems originated programing for an average of 12 hours weekly. Over

300 systems accepted advertising on local-origination channels, with rates ranging from \$5 to \$200 per minute. Pay cable was on approximately 50 systems and reached 50,000 subscribers. Other media had ownership holdings in approximately 74% of all cable firms, with 34.6% of the systems tied to broadcast interests, 10.2% with newspapers, 7.3% with publishing concerns, 19.9% with program producers, and 4.3% with theater owners.

Broadcasters and cable owners locked horns in the courts and in Congress on the copyright issue. In a suit by CBS and three independent program producers against Teleprompter, the courts had been asked to review the question of whether cable TV systems incurred copyright liabilities when picking up and retransmitting programs. The plaintiffs won a major victory in March 1972, when the U.S. Second Court of Appeals in New York reversed a lower court ruling and said cable systems were subject to copyright liability on signals imported from distant stations. But in March 1974, the U.S. Supreme Court, in a 6-3 decision, reversed the appeals court ruling and declared that the Copyright Act did not apply to programs that a cable system picked up and retransmitted, regardless of the system's sophistication.

This victory for cable sent broadcasters to Congress for remedial legislation that was not to come for another two years.

According to FCC Chairman Richard Wiley, pay cable needed to offer "something new and different" to be viable. Home Box Office, a pay-cable service, attempted this by offering subscribers commercial-free movies and sports. As of February, HBO claimed more than 10,000 subscribers on 17 different systems.

Pay cable's growing challenge prompted CBS to issue a booklet that advanced its arguments against pay cable, most notably



The adversary relationship between President Nixon and CBS's Dan Rather continued at the 1974 NAB convention in Houston. As an estimated 80 million watched on national TV, Rather stood up at the news conference there and identified himself preparatory to asking a question. The applause that greeted Rather prompted Nixon to ask: "Are you running for something?" "No sir," Rather replied. "Are you?" The sally evoked both more applause and boos. It also led to a minor confrontation as to whether or not Rather had shown disrespect for the President.

opening of the hearings to radio and television coverage.

On July 24 at 7:30 p.m., the committee began the deliberative phase of its impeachment hearings and let cameras and microphones in. Other committees of the House had been on live radio and television before, but only during the testimony of witnesses. For the first time broadcasting was present while committee members debated and voted.

ABC-TV, CBS-TV and NBC-TV rotated coverage, as they had in the previous year during the Watergate hearings in the Senate. CBS Radio and National Public Radio carried the proceedings live. Other radio networks carried excerpts. For non-

Broadcasting March 25 and April 8 commercial television the National Public Affairs Center for Television provided full coverage, but most stations taped and played it back at night.

The six days of debate lasted a total of 45 hours and ended with a vote to recommend impeachment. The A.C. Nielsen Co. later calculated that the Judiciary Committee's television audience totaled 71.5% of all TV homes. It cost the television networks about \$1 million in lost advertising revenue for each full day of coverage they carried.

"The consensus of public reaction," said BROADCASTING in an editorial, "seems to be that the House Judiciary Committee conducted itself with exem-

plary seriousness and poise in its consideration of articles of impeachment . . . The reaction is in no small way attributable to live coverage of the committee's sessions by radio and television. Never has a committee been more conscious of its deportment. Suits were pressed, linen was fresh, hair was combed, and members stayed awake. The last, by itself, would justify the continued presence of cameras in the Congress . . . There is no reasonable excuse that can now be offered to deny broadcast journalism admission to such ensuing proceedings on impeachment as may be held in House and Senate. [Indeed, there is no reason to exclude it from any public sessions on the Hill.]"

There were to be no further impeachment proceedings. On Aug. 8 Nixon resigned, before a television audience of 40.4 million homes. The next morning he and his family left the White House before live cameras and microphones. He had one last curl of the lip for journalism. After his cabinet and staff and their families gave him a long ovation as he was to begin his farewell remarks, Nixon said: "Let the record show that this is one of those spontaneous things we always arrange whenever the President speaks." With a mirthless smile he added: "And it will be so reported in the press."

The Presidency of Gerald R. Ford began on live radio and television with inaugural ceremonies. Later, appearing briefly before the White House news corps, Ford promised "an open, candid administration."

The FCC held July hearings on whether it should require the breakup of commonly owned broadcast properties and newspapers in the same market. It was conjectured that the FCC next would propose a crossownership rule to bar future acquisitions of co-located newspapers and broadcast properties and break up newspaper-broadcast combinations that it considered monopolies in smaller markets.

If the FCC seemed bent on tightening ownership restrictions, it was loosening the application of its fairness doctrine, which Chairman Dean Burch had labeled a "chaotic mess." The commission issued a new policy statement that detached the 1967 cigarette ruling as a fairness doctrine precedent. New FCC Chairman Richard E. Wiley felt that this new approach would permit broadcasters to refocus their attention on regular news and away from the problems created by efforts to apply the doctrine to standard commercials.

According to the report, broadcasters had to make "reasonable, common-sense judgment" as to whether a commercial advocated a particular point of view. But, the FCC stated, "we do not believe that the usual product commercial can realistically be said to inform the public on any side of a controversial issue of public importance."

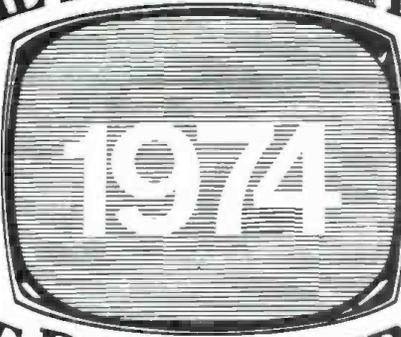
In a notable case affecting the publishing world, in *Miami Herald versus Pat Tornillo Jr.*, the Supreme Court rejected an effort to adapt the fairness doctrine to



Among the major TV station transfers in 1974 was the \$339-million sale of WTRB-TV Hartford, Conn., by the Travelers Corp. to the Washington Post Co. The final paperwork was completed by (l-r): Morris H. Beach, chairman of Travelers Corp.; Katharine Graham, chairman of The Washington Post Co.; Dr. Eli Shapiro, chairman of Travelers Finance Co., and Larry H. Israel, president of the Post Co. Call letters of the channel 3 outlet were changed to WFSS-TV in honor of the late Frederick S. Beebe, former Washington Post Co. board chairman.

Broadcasting, March 18

THE FIRST 50 YEARS



OF BROADCASTING

Richard Nixon was to be driven from the Presidency in August 1974, but not before long months of intensifying tensions between his administration and the press, especially broadcast journalism.

As the year began, the U.S. Department of Justice petitioned the FCC to deny license renewals to Pulitzer's KSD-AM-TV St. Louis, co-located with the company's *Post-Dispatch*; Newhouse's KTVI(TV) St. Louis, co-located with its *Globe Democrat*, and Cowles's KRNT-AM-FM-TV Des Moines, Iowa, co-located with its morning *Register* and evening *Tribune*. A few weeks earlier the Justice Department

had filed a similar petition against WTMJ-AM-FM-TV Milwaukee, co-owned with the *Milwaukee Journal*. The department identified its targets as concentrations of media control that were "repugnant to antitrust principles, inconsistent with the best use of the airwaves and therefore inimical to rather than promotive of the public interest."

In the minds of many broadcasters, the Justice Department's filings at the FCC, following its antitrust suits initiated earlier against the television networks, smacked of planned intimidation. Their apprehensions were unrelieved when Patrick Buchanan, a White House media adviser and consistent critic of print and broadcast journalism, made a speech at a "Crisis in Confidence" forum at Sangamon State University, in Springfield, Ill.

"With the rise of adversary journalism in the last decade," Buchanan said, "the dominant Eastern press, and more especially the major national networks, became less and less news gathering and reporting organizations, and more and more media arms of a particular ideology. . . . In the social and political struggles of our times, they are active belligerents, though they still fly the old flag of neutrality, and still claim the rights of nonbelligerents, to which they long ago ceased to be entitled. . . . The networks are not simply news organizations. They are communications cartels, giant economic enterprises that have cornered vast segments of the marketplace of ideas. . . . [They should] recognize that what is good for the Nielsen ratings is not necessarily good for America. . . . [They should] treat the statements of Ralph Nader to the same chilly reception, occasionally, as those of Richard Nixon."

In March, the Justice Department filed a long response to



Impeachment hearings, Nixon's resignation Aug. 9 and his pardon Sept. 8 by new President Gerald Ford were among the final chapters of Watergate in 1974. It also was a year of kidnappings including the Feb. 4 abduction of Patty Hearst. In April, Houston banker Joseph L. Allbritton moved to take over the financially ailing Washington Star Communications Co. Energy problems, compounded by an OPEC embargo on oil shipments to the U.S., brought gas lines and higher prices. On the less serious side, the "streaking" fad came in; Hank Aaron hit his 715th career home run to break Babe Ruth's record, and an infant World Football League challenged the NFL. And in

BROADCASTING . . .

the networks' assertions, made to the trial court in Los Angeles the previous December (see 1973), that the antitrust suit was politically motivated. Justice submitted affidavits from officials connected with the preparation of the case disavowing any motives but the purely legal.

A return volley came the next month. CBS and ABC filed an affidavit by Frank Stanton in which Stanton charged that in 1972, when he was vice chairman of CBS, the Nixon administration had threatened retaliation against CBS because of its news policies. Stanton said that Charles Colson, a presidential assistant, telephoned him in

November 1972 and threatened that "things will get much worse for CBS. . . . You didn't play ball during the campaign. . . . We'll bring you to your knees in Wall Street and Madison Avenue." Stanton testified to a long record of telephone calls from Colson, criticizing CBS news coverage.

Dan Rather, CBS news reporter at the White House, also submitted an affidavit that charged White House news secretary Ronald Ziegler with saying that "the television networks were 'anti-Nixon' and that they are going to have to pay for that, sooner or later, one way or another." Rather accused the fallen presidential aide, John Ehrlichman, of having made the same threat.

In November, the networks won a temporary victory when U.S. District Court Judge Robert Kelleher, without giving reasons for his action, dismissed the antitrust suit in response to a motion by the networks, which claimed they had been denied access to White House tapes and documentation to support their charges of improper motivation. By then, administrations had changed. In December the case was refiled under a Ford administration that had not been accused of efforts to intimidate the networks.

Impeachment proceedings against President Nixon were opened in June by the House Judiciary Committee, which began its work with testimony taken in sessions restricted to participants. "As could have been expected," BROADCASTING commented in an editorial at the conclusion of that phase of the committee's hearings, "the testimony that was supposed to be adduced in privacy has been profusely leaked. There have been few days without their juicy revelations that may, or may not, reflect what was actually said." BROADCASTING urged the

Business Executives Move for Vietnam Peace (BEM), which had tried to buy time for antiwar messages on WTOP(AM) Washington, an all-news station. The other case involved the Democratic National Committee which, protesting a refusal by CBS to sell time for political messages, had petitioned the FCC to issue a declaratory ruling to preclude broadcasters from enforcing a general ban on the sale of time to "responsible entities" to present their views on public issues.

The Supreme Court ruled that broadcasters were not required to sell such time. Chief Justice Warren E. Burger, who wrote the court's opinion, commented: "For better or worse, editing is what editors are for, and editing is selection and choice of materials. That editors—newspapers or broadcast—can and do abuse this power is beyond doubt, but that is not reason to deny the discretion that Congress has provided." Burger felt that "regimenting broadcasters is too radical a therapy for the ailment" of inadequate public access by certain groups: "to agree that debate on public issues should be 'robust and wide open' does not mean that we should exchange 'public trustee' broadcasting, with all its limitations, for a system of self-appointed editorial commentators."

In February, the FCC issued new rules designed to control AM growth by channeling service into areas where it was most needed and at the same time ended the freeze on AM applications that had been imposed in July 1968. By the end of 1973, 4,395 AM stations were on the air along with 3,135 FM stations.

The TV networks' new fall season focused on drama, particularly police and courtroom variety, and comedy. The new shows included: *Kojak* (CBS), about a Manhattan detective, starring Telly Savalas; *Toma* (ABC), an undercover police agent, starring Tony Musante and Susan Strasberg; *Shaft* (CBS), about a black private detective, starring Richard Roundtree; *Chase* (NBC), about Los Angeles undercover police agents, starring Mitchell Ryan; *Hawkins* (CBS), about a West Virginia criminal attorney, starring James Stewart, and *The New Adventures of Perry Mason*, an attempt to capitalize on the success of an earlier TV series based on the courtroom battles of Erle Stanley Gardner's fictional lawyer. This time Monte Markham was in the title role formerly played by Raymond Burr.

New comedy shows, all doomed, included: *Lotsa Luck* (NBC), about a clerk in a New York lost and found department, starring Dom DeLuise; *Bob and Carol and Ted and Alice* (ABC), about two couples, one progressive and one conservative in mores, and *Roll Out* (CBS), about a mostly black World War II Army trucking unit.

In October, Congress passed a bill extending the ban on TV and radio advertisements for cigarettes (in effect since Jan. 2, 1971) to include little cigars.

Late in 1973, another reshaping of the



Testimony at a Capitol Hill hearing on the proposed ban on little cigars didn't sway House members including Torbert Macdonald (D-Mass.) (left), chairman of the Communications Subcommittee, and Harley Staggers (D-W. Va.) (right), chairman of the parent Commerce Committee. In background is W.E. Williamson, longtime clerk of the committee.

FCC began to take place with notice from Chairman Burch that he intended to leave the commission soon, with Commissioner H. Rex Lee's announcement that he would retire at year-end and with the departure of Commissioner Nicholas Johnson.

To succeed Johnson, President Nixon nominated James H. Quello, retired vice president-general manager of Capital Cities' WJR-AM-FM Detroit. Quello's appointment was opposed by Johnson and Ralph Nader, among others.

Johnson, one of the most controversial of FCC commissioners, made a parting shot as he left office. He accused the FCC in a *Yale Law Journal* article of acting "in a consistently unprincipled manner," maintaining an agenda that "is the product of industry pressures, staff idiosyncracies and political judgments," and of overlooking rule violations "so long as the public is the only victim." Johnson charged that the agency "lacks data, makes no independent analyses, relies

heavily on information provided by interested parties, considers broad questions piecemeal, defers to industry interest, postpones difficult problems, hopes for compromises that the agency can ratify, and fails to anticipate major problems before they arise."

For their part, broadcasters were glad Johnson was leaving. BROADCASTING editorialized: "Nick Johnson is gone from the FCC but hardly forgotten. . . . When the Nixon administration assumed office, one of the early projects was to get rid of Nick Johnson. It was concluded that it would be difficult to act before his term expired, and that with his publicity-seeking proclivities Mr. Johnson would try to martyrize himself. . . . Having observed his operations during the seven years and five months he served, we cannot point to a constructive word or deed bearing his imprimatur. His philosophy was to hit the 'media barons,' meaning successful broadcasters, to get the headlines. He's still at it."

The changes in the composition of the FCC caused concerned citizen groups, commercial broadcasters and cable operators to speculate about the new year and its new implications for the industry. "In common with a good many other businesses," BROADCASTING predicted, "broadcasting is emerging from its best year, certainly in revenues and probably in profits, only to enter a new year of cold and dark uncertainties. . . . Prudent broadcasters will be looking for fat to trim from operations that have been under no urgent compulsion to keep expenses down. They will also be looking for ways to improve their programing, promotion and sales, as attractions for audiences and advertisers. Wise management will emerge from 1974 a little leaner perhaps but with equities intact."

Stay Tuned

1. The opposition of two broadcasting groups to the FCC's revised prime-time access rule was instrumental in producing change. Name them.
2. What network paid what record price for what movie?
3. What *Mary Tyler Moore Show* spinoff debuted?
4. What show debuted with a Mexican-American in a leading role?
5. Who was the FCC nominee who withdrew his nomination?

The answers
in "1974."

sity." A study by Warner Brothers Television, MCA Inc., Screen Gems and Paramount Pictures Corp., supported Burch's contention. That study found that 98% of all syndicated programming shown in access periods was filled with programming that existed prior to the implementation of the rule; that the number of program sources filling access time period had declined by 20% within the past two years; that there had been a drastic shift of emphasis in program subject matter away from dramatic and comedy series and toward less costly programs, with game shows taking up 48.6% of total access time; and the percentage of foreign-produced series in the access time period increased from 0.1% to 20%.

In December the FCC announced a compromise on the prime-time access rule. The commission proposed to reduce prime-time access to a half hour—7:30 to 8 p.m. in Eastern and Pacific time zones and 6:30 to 7 p.m. in the central and mountain zones, Monday through Saturday—and to eliminate the access rule completely on Sunday. The new rule would also allow stations to fill one access half hour each week with network or off-network "children's specials, documentaries, or public-affairs programming."

The networks and broadcasters generally favored the new rules, but the National Association of Independent Television Producers and Distributors opposed the changes, claiming that the new rules would restrict their opportunities: "The NAITPD believes that these . . . modifications, plus the weekly pre-emptive right for special programs granted to the networks, will serve to jeopardize the business operations of independent producers and distributors and will discourage the development of new program production for prime-time access periods." NAITPD asserted that the new changes would have "a slow-death debilitating effect on the whole concept" of prime-time access.

Children's programming in television was in the 1973 news. At the conclusion of a three-year study of children's fare, the FCC in January received a plethora of suggestions, including one from Action for Children's Television for a ban on all commercials in children's TV. The Federal Trade Commission, after 15 days of public hearings, concluded that for children's TV, each television network on an experimental basis should set aside an hour of programming free of commercials each Saturday morning, thereby providing three hours of commercial-free viewing. The FTC said children, particularly those under 6, "have less capacity to discriminate, both perceptually and cognitively . . . between advertisement and program."

Sex-oriented radio programming caused problems at the FCC in 1973. "Topless radio," a sex-talk format, had been increasing in popularity. As employed by 50 to 60 stations, the format was based on phone calls, mostly from women. The *Bill Ballance Feminine Forum*, originating on KGBS(AM) Los Angeles and syndicated to



The furor about sex on radio had not yet fully erupted when talk host Bill Ballance (l.) appeared at a December 1972 programming conference. With him at one session was Bill Gavin, founder-director of the Los Angeles conference, and FCC Commissioner Charlotte Reid. Reid remarked that, while she didn't understand the value of such programs, she believed sex-talk shows were a matter of "licensee discretion."

Broadcasting, March 19

21 other stations, was the target of increasing criticism.

KGBS-AM-FM Manager Ray Stanfield denied that the show was responsible for starting topless radio: "We didn't pioneer dirty radio. Sex-talk shows have evolved from the *Ballance* show, to be sure. But we do not have a sex-talk show on this station. We have a talented, clever interviewer on the air, talking to callers about men-women relationships. Sex is an occasional byproduct, but when the subject turns sex-

ual, it is never handled in bad taste."

In April, the FCC fined Sonderling Broadcasting Corp.'s WGLD-FM Oak Park, Ill., \$2,000 for broadcasting a discussion of oral sexual acts in the program, *Femme Forum*. FCC Chairman Burch invited a court appeal to test the FCC's authority to repress the broadcast of "garbage." Burch lashed out at "the suggestive, coaxing, pear-shape tones of the smut-hustling host [who conducts conversations] on such elevating topics of urgent public concern as the number and frequency of orgasms . . . or the endless varieties of oral sex . . . or a baker's dozen of other turn-ons, turn-offs, turn-downs. . . ." Burch said radio required special vigilance by the FCC because of radio's "transcendental quality, its pervasiveness," as a medium available to anyone. "If electronic voyeurism," Burch said, "is what authors of the Communications Act had in mind, I'll eat my copy." Sonderling chose to pay the \$2,000 fine and avoid the court test. The topless radio fad gradually disappeared.

On the television side, KVVU-TV Las Vegas, under pressure from community groups and the FCC, abandoned its practice of showing X-rated films at 11 p.m. on Sundays. But station executives labeled the government intrusion as "the most blatant attempt ever to control program content."

While the FCC was making its influence felt in sex-oriented programming, the Supreme Court, in a much-heralded decision, seemed to equate broadcasting with the press in the application of constitutional rights.

The court's opinion came in two cases that had been combined. One involved the

Whistle blown on sports. Fast footwork by Congress in September 1973 blocked out arbitrary TV blackouts by four major sports—football, baseball, basketball and hockey. A statute, added to the Communications Act, specified that any game telecast under a league contract could not be blacked out if tickets available 120 hours before the contest were sold out 72 hours before game time. Originally, designed to be effective for three years through Dec. 31, 1975, the policy has been extended since that time by mutual agreement between sports owners and Congress. President Nixon signed the bill in 1973, two days before the National Football League opener on Sept. 16. Initially, NFL Commissioner Pete Rozelle locked horns with Senator John O. Pastore (D-R.I.), one of the principal architects of the sports legislation. Rozelle claimed the new law would encourage no-shows at the gate and damage professional sports, allegations that dwindled away with the passage of time.

open and behind the scenes, journalists and journalism will prevail only by responsible performance of their duties."

Presidential aide Patrick Buchanan called for legislation to "break the networks' dominance over the flow of ideas and information." The National News Council announced that it would conduct an objective study to determine the validity of the President's charges.

Despite Nixon's assault on broadcast journalists, a national public opinion poll conducted by Opinion Research Inc. of Princeton, N.J., found that a majority of people disagreed with the President's characterizations of network news as "outrageous, vicious, distorted."

The networks answered back. In separate filings in federal court, ABC, CBS and NBC asserted that the Justice Department's pending antitrust suit, filed in 1972, was an attempt at intimidation by

the Nixon administration. CBS argued that Justice agents had maintained "an unlawful plan to use the power and machinery of the federal government to restrain, intimidate and inhibit criticism" and that the antitrust suit "was commenced in furtherance of that unlawful plan." NBC said the antitrust suit was instituted to "inhibit, infringe, limit and prevent the networks' First Amendment privileges." ABC asserted the suit represented "impermissible use of law-enforcement power."

The networks also read intimidation into a license-renewal bill proposed by Nixon's Office of Telecommunications Policy. The bill, which in most provisions appealed to broadcasters, contained a requirement that licensees meet a standard of fairness in the presentation of news. That requirement was interpreted as a device to create affiliate restraints on network news departments.

When Clay T. Whitehead, OTP director, testified before the House Communications Subcommittee in behalf of the administration's bill, *BROADCASTING* editorialized: "Nobody asked him the right question. Why does an administration that until now has professed abhor-

rence of the fairness doctrine insist that a 'fairness obligation' be included among the criteria for renewal? The answer must be that the White House sees a fairness criterion as the mechanism the FCC can use to make affiliates exercise the 'responsibilities' Mr. Whitehead spoke of in the clearance, rejection or countering of network news."

Various forms of license-renewal legislation were under consideration in both House and Senate, to overcome the precedent that had been set in the FCC's award of the Boston channel 5 television license held by WHDH-TV to a rival applicant in 1969. The FCC proposed that "a substantial past record should be the key to renewal." FCC Chairman Dean Burch proposed that the FCC use percentage guidelines to judge programing performance. Licensees meeting FCC quotas on news, public affairs and other program types would have reasonable assurance of renewal: "The public interest requires some degree of certainty and predictability in the outcome of renewal proceedings and some measure of consistency in the applicable criteria," Burch said. "This argues for *some* formula or standard of guidance by which licensees' performance may be gauged."

In 1973, the cable industry looking to pay cable for possible expansion hoped for relaxation of FCC restraints. The National Association of Broadcasters opposed pay cable as it had opposed on-air pay TV. During FCC hearings in November to decide whether to liberalize the pay cable rules, particularly the antisiphoning programing restriction, NAB President Vincent Wasilewski commented: "If cable interests don't intend to siphon, why are they so intent upon removing present anti-siphoning rules?" NCTA President David Foster retorted: "The real issue before the commission is whether an innovative and vital communication service is going to be strangled aborning to appease the apostles of the status quo or whether the creative forces of the marketplace are going to be given free reign."

Jack Valenti, president of the Motion Picture Association of America, was then on cable's side. He appeared before the FCC in the company of Hollywood stars to testify that "family choice cable" would provide the additional box office that the motion picture industry needed to pull out of an economic slump. The National Association of Theater Owners complained, however, that a pay-cable industry would thrive at the expense of motion picture theaters.

The FCC was also having second thoughts about its prime-time access rule for television network affiliates. FCC Chairman Burch told the Hollywood Radio and Television Society that the rule was largely a failure. "It has not given much impetus to genuine first-run syndication, has not given a shot in the arm to domestic production ... and has not had the byproduct of increasing program diver-

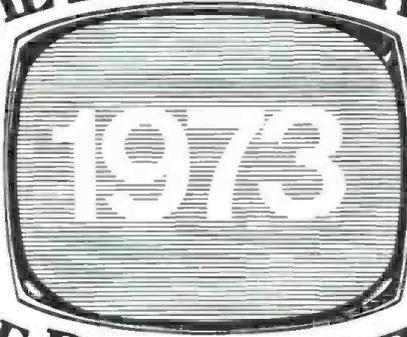


Two veteran broadcasters were honored at the NAB's annual convention in Washington in 1973. Left photo: Ward Quaal, (r.), president of WGN Continental Broadcasting Co., accepted the association's Distinguished Service Award from NAB President Vincent T. Wasilewski. Lower photo: After receiving the NAB's Engineering Award, A. James Ebel (r.), president of Fetzer Broadcasting Co.'s subsidiary western group, accepted the congratulations of John E. Fetzer (l.), chairman, and Carl E. Lee, vice chairman and president of the parent company.

Broadcasting, March 2



THE FIRST 50 YEARS



OF BROADCASTING

Broadcast journalism was subjected to increasing stress in the tumultuous year of 1973, as Watergate developed from a "third-rate burglary" into a major political scandal. By May Richard Nixon's principal aides, H.R. Haldeman and John D. Ehrlichman, had resigned, both claiming to be victims of news coverage.

The Haldeman and Ehrlichman departures for the moment relieved the strain of Watergate. Nixon, attempting to defuse the continuing investigations, made a nationally broadcast address accepting responsibility for the attempted concealment of the break-in at Democratic headquarters and of subsequent events and gave credit to a "vigorous, free press" as one of the institutions and individuals that had brought the matters to light. Afterward Nixon stopped at the White House press room to say: "Ladies and gentlemen of the press, we have had our differences in the past, and I hope you give me hell every time you think I'm wrong. I hope I'm worthy of your trust."

"It was a new Nixon who called on the working journalists in the White House press room last Monday night to solicit their understanding," BROADCASTING editorialized. "If the new Nixon lasts, the tone of White House press relations could be significantly changed."

The new Nixon lasted until it became evident that Watergate was unfinished business. On May 17 hearings were begun by a Senate Select Committee headed by Chairman Sam Ervin (D-N.C.). All three commercial television networks began carrying the hearings live, gavel to gavel. The National Public Affairs Center for Television taped the hearings for prime-time broadcast on the Public Broadcasting Service.

In June the three commercial networks fashioned a rotation plan of coverage, with one network responsible for each day's full coverage and the others free to broadcast regularly scheduled shows. The system substantially reduced network losses and gave viewers the option of watching Watergate or two out of three regular network services.

After the first round of hearings ended, on Aug. 7, it was calculated that the commercial networks had carried a total of 319 hours, 20 minutes and 20 seconds of hearing coverage at a loss of profit estimated between \$7 million and \$10 million. NPACT's costs of taping for PBS were put at \$340,000-\$360,-



The pattern of White House involvement in Watergate began to emerge after five of the seven defendants in the break-in pleaded guilty and the other two were convicted in January. Subsequent charges of White House obstruction of justice in the case led to the resignations of Nixon aides H. R. Haldeman, John D. Ehrlichman and John W. Dean and Attorney General Richard Kleindienst on April 30. All this was prelude to the Senate Watergate hearings that started in May. Elsewhere, signs of peace appeared in Southeast Asia and America terminated the military draft in January. Spiro T. Agnew entered a plea of no contest to charges of tax evasion and on Oct. 12 resigned the Vice Presidency. Gerald R. Ford, Agnew's successor, was sworn in Dec. 6. And in BROADCASTING ...

000, but the noncommercial system scored a net gain. Public subscriptions exceeding \$1 million flowed into noncommercial stations in gratitude for their prime-time presentations.

In the second round of hearings, beginning in October, CBS voted for the continuation of rotational coverage, but ABC and NBC decided to go it alone and carry such coverage as news values indicated at the time.

Nixon, in an August news conference, his first after the televised Watergate hearings, displayed his old resentment toward the press. When CBS's Dan Rather prefaced a question by saying: "With due respect for your office," Nixon interjected: "That would be unusual." Labeling the Watergate coverage a

"constant barrage, 12 to 15 minutes each night on each of the three major networks," Nixon remarked that "it tends to raise some questions in the people's minds with regard to the President. And it may raise some questions with regard to the capacity to govern."

Relations between the Nixon administration and the press in general, and with broadcast journalists in particular, grew increasingly bitter.

From Nixon's point of view, the news was all bad. In October Vice President Spiro Agnew resigned after pleading no contest to a charge of evading income tax on kickbacks when governor of Maryland. Agnew's disgrace was followed by Nixon's firing of Watergate special prosecutor, Archibald Cox, who had demonstrated an unwanted independence in his investigation. At a televised news conference in late October President Nixon stated: "I have never heard or seen such outrageous, vicious, distorted reporting in 27 years of public life." When CBS's Robert Pierpoint asked Nixon what exactly about the television coverage of events had so aroused his anger, the President responded: "Don't get the impression that you arouse my anger ... You see, one can only be angry with those he respects."

BROADCASTING noted: "Both sides suffered losses in the epic confrontation between Richard M. Nixon and the press on Oct. 26. The President lost the composure that he professes to value so highly—and with it at least some of the respect he would otherwise have merited for skillful disquisitions on other subjects. The press lost its professional detachment and with it some of the prestige it has gained in exposing the Watergate scandals ... To counter administration attacks, both

television-program supply without providing a realistic alternative. As legal exercises they would flunk a first-year student in a correspondence school of law. . . . The remedy the courts are asked to apply is to prohibit networks from obtaining any interest (except for the first-run right of the exhibition), in any entertainment programs, including movies, and from producing any network programming for themselves. This, applied literally, would not only remove the networks from financial participation in all entertainment programming, it would also remove them from editorial control. . . . If the government persists in prosecution . . . it will still take years for final adjudication. Meanwhile, the networks may go their way doing their best to find programming that will command the popular support that television is accustomed to. . . . The Justice Department has succeeded in uniting just about all other elements in government on the networks' side in this case. That can hardly have been part of the plan."

To bolster its revenues and to offset TV's dominance, radio continued to develop new specialties in programming. By 1972 "black radio" no longer meant simply soul music and personalities; the genre had been enlarged to include gospel, jazz, African music and talk that encompassed a wide range of subjects. Phil Watson of WUUR(FM) Washington defined his station's goal as "nation-building. We want to present the black truth, not only for blacks, but for anyone who wants to know what it is. Our target is the black community, but we'll be reaching out for the white suburbs."

Other changes in radio involved the "coming out of underground radio," the use of progressive rock formats traditionally associated only with FM, but now heard on AM stations. Art Astor of KDAY(AM) Santa Monica, Calif., summarized the situation: "We're FM on AM. We're into a lot of things that are identified with FM only because of the FM progressive-rock thing that has been happening for the last couple of years. It was only underground because nobody allowed it on AM—overground. And now, instead of a pirate thing, it is a legitimate presentation of progressive music. And AM radio has given us that license and legitimacy." Among the underground radio attributes appropriated by the AM stations were an expanded playlist, eight commercial minutes an hour instead of 10, longer intervals of record playing, and creative, special programming on a regular basis.

The expansion and legitimization of country music marked another sign of radio in the early 1970's. According to the Country Music Association, 81 full-time country music stations existed in the U.S. in 1961, but by 1970 the number had grown to more than 650. As country music enjoyed tremendous growth, country stations enjoyed a tremendous increase in revenues. CMA board member Dan McKinnon of KSON-AM-FM San Diego assessed the situation: "The advertisers



Filling out his hand at the FCC, Nixon reappointed Richard Wiley to fill the unexpired term of Robert Wells and selected Judge Benjamin Hooks to be the first black commissioner on the agency. Top photo: Wiley was sworn in June 5 by FCC Chief Examiner Arthur Gladstone. Bottom photo: Hooks was sworn in July 5 by U.S. District Court Judge William C. Bryant. FCC Chairman Dean Burch is in the background. *Broadcasting, June 12 and July 10*

finally woke up to the fact that people who listen to country music eat, and they drink, and they smoke and they reproduce. They do everything that every other human being does. We've now had just about every prestige advertiser on the station and as a result they've realized we

can really drag in the 25-to-49 age bracket."

In a special report, BROADCASTING pointed out that in 1922 radio had begun to reach around the nation with fewer than 600 stations; 50 years later nearly 7,400 radio stations were on the air.

Stay Tuned: 1973

Who said the following and under what circumstances?

1. "If electronic voyeurism is what the authors of the Communications Act had in mind, I'll eat my copy."
2. "... Editing is the selection of choice and material. That editors—newspaper and broadcast—can and do abuse this power is beyond doubt, but that is no reason to deny the discretion Congress has provided."
3. "We have had our differences in the past, and I hope you give me hell every time you think I'm wrong. I hope I'm worthy of your trust."
4. "Don't get the impression that you arouse my anger. . . . You see, one can only be angry with those he respects."
5. Who accused the FCC of acting "in a consistently unprincipled manner," maintaining an agenda that "is the product of industry pressures, staff idiosyncrasies and political judgments," and of overlooking rule violations "so long as the public is the only victim"?

The answers in "1973."



Surgeon General Jesse Steinfeld at the Washington news conference as he announced the results of his two-and-a-half-year, \$1-million study that he said established for the first time a link between violence on TV and aggressive behavior in some children. *Broadcasting, Jan. 24*

Czechoslovakia, Sweden, Ireland and England; *In the News* (CBS), two-and-a-half-minute featurettes about current headlines, televised eight times each Saturday; *Talking with the Giant* (NBC), a show NBC called a "value-judgment series for viewers 10-14 years of age," in which a leading personality talked to youngsters on a given topic; *Watch Your Child* (NBC), a half-hour, weekday program designed to involve parents with their preschool children in "learning through play."

BROADCASTING analyzed the situation in children's television this way: "There is more programming being presented for the young than critics have admitted; it is probably of higher quality and certainly of purer motivation than has generally been attributed to this program type and to the managerial interests behind it. . . . The television children watch extends to all the hours they are awake and allowed to watch. It may range from cartoons to moon shots to situation comedies. . . . It is also a world containing noncommercial as well as commercial television—a point that has not been emphasized. . . . This is not to suggest that commercial broadcasters have no responsibilities in children's programming. At the very least they must avoid the exploitation of the immature. At best they ought to invest time and money in programs that provide helpful guidance while engaging the attention of the young. And that, precisely, is what is being done, all over the country."

Network offerings for the new TV season included: *Sanford and Son* (NBC), a Tandem Productions comedy about a black junk dealer, starring Redd Foxx;

Maude (CBS), a Tandem comedy about an outspoken, liberal, middle-aged woman and her family, with Beatrice Arthur and Bill Macy; *Julie Andrews Hour* (ABC), a variety show with regulars Rich Little and Alice Ghostley; *The Paul Lynde Show* (ABC), a comedy about an attorney and his family; *The Waltons* (CBS), a drama about a Virginia country family in the 1930's, with Ralph Waite and Michael Learned; *The Streets of San Francisco* (ABC), a crime drama about homicide detectives, with Karl Malden and Michael Douglas; *M*A*S*H* (CBS), a comedy about a mobile army surgical hospital in Korea, with Alan Alda, Wayne Rogers, McLean Stevenson and Loretta Swit; *The Bob Newhart Show* (CBS), a comedy



Dramatic footage of the May 15 attempt on the life of Alabama Governor George C. Wallace was taken by CBS cameraman Laurens Pierce. It included this picture of smiling assailant Arthur Bremer, in sun glasses, just before the shooting in the crowd at Laurel, Md.

Broadcasting, May 22

about a psychologist and his wife, with Newhart and Suzanne Pleshette.

The 1971 OTP-orchestrated compromise between cable operators and commercial telecasters became a reality in 1972 when the FCC issued definitive cable rules, effective March 31. Among other items, the new rules allowed cable systems, with certain restrictions, to expand in the top-100 TV markets, required systems to offer channels to educational institutions, and required cable systems to have at least 20 channels. "The freeze is over" John Gwin, chairman of the National Cable Television Association, declared. "The FCC's adoption of new rules for cable makes this a most significant day in the history of communications. This is the watershed from which all progress of cable television will be measured."

Another important development in cable was the Supreme Court's 5-4 affirmation in June of the FCC's authority to require program origination on CATV systems.

In July Cox Cable Communications (245,000 subscribers) and American Television & Communications (280,000 subscribers) agreed to merge in a stock exchange valued at \$140 million. It would have created the second biggest cable multiple system owner in the country (Teleprompter was the biggest), but the merger never came off. In the face of antitrust litigation threatened by the Department of Justice, the companies scrapped the agreement in April 1973.

The causes of minorities were furthered in 1972, when Nixon appointed Benjamin L. Hooks as the first black commissioner on the FCC. Hooks, a lawyer, clergyman and trusted liaison between the black and white establishments in Memphis, was sponsored by Senator Howard Baker (R-Tenn.). The new appointee immediately set goals to make commercial broadcasters more responsive to minority needs and to open more doors in radio and TV for minorities. Among other reforms, Hooks urged the commission to adopt a "preference" for black ownership in deciding among competing applicants for a new facility.

To counter so-called network dominance and to encourage independent production, the Justice Department filed antitrust suits against ABC, NBC, CBS and Viacom International, the company that operated CBS's program-syndication and CATV operations. The department charged the networks with monopolizing prime time programming. There were charges that the suits were politically motivated by an administration wary of what it termed "Eastern liberal" domination of communications media.

BROADCASTING editorialized: "The antitrust suits filed by the Department of Justice against the television networks and Viacom are monuments to government ineptitude. They are based on practices that were discontinued years ago. They would seriously weaken the current system of

listener, the support of responsible advertisers marketing acceptable goods and services is the only practical means of funding that free service."

Children and television were in the news. The Association of National Advertisers responding to pressures of such groups as Action for Children's Television, issued guidelines for advertisements directed at children. The ANA said that advertisers should be aware of the child's level of sophistication, should avoid arousing unrealistic expectations of product performance, should present information in a truthful and tasteful manner, and should sponsor children's programs that provided education as well as entertainment.

Besides monitoring ads for improprieties, children's television reformers monitored programs for excessive violence. The year saw the publication of the results of a two-year, \$1-million study initiated by Senate Communications Subcommittee Chairman John O. Pastore (D-R.I.) and conducted under the aegis of Surgeon General Jesse L. Steinfeld.

Controversy surrounded both the study and the reporting of its results. A summary of the study indicated that there was no causal relationship between television programs that depict violence, and aggressive behavior by the majority of children. But the report suggested that violent TV programs could trigger violence in some children already predisposed to violence. The summary made it clear that "the accumulated evidence . . . does not warrant the conclusion that televised violence has a uniformly adverse effect . . . on the majority of children. It cannot even be said that the majority of the children in the various studies we have reviewed showed an increase in aggressive behavior in response to the violent fare to which they were exposed."

Broadcasters praised the Pastore report; in the words of BROADCASTING, the report "substitutes responsible research and realistic analysis for the insubstantial and largely emotional discussions that have been had about the subject up until now. . . . It does not absolve television programmers of responsibility for the social consequences that may attend their work. Neither does it absolve all the other persons and conditions that exert larger influences. No matter how viciously it may be attacked by those who wanted television set up as the fat target, the report stands as precisely the kind of dispassionate and thorough work that Senator Pastore solicited. It is entitled to be read as objectively as it was prepared."

Senator Pastore held hearings in March to analyze the report and to determine what course of action, if any, should be taken. Surgeon General Steinfeld told the subcommittee: "My professional response . . . is that the broadcasters should be put on notice. The overwhelming consensus [of the] Scientific Advisory Committee's report indicates that televised violence indeed does have an adverse effect on certain members of our society." Steinfeld

recommended establishment of a foundation to monitor violence and publish violence ratings, a study of the long-range social implications of violence, FCC scrutiny of stations' programming for children, and encouragement of parental action to educate children about the consequences of violent acts.

FCC Chairman Dean Burch felt that the Pastore study replaced the question of whether something should be done about TV violence with a directive on what should be done. Burch said he wanted broadcasting to reduce "all gratuitous and needless violence" in children's programming and to create "substantial amounts of

show, utilized a gallery of puppets to act out episodes from a young child's life. *Uncle Uri's Treasure*, a WRTV(TV) Indianapolis show aimed at the 7-12 age group, utilized a plot revolving around a hostess, Mimi Cazana, who received information from Uncle Uri, the world traveler. *Checkers and Pogo*, a KGMB-TV Honolulu program used such continuing features as "On The Go," a narrated film of a trip to an educational location in town, and "News Watch," a live broadcast of a top news story directed to children. *Sundown's Tree House*, a KPRC-TV Houston program, utilized children talking to children about field trips. And *Hodge*



The real-life story of terrorism and the fantasies of sports became a single challenge to broadcast journalists at the 1972 Olympics. That was when Arab guerrillas seized Israeli athletes as hostages at Olympic Village in Munich. The TV camera recorded this moment as authorities crossed rooftops above the terrorists and their prisoners during the 23 hours of violence and death.

Broadcasting, Sept. 11 (CBS photo)

new diversified programming, not just the usual diet of cartoons, to open the eyes and expand the minds of young viewers." At an FCC three-day panel discussion on children's TV in October, broadcasters maintained children's television had been improved and had become more diverse. Citizen groups disagreed and in the words of Joan Ganz Cooney, head of the Children's Television Workshop, producer of *Sesame Street* and *Electric Company*, denounced children's programming as "a national disgrace." As predicted, broadcasters and citizen groups could not agree on either the problems or the solutions.

BROADCASTING, based on a questionnaire it sent to local TV stations, discovered diversity in local children's programming. Some stations aired no children's programming of their own; others aired special shows and used special formats to reach children in various age groupings. Among the findings:

Arthur and Company, a Post-Newsweek

Podge Lodge, a daily half hour, aimed at the 7-10 age group, produced by the Maryland Center for Public Broadcasting (WMPB(TV) Baltimore and WCPB(TV) Salisbury, Md.), presented information on nature.

ABC, CBS and NBC included in their new schedules what some programming executives called "brownie-point shows," or "appeasement gestures, and expensive ones at that." The shows included *Kid Power* (ABC), which showed the world view of 11 neighborhood children, each of different origin; *Curiosity Shop* (ABC), built around a broad theme such as laughter, fright, rules, play and the senses; *ABC After School Special*, using drama and entertainment to "complement grade school activities and classroom work by exploring such areas as literature, science, history, current events, the arts and physical fitness"; *CBS Children's Film Festival*, 11 child-oriented feature films from France, Hungary, Russia, Japan,



At a Senate Constitutional Rights Subcommittee hearing in February, Chet Casselman (left photo), president of the Radio-Television News Directors Association, called for an end to government intrusion into broadcasters' press freedom. In right photo, television writers con-

demned network censorship practices and contended they should be allowed to deal with real-life situations in TV scripts. The three, members of Writers Guild of America, West (l-r): Liam O'Brien, David W. Rintels and Norman Lear. *Broadcasting, Feb. 14*

While opinions varied on how the fairness doctrine could operate to reconcile broadcasters' public-interest obligations with their First Amendment freedoms, participants at the conference agreed that the fairness doctrine had failed to achieve its purpose of "robust, wide-open debate."

Public interest groups suggested that standards be adopted to determine whether a broadcaster had provided information on controversial issues. David C. Adams, NBC board chairman, felt that such a suggestion, while "noble," would ultimately be futile. "Justice cannot be defined. It's better to tolerate small departures from perfection than to develop a great apparatus for deciding fairness," Adams said. In a June policy statement, the FCC indicated an unwillingness to add specifics to the fairness doctrine. "We believe that increasingly detailed commission regulation militates against robust, wide-open debate," the FCC stated. "The genius of the fairness doctrine has been precisely the leeway and discretion it affords the licensee to discharge his obligation to contribute to an informed electorate."

Broadcasters hoped a judicial change of opinion on enforcement of the fairness doctrine was forthcoming when Chief Judge David Bazelon of the U.S. Court of Appeals in Washington dissented in November to the appellate court's affirmation of the FCC decision that denied renewal of WXUR-AM-FM Media, Pa., on the grounds of fairness doctrine violations and misrepresentations of program proposals.

In his dissent, Judge Bazelon said: "In the context of broadcasting today, our democratic reliance on a truly informed American public is threatened if the overall effect of the fairness doctrine is the very censorship of controversy which it was promulgated to overcome. . . . It is proper that this court urge the commission to draw back and consider whether time and technology has so eroded the necessity for governmental imposition of fairness obligation that the doctrine has come to defeat its purpose in a variety of

circumstances; that we ask whether an alternative does not suggest itself—whether, as with the printed press, more freedom for the individual broadcaster would enhance rather than retard the public's right to a marketplace of ideas."

While this dissent did not change the status of the WXUR case, broadcasters hoped that the opinion, coming as it did during the FCC's reappraisal of the fairness doctrine, indicated a new direction in evaluating that ruling. As BROADCASTING summarized the situation: "Whatever its ultimate utility the Bazelon dissent now belongs with the important documents in broadcast law and regulation. Beyond that it provides inspiration to stiffen resistance to each new venture toward government control."

The fairness doctrine confounded broadcasters in still another important area: advertising. Using the doctrine to back their crusades, citizen groups demanded air time for "counterads," messages taking issue with paid advertisements of certain companies, notably car and gasoline manufacturers, and in the case of Vietnam, proponents of the war.

Although the Federal Trade Commission supported the concept of counterads, Clay T. Whitehead, director of Office of Telecommunications Policy, made it clear that the Nixon administration did not. "This administration does not believe that advertising is inherently evil," Whitehead stated, "We do not believe that advertiser support of the commercial broadcasting system is polluting the minds of America." The FTC proposed that broadcasters make time available for responses to four kinds of commercials: those that explicitly raised controversial issues, those

that raised them implicitly, those that rested on scientific premises that were in dispute in the scientific community, and those that were silent on the negative aspects of their products.

Broadcasters unanimously fought the FTC proposal when it came before the FCC. According to the Television Bureau of Advertising, "The revenue loss to the TV broadcasting industry would be substantial, not only because, given the expansive nature of the [FTC] proposal, a large portion of broadcasting time, previously revenue producing, would be commanded by free counteradvertisements, but also because advertisers, acting as rational economic decision makers faced with a less attractive advertising medium would purchase less time and would be willing to pay less for the time they did purchase."

The Stern Community Law Firm of Washington was responsible for the production of a few counterads that used actor Burt Lancaster to warn consumers against exaggerated claims for aspirin and another spot to remind drivers of a Chevrolet car recall. However, few stations used the spots. Broadcasters noted that Chevrolet had clearly announced the recall and that the federal government closely monitored pain relievers. To many broadcasters, the counterads seemed redundant, dangerous and a clear threat to the survival of commercial broadcasting. CBS's Frank Stanton warned: "Advertisers of products and services subjected to countercommercials would flee the broadcast media and make their expenditures in media which would not expose them to the same hazards. . . . It would be only a matter of time before there would be a substantial exodus of advertisers from broadcasting to print—just as in the case of cigarettes—only this transfer would be voluntary." To broadcasters, counterads threatened the very existence of a free broadcasting system. "At stake here is a critical principle," Stanton continued. "If this country is to enjoy a full broadcast service that is not dependent upon government subsidies or subscription payments by each viewer or

Sales sunshine. The 1972 year also brought economic recovery for TV with an impressive 15.6% gain in net time sales to \$3,675,000,000—15.6% more than in 1971, when TV revenues sagged 2% under 1970. Radio in 1972 continued its steady rise—11.5% over the preceding year—to \$1,547,700,000 in net time sales.

THE FIRST 50 YEARS



OF BROADCASTING

Precedent-setting visits to Red China and Russia and his re-election in the fall let Richard M. Nixon play center stage on radio-TV in 1972. But the media also focused on another happening in June of that year, a story that by yearend was to take on less-favorable Nixon coloring: the arrest of five men caught breaking into Democratic headquarters in Washington's Watergate complex.

To cover Nixon's historic visit to Peking in February, more than 100 broadcast newsmen and technicians journeyed to China. Network out-of-pocket expenses were about \$3 million. Coverage ranged from live pickups to filmed accounts of official ceremonies. Because of the 13-hour time difference between Peking and New York, live coverage of afternoon ceremonies was unfeasible. Satellite coverage, via Comsat, cost \$8,300 an hour for audio and video pools.

Newsmen especially praised the cooperation between the Chinese officials and American reporters. "Considering the history of this closed society," noted Westinghouse Broadcasting's White House correspondent, Jim McManus, "we're being given remarkable access." Even the preprogrammed visits to schools, hospitals and communes provided valuable insight into Red China for the West. Nixon underscored the role of broadcasting at a state banquet there when he remarked: "At this very moment, through the wonder of telecommunications, more people are seeing and hearing what we say than on any other occasion in the history of the world." BROADCASTING offered a footnote: "The President might have added that this wonder of telecommunications could not have been brought off by an enfeebled radio and television system. If the U.S. expects its broadcasters to go where history is being made and deliver it back home in high-fidelity sound and living-color pictures, it must not prevent its broadcasters from making the money that makes such enterprise possible."

Nixon's May trip to the Soviet Union cost the networks about \$700,000-\$800,000 each. Less time was allotted for radio-TV coverage than was given the China trip because the Soviet trip included fewer public events and the American audience had had more exposure to life in Russia. "China has an aura of mystery that doesn't exist in Russia," one newsman



Congress adopted a constitutional amendment guaranteeing equal rights to women and sent the measure to the states for ratification. On March 24, Britain imposed direct rule over Northern Ireland in a move to secure peace. J. Edgar Hoover, 77, director of the FBI for its entire 48 years, died May 2. Alabama Governor George Wallace, campaigning May 15 in Laurel, Md., for the presidential nomination, was paralyzed for life by a bullet from would-be assassin Arthur Bremer. In June, Hurricane Agnes, one of the most destructive storms in American history, left 118 dead and \$3 billion in property damage. The Supreme Court on June 29 ruled the death penalty was unconstitutional. After 36 years as the leading weekly pictorial magazine, Life ceased publication on Dec. 29.

And in BROADCASTING ...

commented.

In the 1972 election year, broadcasters were, as usual, concerned with the political broadcasting law. The Senate in March passed a bill to repeal the equal-time provision of Section 315 of the Communications Act in its application to presidential and vice presidential candidates. A suspension of Section 315 had paved the way to the debates between loser Richard Nixon and winner John Kennedy in 1960. This time Nixon was of no mind to give his Democratic opponent, George McGovern, the exposure of prime-time debates. The modification of Section 315 stalled in the house after the White House said Nixon would not debate and indi-

cated such legislation would be vetoed.

McGovern had pushed for debates saying, "The voters of this country are entitled to full and candid discussion of the issues in this election, and that can best be brought about by the Democratic and Republican nominees meeting face to face, on nationwide television, so that everyone can see and judge the two men on their own."

For both the Democratic and Republican conventions in Miami, CBS and NBC stayed with traditional gavel-to-gavel coverage, while ABC again provided 90-minute highlights. All of this required about 3,000 people in personnel at each convention. For both conventions, ABC estimated its cost at \$5 million, CBS at \$7 million, and NBC at \$6 million.

The cost to the TV networks of covering election-night returns ran to about \$10 million. The cost to the candidates of buying broadcast coverage for their campaigns was approximately \$2 million each for McGovern and Nixon. The Republicans spent about \$36 million after the campaign spending law went into effect in April, with \$4.5 million going to the communications media. The Democrats spent \$18.5 million, with about \$6 million for the communications media.

The politicians and electorate were becoming sophisticated on fairness and other political rules. The 1972 campaign brought the FCC over 3,000 complaints and inquiries about access during October alone, more than 10 times the number received in the month preceding the 1968 elections. The FCC in April began hearings to reassess the fairness doctrine, the first such reappraisal since the doctrine's inception in 1949.

capacity of at least 20 channels and an equivalent amount of nonbroadcast bandwidth for every broadcast signal carried; a free, noncommercial public-access channel, a channel for educational use and a channel for state and local government use; a provision of an additional access channel within six months after existing channels had consistently gone beyond a designated level of regular usage, and a two-way capability.

In addition, for cable systems within 35 miles of a top-50 TV community, the FCC plan called for mandatory carriage of local signals, and defined minimum service as three network signals plus three independent signals. For cable systems located within 35 miles of a TV community in the 51-100 market, the FCC plan defined minimum service as three full network signals plus two independent signals.

In November, OTP's efforts resulted in an agreement among the National Association of Broadcasters, the National Cable Television Association and the Association of Maximum Service Telecasters. With minor amendments, the agreement basically followed the FCC's original letter of intent. The compromise met broadcasters' demands for more protection than the original FCC proposal offered, while it allowed for faster CATV growth in small cities and for somewhat slower growth in larger areas.

The NAB issued a statement that, "the board of directors of the NAB reluctantly accepts the compromise plan put forth by the Office of Telecommunications Policy on the single 'package' basis of the best of any present alternative." The NCTA stated that "the OTP compromise will provide a sorely needed opportunity for the immediate growth of the cable television industry. CATV manufacturers and operating companies alike have been severely retarded by the FCC freeze on cable, and it is the judgment of the NCTA board that this compromise will provide the impetus for cable's entry into major urban areas. . . ." The AMST, which represented money of the established on-air telecasters, stated: "Our acceptance necessarily assumes that all the above parties will work with and cooperate with the FCC . . . to support either separate legislation or a CATV provision in the omnibus copyright revision."

Radio, sometimes overshadowed by its more dramatic offshoot, television, in 1971 continued to regroup and reclaim its share of broadcast revenues. The 7,000-plus on-the-air radio stations had total net time sales of \$1,387,700,000, up 10.1% from the previous year. In achieving this growth, radio stations had narrowed their programming to appeal to specific age groups and elements within their specific communities. Such focusing created a wide range of radio formats. While some leading radio stations, such as WCCO(AM) Minneapolis, WGN(AM) Chicago, WOR(AM) New York and WSB(AM) Atlanta, maintained their eclectic programming, appealing to a general audience, this ran counter to a



FCC nominee Charlotte Reid was endorsed by Senator Charles Percy (R-Ill.) at her confirmation hearing.

Broadcasting, July 28

definitely perceived trend.

Many stations had their disk jockeys replace the mix of top-40 songs, commercials and promos with a more mellow tone. One broadcaster explained that the approach began with a desire to "eliminate all the crap I learned on top-40 radio—the jingles and the jokes and the time and the weather and all that unnecessary nonsense—the idea that you couldn't take a breath, that you couldn't have any silence. My idea was just to start talking to people, and playing good music at them, and let them go look at a clock if they wanted to know what time it was, and stick their head outside if they wanted to see what the weather was about."

Alternative or underground radio increased in importance and profits during 1971. According to Willis Duff, Metromedia's regional vice president for the West Coast as well as general manager of KSNM(AM) San Francisco, "We are an underground radio station almost in the original sense which was, simply, an alternative form of broadcasting. It started out playing LP music that wasn't being played on radio, particularly not on top-40 radio, but that already had a known market for itself. The groups were playing to enormous crowds, their albums were selling with no help from radio exposure, and the music was there for underground as far as radio was concerned—it wasn't getting played."

In addition to playing alternative music,

Stay Tuned

1. What Nixon trip in early 1972 provided broadcast journalists with an historic assignment?
2. Which U.S. Court of Appeals judge in Washington issued a dissenting opinion that broadcasters hoped meant a reconsideration of the fairness doctrine?
3. Name the first black FCC commissioner.
4. How did the FTC advocate counter advertising?
5. What stance did the ANA take on children's advertising?

The answers
in "1972."

the underground stations participated in community activities. "News is the second most important distinction in what makes an underground station," stated Duff. "The most phenomenal experimentation being done in broadcast journalism is being done in underground radio."

The talk-conversation format provided radio listeners with another important alternative; KABC(AM) in Los Angeles under Ben Hoberman captured a leading share of audience. The station also found favor with its listeners by providing an ombudsman to help citizens overcome the increasing complexity of a bureaucratic society.

Besides changes from the general to the specialized in radio programming, many broadcasters foresaw success for FM in its efforts to achieve parity with AM.

One FM handicap was beginning to be overcome. Automobile manufacturers in 1971 began to include radios with FM capability as original equipment in about 20% of new models, anticipating an increase to about 50% in another five years.

Hal Neal, president of ABC's radio division, offered this prognosis for radio: "The strength of radio is in appealing to the individual tastes, and everyone has to find his own. We develop our own friends and our own cults because we tend to be able to associate with them, and this is the strength of radio. How can so many stations survive? That's the problem, no question about it, but if you develop a distinct and strong personality, and serve that public need faithfully, you have an audience. A viable thing that is of great value, with great believability. That's the key."

To preside over this new mix of radio, TV, and cable, President Richard Nixon appointed interim FCC Commissioner Thomas J. Houser and broadcaster Robert Wells to the commission. In July Nixon nominated Representative Charlotte T. Reid (R-Ill.) to succeed Houser. As BROADCASTING commented, "Her credentials are uncommonly good, and the appointment fulfills the President's commitment to name more women to high posts."

Thus, while the broadcasting industry faced 1972 with two new FCC commissioners, it was to be without one of its most respected pioneers; David Sarnoff, 80, died Dec. 12, 1971. The former president and chairman of RCA and honorary chairman of the company since his retirement Dec. 31, 1969, was eulogized by New York Governor Nelson Rockefeller as "the father of television in this country" and "a visionary" with "a capacity to see into tomorrow and to make it work." Governor Rockefeller called Sarnoff "one of the builders of this country—as much as our founding fathers. For while they gave us political freedom, General Sarnoff's genius gave us unprecedented freedom to look and to listen—a 'freedom to know'—so essential to the preservation of our political freedom itself."

used in an organized campaign effort. The bill did not limit individual contributions except by candidates to their own campaign (\$50,000 for presidential candidates, \$35,000 for Senate candidates and \$25,000 for House candidates).

With or without legislation, there was clamor for access to the air. Joseph A. Califano Jr., the Democrats' general counsel, urged the U.S. Court of Appeals in Washington in December to confer an automatic right of reply to presidential speeches by the party out of power.

Across the country coalitions of ethnic and special interest groups were pressing for increased air time to present their views and for more employment opportunities. Between January 1970 and September 1971, ethnic coalitions filed more than 50 petitions to deny license renewals with the FCC. BROADCASTING noted: "The commercial broadcaster may take no comfort in wishing that the dissidents will go away. They won't. The present system of challenge may be unfair to the incumbent licensee, but it is a rooted fact of life. The broadcaster must cope with it by providing as widely based a program service as he can reasonably afford and his community is likely to accept and by resisting demands from groups too small to deserve recognition."

One group that came into prominence was Action For Children's Television, a Boston-based organization concerned about the quality of children's TV. ACT, on February 1970, had petitioned the FCC for increased variety in children's programming and a ban on all advertising in children's shows. As a result, the FCC, in January 1971, began a full-scale inquiry into children's programming and what the FCC should do about it.

The television networks, faced with a possible loss of \$75 million in annual network billings for children's TV and the specter of more government interference, attended a two-day conference on children's programs sponsored by ABC-TV. In the keynote speech, ABC Television Network President James E. Duffy cited these areas of concern: program content, production and scheduling, commercial content, audience measurement and regulatory agency activities. The FCC established a permanent children's TV unit in the Broadcast Bureau to, in the words of FCC Chairman Burch, "institutionalize" the commission's concerns.

Toward the end of the year ACT petitioned the Federal Trade Commission to ban all advertising of vitamins, drugs and toys in children's television programs and family shows. ACT contended that children lack the maturity and experience to analyze what it called "the normal puffery" of commercials.

Network prime time comedy, often criticized for sameness and failure to deal with socially sensitive topics and expressions, started to undergo a transformation in 1971, thanks to producers Norman Lear and Bud Yorkin. Their Tandem Productions' *All in the Family* debuted on CBS-

TV to mixed reviews at first, but gradually to general acclaim. The series offered fictional Archie Bunker, the "loveable bigot," and his family in a series of situations that increasingly reflected the difficulties of real life. With Carroll O'Connor as Bunker, Jean Stapleton as his wife, Edith, Sally Struthers as their daughter, Gloria, and Rob Reiner as her husband, Mike Stivic, *All in the Family* carried TV situation comedies to a new level of maturity.

Other regularly scheduled TV shows that started in 1971 included: *Shirley's World* (ABC), a comedy about the assignments of a London photojournalist played by Shirley MacLaine; *Columbo*, (NBC), a successful adventure-crime show about the work of a Los Angeles homicide detective played by Peter Falk; *The Persuaders*, (ABC), an adventure show based on the exploits of two rich Americans played by Roger Moore and Tony Curtis; *Cade's County*, (CBS), a modern western about Sheriff Sam Cade, with Glenn Ford and Edgar Buchanan; *Funny Face* (CBS), a comedy about a student-teacher and part-time actress played by Sandy Duncan, and *Owen Marshall: Counselor at Law* (ABC), a courtroom drama about an attorney, with Arthur Hill and Lee Majors.

For the new season, the three networks, under pressure of the FCC's prime time access rule, had agreed to establish 8-11 p.m. as prime time. Under the FCC's new rule, which was appealed, the networks could supply no more than three hours of programming between 7 and 11 p.m. However, network hopes of voiding PTAR dimmed when the U.S. Second Circuit Court of Appeals in New York in May upheld PTAR, stating that the FCC was not exercising censorship but was "acting well within its statutory powers. . . . The commission has found that the wide range of [program] choice theoretically available to licensees is either not in fact available or is not being exercised for economic reasons. It has acted in discharge of the statutory duty in seeking to correct that situation. The commission does not dictate to the networks or the licensees, or the independent producers whom it wishes to stimulate, what they may broadcast or what they may not broadcast; it is merely ordering licensees to give others the opportunity to broadcast."

The FCC, in 1971, was responsible for the creation of an independent Viacom International that was destined to be a major entity in program syndication and cable ownership. Originally a part of CBS Inc., it was spun off into a new publicly owned company to bring CBS Inc. in compliance with FCC rules that barred networks from owning cable systems and program syndication operations. At Viacom's helm was Ralph M. Baruch.

In cable regulation, however, the FCC suffered a court setback. The U.S. Court of Appeals in St. Louis in May set aside the FCC rule that required CATV systems with more than 3,500 subscribers to originate programming. The court said the FCC

rule goes "far beyond the regulatory powers" of the commission. The FCC decided to seek a Supreme Court review of the appeals court's decision.

To resolve other cable issues, President Richard Nixon in June established a special administration committee to develop a comprehensive cable television policy. Clay T. Whitehead, director of the Office of Telecommunications Policy, chaired the special committee.

By July of 1971, 2,500 cable systems were operating in the U.S., 2,200 systems had been approved but were not yet built, and 1,400 applications were pending before local governments. The systems in operation reached about 5.3-million homes with an estimated 18-million viewers. The average system had 2,000 subscribers, and offered between six and 12 channels. Monthly fees for a cable system averaged about \$5. The total cost of an average system ran between \$500,000 and \$1 million, with the cost of laying cable from \$4,000 per mile in rural areas to more than \$50,000 per mile in large cities.

More than 50 systems that originated programs carried advertising and another 375 systems accepted advertising with automated services. The average charge was \$15 per minute and \$88 per hour-long program. About 50% of the cable industry was owned by other communications interests, with broadcasters accounting for 36%, newspaper publishers for 8%, and telephone companies for 6%.

In a 60-page "letter of intent" addressed to members of Congress, FCC Chairman Dean Burch outlined the commission's cable policies, which, in part, coupled the cable operators' right to import distant signals into major markets with the cable operators' responsibility to provide supplemental nonbroadcast benefits. For all future systems in the top-100 markets, the commission proposed to require: an actual or potential



Charles T. Ireland (above), senior vice president of ITT, was the surprise choice to succeed Frank Stanton as president of CBS on Oct. 1 when the latter became vice chairman of CBS while continuing as chief operating officer.



CBS President Frank Stanton (l.) and Harley Staggers, chairman of the House Investigations Subcommittee, shook hands on Capitol Hill before they came out fighting with Stanton refusing the demand for outtakes from *The Selling of the Pentagon*.

Broadcasting, June 28.

risk of appearing to be self-serving, rise to defend ourselves against the charges by which the enemies of freedom seek to influence a divided and confused population."

ABC President Elton H. Rule accused Congress and the Nixon administration of a "direct, untenable attempt at the worst kind of censorship." Rule cautioned that "there is an attempt, conscious or unconscious, to drive a credibility wedge between television and its audience. . . . The entire credibility of the television medium is dependent on keeping the faith of our audience in the news we present. . . . If we lose that trust, if the credibility wedge is driven between ourselves and the people we are pledged to serve, then we have not only lost face; but we have lost the ball game."

Backing for CBS also came from a national group that conferred prestigious honors on broadcasting: A special George Foster Peabody award was given to *The Selling of the Pentagon* in an obvious gesture of support for CBS News's stand against official attacks. The Peabody committee commended CBS for "electronic journalism at its best" which "produced a great and needed debate."

The FCC, resisting the prevailing currents in Washington, refused to investigate allegations of distortion in the documentary on the grounds such action would involve the commission "deeply and improperly in the journalistic functions of broadcasters." The commission concluded that it would not take action in this case "not because the issues involved are insubstantial. Precisely to the contrary, they are so substantial that they reach the bedrock principles upon which our free and democratic society is based."

Harley Staggers forced the subpoena dispute to a House vote. At his insistence, the Commerce Committee voted to cite CBS and Stanton for contempt of the Congress. On the floor, the House voted to

recommit the citation to committee, effectively burying it without a decision on the substance. Although neither side could claim a decisive victory, BROADCASTING quoted Emanuel Celler (D-New York), the veteran chairman of the Judiciary Committee, in a spirited defense of broadcasters' rights during the debate that preceded recommitment: "The First Amendment towers over these proceedings like a colossus and no esprit de corps and no tenderness of one member for another should force us to topple over this monument to our liberties. . . . Does the First Amendment apply to broadcasting and broadcasting journalism? The answer is, 'Yes.'"

Varying interpretations of the fairness doctrine continued to plague both broadcasters and regulators in 1971. FCC Chairman Dean Burch was prompted to initiate an examination of the problem. He reasoned that "there is a conflict of views between the broadcaster who has to make a living out of his station and those concerned with controversial issues who feel they're denied the opportunity to go on the air and speak their views." A comprehensive review was undertaken into the doctrine's impact on general access for the discussion of public issues, access for the response for the presentation of commercials, and access for political broadcasting.

In the name of the fairness doctrine, a committee of advertising people sent a letter to more than 8,000 broadcasters requesting time for a 60-second spot to "unsell" the Vietnam war. Many broadcasters hesitated to air the spot, unsure of their subsequent obligations to the pro-war element. In part, the spot featured a boy saying: "Last year I made a promise to my daddy. I promised him I would take care of my mom, and just like him I'll love and kiss her—goodbye. And then like him, I'll die in Vietnam." Announcer: "Stop it." The problems raised by the antiwar message were still unresolved when, in

August, the U.S. Court of Appeals shook the broadcasting world with a decision holding that the fairness doctrine applied to product commercials.

The year before, when an environmentalist group, Friends of the Earth, asserted that the fairness doctrine required stations that aired gasoline and automobile commercials to follow with warnings of the dangers of air pollution, the environmentalist group lost its case. But in August 1971, the U.S. Court of Appeals in Washington, in a 2-to-1 decision, held that the advertising of high-powered cars and leaded gasoline raised a public health issue, just as the FCC had held years before in the advertising of cigarettes, and so came under the fairness doctrine.

The appellate court ruled: "Commercials which continue to insinuate that the human personality finds greater fulfillment in the large car with the quick getaway do . . . vent a point of view which not only has become controversial but involves an issue of public importance. When there is undisputed evidence, as there is here, that the hazards to health implicit in air pollution are enlarged and aggravated by such products, then the parallel with the cigarette advertising is exact and the relevance of the cigarette ruling inescapable."

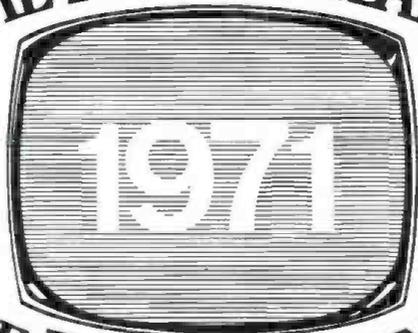
Attempts to push through election reform legislation resumed in 1971. The Democrats, still \$9 million in debt from the 1968 presidential campaign, lobbied for campaign-spending restrictions and a modification of Section 315 of the Communications Act, to free federal races from the equal-time restriction. The Republicans wanted no ceiling on campaign spending.

One bill introduced by Senator Edward M. Kennedy (D-Mass.) would have repealed Section 315 for presidential elections and suspended it for the 1972 congressional and statewide elections. Common Cause Chairman John Gardner advocated repeal of Section 315 and a requirement that broadcasters provide free time to federal office candidates in general elections.

By the end of May, the Nixon administration came up with a bill that would repeal Section 315 for all federal office candidates, place an overall spending limitation on broadcast and nonbroadcasting media, eliminate ceilings on political contributions and create an independent commission to administer the disclosure of contributions and expenditures.

The Senate approved a political-spending compromise bill in December, but the House was not slated to vote on the bill until January 1972. The amended bill contained no repeal of Section 315, but it did limit spending by federal office candidates to 10 cents per eligible voter or \$50,000, whichever was greater. Only six of the 10 cents could be spent on broadcasting and prescribed minimum rates. The bill covered TV, radio, community antenna television systems, newspapers, magazines, periodicals and telephones when

THE FIRST 50 YEARS



OF BROADCASTING

Early in 1971, a confrontation between the Nixon administration and broadcasting heightened mutual mistrust and led to a First Amendment showdown.

It started in February with the CBS-TV telecast of *The Selling of the Pentagon*, a documentary critical of military public relations, narrated by commentator Roger Mudd. Administration spokesmen angrily denounced the documentary's assertion that the Pentagon resorted to propaganda devices to counter what the military considered to be an antimilitary slant of network TV. A typical tactic, according to the documentary, was the Pentagon's practice of providing war heroes for taped TV reports that pro-Pentagon legislators sent to their home areas.

Narrator Mudd summarized the military's deep involvement in radio, TV, motion pictures and exhibits with this commentary: "On this broadcast we have seen violence made glamorous, expensive weapons advertised as if they were automobiles, biased opinions presented as straight facts. Defending the country not just with arms but also with ideology, Pentagon propaganda insists on [America being] the cop on every beat in the world. Not only the public, but the press as well have been beguiled—including at times, ourselves at CBS News. This propaganda barrage is the creation of a runaway bureaucracy that frustrates attempts to control it."

In the forefront of the documentary's attackers was Vice President Spiro T. Agnew, who called the CBS-TV telecast "disreputable . . . a subtle but vicious broadside against the defense establishment."

The escalating exchange between both sides erupted into a congressional inquiry. The First Amendment confrontation arose when the Investigations Subcommittee of the House Commerce Committee, chaired by Representative Harley O. Staggers (D-W. Va.), in April served CBS with a subpoena that went beyond a request for a copy and transcript of the filmed documentary. It also sought outtakes, work prints and transcripts—regardless of whether or not that material was used in the February telecast.

CBS President Frank Stanton said CBS would furnish the



The voting age was lowered to 18, Amtrak went into operation May 1 and the UN in October gave a seat to Communist China while expelling Nationalist China.

Violence and unrest were very much in the 1971 headlines. On Jan. 26, Charles Manson and his followers were found guilty of first-degree murder in the brutal 1969 slaying of actress Sharon Tate and six others. Lieutenant William L. Calley Jr. was convicted on March 16 of the premeditated murder of 22 South Vietnamese at Mylai. In May, police and military units arrested as many as 12,000 antiwar militants who attempted to disrupt government business in Washington. On Sept. 13, more than 1,000 New York state troopers quelled a four-day uprising of inmates at Attica State Correctional Facility. A few days later, Washington baseball fans were smitten when Senators owner Bob Short rode off to Texas with the city's American League franchise. And in BROADCASTING ...

film and a transcript of the program, but he refused to honor the other demands. "No newspaper, magazine or other part of the press," Dr. Stanton argued, "could be required constitutionally to comply with such a subpoena with respect to material gathered by reporters in the course of a journalistic investigation but not published. . . . The sole purpose of this subpoena . . . is to obtain material which will aid the committee in subjecting to legislative surveillance the news judgments of CBS in preparing *The Selling of the Pentagon*. The fact that television and radio stations are licensed by the government does not deprive the broadcast press of First Amendment protection. . . ."

Stanton's refusal to yield the unbroadcast material gained the support of the other broadcast and news organizations and such groups as the American Civil Liberties Union and the Association for Education in Journalism. Upholding the First Amendment freedom of broadcast journalists became a common cause they saw as crucial to the future of the industry.

Coincidentally, while broadcast journalists struggled with the Staggers committee's assumption that television, as a licensed medium, was entitled to less constitutional protection than newspapers received, newspaper journalists were engaged in their own contest of First Amendment interpretation over publication in the *New York Times* of secret Pentagon documents. The isolation of the Nixon administration from all elements of the press was growing.

NBC President Julian Goodman saw serious threats to journalistic freedom. He warned: "There was a time when excellence in reporting received awards. Now it is just as likely to draw a subpoena. Much of the nibbling away at freedom in broadcasting is a side effect of regulation, and since this is the case we need a redefining of the nature, the purposes and the boundaries of broadcast regulation."

CBS News correspondent Walter Cronkite maintained there was a "clear indication on the part of this administration of a grand conspiracy to destroy the credibility of the press. As long as the attacks, overt and subtle, continue, we must, even at the

saying it was too soon to sell half-hour time slots that would significantly disrupt network scheduling.

But in November, the FCC in a 4-3 decision ordered ABC, CBS, and NBC to comply with the reasonable access provisions of the Communications Act by granting air time to the Carter-Mondale Committee. The networks immediately sought a court review of the decision.

The FCC and the networks agreed that the case was among the most important political broadcasting cases to go before the Appeals Court in recent years. The FCC said the networks wanted "to remain the sole arbitrator of when, who, and how much the public hears during the presidential campaign." ABC contended that the FCC "has thrust itself too deeply into the political process and assumed an editorial role over broadcasters that violates First Amendment principles." NBC added that "Section 312 (a)(7) imposes the most far-reaching and intrusive restriction on broadcaster editorial judgment ever sanctioned by the federal government in the name of a single 'access.'" The case was eventually to reach the Supreme Court where the FCC won a decisive victory in 1981.

A 1979 ruling by the Supreme Court dismayed broadcasting journalists. The court ruled 6-to-3 that CBS newsmen involved in a libel suit must answer questions posed to determine their "state of mind" when they prepared the material at issue. The case involved Lieutenant Colonel Anthony Herbert who sued CBS, *60 Minutes*, correspondent Mike Wallace, producer Barry Lando, and the *Atlantic Monthly* for \$44.7 million, claiming that a magazine article and the *60 Minutes* segment falsely and maliciously depicted him as a liar. The Supreme Court overturned an appeals court decision to rule: "When a member of the press is alleged to have circulated damaging falsehoods and is sued for injury to the plaintiff's reputation, there is no privilege under the First Amendment's guarantees of freedom of speech and freedom of the press barring the plaintiff from inquiring into the editorial processes of those responsible for the publication [to] produce evidence material to the proof of the critical element of the plaintiff's cause of action."

CBS News President William A. Leonard described the ruling as "another dangerous invasion of the nation's newsrooms." Paul Davis, president of the Radio-Television News Directors Association, said "The majority opinion of the court ... supports a procedure that is insensitive to First Amendment protections of the editorial process and that fails to keep the inquiry squarely on matters determined to be relevant." The National Association of Broadcasters' general counsel and senior vice president, Erwin Krasnow, denounced the Herbert decision as "severely restricting the ability, not only of the press to challenge and question public officials, but the freedom of private citizens to oppose and challenge their own public officials in open debate."

In another setback for broadcast journalists, the Supreme Court in July, in a 5-4 decision in *Gannett Co. vs. De Pasquale*, ruled that a defendant, with the agreement of the prosecutor and the judge, possessed the right to bar news coverage of pretrial and criminal proceedings. In October, however, the Supreme Court agreed to hear arguments in a Richmond, Va., newspaper case that journalists hoped would better define the conditions under which judges could exclude the press and the public from criminal trials and pretrial proceedings.

Congress placed the biggest broadcast legal decision of the year, the rewrite of the Communications Act, on hold. The rewrite of the act, introduced in March by House Communications Subcommittee Chairman Lionel Van Deerlin (D-Calif.), carried the deregulation of radio and TV further than the initial rewrite proposal and also advocated that public broadcasting stations be allowed to carry a limited volume of commercials.

For radio, Van Deerlin's bill would eliminate the fairness doctrine, the equal-time requirement and equal employment opportunity enforcement; grant radio stations indefinite licenses subject to revocation only for the violation of technical standards; eliminate the comparative hearing process and substitute random selection for the assignment of new stations; eliminate radio ownership restrictions except to limit an owner to one AM and one FM per market, and combine the license application and the construction permit to shorten the time and reduce the paperwork involved in getting a new station on the air.

For television, the bill would lengthen the license term from three years to five, then after two terms—10 years—make television's license also indefinite. After two license terms, the fairness doctrine,

equal-time requirements and EEO enforcement would also be eliminated for TV. The proposed license fee, however, remained and continued to generate opposition. Because of the controversy, Van Deerlin quit pushing his rewrite bill and planned instead to concentrate on common carrier amendments.

BROADCASTING analyzed the situation this way: "In attempting to erase a 45-year-old act that the objects of its regulation had learned to live with, however uncomfortably at times, Van Deerlin threatened to steal the all-purpose security blanket. In proposing a substitute that possessed a penalty or price for every benefit conferred, he created a document containing something for everyone to hate. It takes a certain genius to draft legislation to which Nicholas Johnson and Vincent T. Wasilewski can both find objections. ... But things had to turn out this way as long as H.R. 3333 contained the features that were unacceptable: large spectrum fees, amounting to an extortionate tax on top of present federal taxes; for television a federal quota of certain kinds of programs to be broadcast, to name two provisions that broadcasters resisted. Citizen groups, of course, objected to the modified license renewal procedures that would deny the professional agitators as much incentive and opportunity as they have now to harass licensees."

The World Administrative Radio Conference met in Geneva. More than 1,100 representatives of 145 of the 154 member nations of the International Telecommunication Union labored to rewrite the regulations that shape both national and international telecommunications. Among other resolutions WARC agreed to extend the upper end of the AM band from 1605 khz to 1705 khz in the western hemisphere; to increase shortwave fre-



ABC-TV's determination to get back the summer Olympics crystallized in September 1979 when it acquired rights to the 1984 games in Los Angeles for \$225 million. Announcement was made at a Los Angeles press conference by ABC Television President Fred Pierce (shown at podium). With him were (l-r): Monique Berlioux, executive director of the International Olympic Committee; Peter V. Ueberroth, president and executive director of the Los Angeles Olympic Organizing Committee; Roone Arledge, president of ABC News and Sports, and Paul Ziffren, chairman of the Los Angeles Olympic Organizing Committee.

Broadcasting, Oct. 1



Before a packed house at New York's Waldorf Astoria hotel on Jan. 30, 1979, Dr. William J. McGill (behind lectern), Columbia University president and chairman of the Carnegie Commission on the Future of Public Broadcasting, unveiled the recommendations that he and his fellow commissioners have been preparing for the past year and a half. At the heart of Carnegie II's revised blueprint was the establishment of a Public Telecommunications Trust and, under its umbrella, an Independent Program Services Endowment. The trust was envisioned as the principal, consolidated fiduciary agent of the public broadcasting system, replacing the Corporation for Public Broadcasting. Joining Dr. McGill at the press conference, which was televised by the Public Broadcasting Service, were (front row, l-r) Alan Pifer, president of the Carnegie Corp. of New York, which provided the \$1-million grant for the study; commissioners John Gardner, founder, Common Cause; Peggy Charren, president, Action for Children's Television; Bill Moyers, CBS News veteran recently returned to Public Broadcasting Service; Red Burns, executive director, New York University's Alternate Media Center; Henry Cauthen,

director, South Carolina Educational Television Network; Josie Johnson, board member, National Public Radio; (second row l-r) Walter Heller, former chairman, Council of Economic Advisers, Kathleen Nolan, president, Screen Actors Guild; Eli N. Evans, president, Charles H. Revson Foundation; Virginia Duncan, television producer and board member, Corporation for Public Broadcasting, Leonard Reinsch, board chairman, Cox Broadcasting Corp., and Alex Haley, author.

Not present were Stephen K. Bailey, president, National Academy of Education; Wilbur Davenport, Massachusetts Institute of Technology's department of electrical engineering and computer science; Kenneth Mason, president, The Quaker Oats Co., and Thomas Rivera, poet, author and executive vice president, University of Texas at El Paso.

Initial members of the commission who resigned earlier because of professional commitments were Bill Cosby, actor; Carla Hills, former secretary of housing and urban development, and Beverly Sills, opera star.

Broadcasting, Feb. 5

president of ABC News, called the attack a "cold-blooded murder of a young man trying to do his job." NBC News anchor David Brinkley noted: "We do know that reporting news from the violent byways and backways of the world is increasingly dangerous work demanding more than ordinary bravery."

Coverage of the Three Mile Island nuclear accident at times required more than the usual courage because of the worry about radiation. All commercial TV networks employed nuclear specialists whose function was to inform the public and protect network personnel as well. If nuclear contamination had forced broadcasters to evacuate the Harrisburg area, coverage would have been maintained by a remote control connection with noncommercial WPSX-TV, Clearfield, Pa., 90 miles from the reactor.

Later in 1979, radio and TV were faulted for their performance at Three Mile Island. The President's Commission on the Accident at Three Mile Island in an October report criticized reporters for a lack of technical competence. One of the 12 commissioners responsible for the report, Anne D. Trunk, said the media stressed "what if" instead of "what is," a condition that she felt created "a state of terror, of psychological stress" among the public. The commission concluded that although the media attempted to give balanced coverage of the accident, the public was not well served by what the commission felt were confusing and conflicting reports.

In other notable journalistic happenings

in 1979, ABC in November announced the signing of Carl Bernstein of Watergate fame to head the network's Washington bureau beginning March 1, 1980; NBC hired William J. Small away from CBS to become president of NBC News, and the House of Representatives turned the final corner towards televising chamber procedures when it inaugurated, for internal circulation, its newly installed TV system and made its signal available to radio, television and cable on March 12.

Imminence of national elections in the following year prompted candidates to begin tuning up their broadcast strategies. President Jimmy Carter, faced with declining popularity, turned to radio and local television to promote his policies. Eschew-

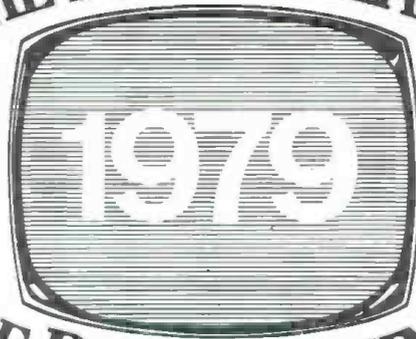
ing his bimonthly televised news conferences, Carter hosted a 40-minute radio talk show on KSTT(AM) Davenport, Iowa, handled a two-hour radio call-in show on National Public Radio, and held a one-hour town meeting that was telecast on three stations in Tampa, Fla.

Carter's opponents also looked to the image-making powers of the broadcast medium. John Connally retained Roger Ailes, an architect of Richard Nixon's 1968 campaign. Douglas Barley and John Deardourff, who handled post-convention advertising for President Gerald Ford in 1976, signed with Senator Howard Baker (R-Tenn.). David Keene, former media adviser to several Republican candidates, including Ronald Reagan, worked for George Bush. Ronald Reagan hired the C.T. Clyne Co. of New York, an advertising agency with blue-chip accounts, but little political campaign experience.

In an early tactical move, the Carter-Mondale Committee asked for a half hour of network time for a documentary on President Carter. All three TV networks turned down the committee's request as well as similar requests by Reagan and Connally. CBS, instead, offered each candidate five minutes. Reagan and Connally accepted, but the Carter committee refused calling the network's action "a blatant denial" of the "reasonable-access" provision of the Communications Act since the action "denies the public the opportunity of hearing and seeing the candidates in the manner" that the candidates have chosen. The networks responded by

Programers, industry executives and government brass were on hand in Cape Canaveral, Fla., Dec. 6, 1979, when the National Aeronautics and Space Administration launched RCA's Satcom III. It was to replace Satcom I as the primary cable satellite. However, four days later, contact with Satcom III was lost and the bird disappeared, never to be found. Biggest loser was a consortium of insurance companies that had insured the launch and subsequent space life for three years for \$77 million. RCA paid a premium of \$5.3 million.

THE FIRST 50 YEARS



OF BROADCASTING

Broadcast journalists were at no loss for news in 1979. Skylab fell while gas prices continued to soar. Panama got the canal, thanks to the U.S., and Afghanistan got a new government, thanks to the USSR.

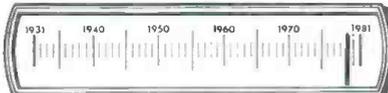
But one big international story, the Iranian hostage crisis that began in November, made broadcasting the target of administration criticism. It also revived old apprehensions about the coverage of terrorism by broadcast news.

A blast came from the State Department following Nov. 18 interviews with Iran's Ayatollah Khomeini by CBS's Mike Wallace, ABC's Peter Jennings and NBC's John Hart. The broadcast sessions took place after much scrambling and maneuvering by the networks. The denunciation came from State Department spokesman Hodding Carter who said the interviews caused the Iranian leader to solidify his rigid stand against release of the hostages.

"In one damn set of interviews," Carter declared, "a rigid statement was set down on the inevitability of trials for our people. It put into concrete what could have been dismissed as a muttering behind closed walls."

NBC News President William J. Small fired back: "I would suggest Mr. Carter stick to his job—we to ours." CBS News President Bill Leonard said: "The news divisions of the networks should be thanked—not criticized—for bringing this planned action to light at the earliest time possible, thereby allowing the negotiating process now under way to have begun as soon as possible."

Throughout the hostage crisis, the networks disagreed among themselves over the line between providing information to the American public and providing a platform for terrorist propaganda. A case of "media in the middle" occurred when NBC negotiated an interview with one of the hostages in the embassy, Marine Corporal William Gallegos. To obtain the interview, NBC promised the Iranian captors prime-time exposure of the tape, agreed to the use of an Iranian camera crew and carried a short but unedited speech by one of the captors. After the NBC broadcast, ABC and CBS issued public statements that they had declined to air the interview so as, in the words of CBS News, "not to become a simple conduit for the unedited views of the students occupying the



Former Attorney General John Mitchell was freed Jan. 19, the last of 25 men to be released after serving prison terms for involvement in Watergate. An accident March 26 at a nuclear reactor at Three Mile Island, near Harrisburg, Pa., created regional panic and national concern. The worst disaster in U.S. aviation history occurred May 25 in Chicago when a DC 10 crashed on takeoff, taking 275 lives. The federal government on Nov. 1 announced a \$1.5-billion loan guarantee plan to help financially strapped Chrysler Corp. Americans at the U.S. embassy in Teheran began their long captivity when they were seized Nov. 3 as hostages by militant Iranian students demanding the return of the former shah, then undergoing medical treatment in N.Y. And in BROADCASTING ...

American embassy. The preconditions required by the students would not have permitted us to exercise that judgment to an appropriate degree."

Most of official Washington criticized NBC's interview. House Speaker Thomas P. (Tip) O'Neill (D-Mass.) declared that NBC fell "into the trap of Iranian propaganda." House Majority Whip John Brademas (D-Ind.) felt that "no respectable network" would have agreed to broadcast the session, a sentiment Brademas claimed reflected the attitude of most of the leaders of Congress. Representative Robert Bauman (R-Md.) sarcastically said that "Perhaps NBC

should be nominated for the 'Benedict Arnold award for Broadcast Journalism'."

Continuously during the crisis, critics accused the media of allowing themselves to be used as propaganda tools. Broadcast executives countered by citing the necessity for providing complete news. "We can't be asked to abstain from journalistic practices because a story will complicate diplomatic practices," CBS's Walter Cronkite argued. "That's a diplomatic problem; it's not our problem. We have to be responsible, of course. But within that ethical framework of responsibility, we have to pursue the story. It would be terrible if through self-interest, or government interest, we didn't get a clear picture." Richard Wald, senior vice president of ABC News, said: "We try not to take things uncritically. We examine motives, and try to place things in perspective. ... If you take it unalloyed then you are a conduit, not a journalistic entity."

Other major news stories in 1979 that broadcasters covered extensively included the Washington visit of the Chinese vice premier, Teng Hsiao-ping; the Israeli-Egyptian peace treaty signing; the visit of Pope John Paul II; the unrest in Nicaragua, and the accident at the Three Mile Island nuclear power plant near Harrisburg, Pa.

The revolution in Nicaragua took the life of ABC News correspondent Bill Stewart; his murder by a member of the Nicaraguan National Guard was captured on videotape. The guardsman stopped Stewart's clearly marked van, told the newsman to approach the check-point by foot, ordered him to lie down on the ground, and then shot him. Roone Arledge,

be less alike than the memorial service for Hubert Humphrey in the rotunda of the U.S. Capitol and the Super Bowl and related hysteria in New Orleans. Only a miracle of modern science could produce a communication system that can present both Isaac Stern and the Kilgore Rangerettes without electronically regurgitating. At one moment Robert Merrill singing "The Lord's Prayer" and at another a Denver cheerleader wriggling for a cameraman—and on the same tube the same day. . . . Television is indeed a mass medium, encompassing the whole spectrum of public taste. It can be no better, and certainly no worse, than the culture it reflects."

An \$11-million lawsuit arising from NBC-TV's airing of a made-for-TV movie, "Born Innocent," in September 1974, went to trial. The plaintiff, a 9-year-old girl in 1974, charged she was a real-life victim of an assault imitating the movie which featured an adolescent girl in a reformatory who was raped by older girls using a broomstick. NBC argued that the issue at stake was the First Amendment rights of the network, while the plaintiff argued that negligence was the issue. A California court dismissed the negligence charge, saying that the plaintiff would need to prove that the network intended to incite real-life rape by airing its TV movie. NBC hailed the verdict, stating: "It reaffirms the social benefits of the First Amendment. The plaintiff's legal theory, if upheld, would have had a stifling and chilling impact on the ability of broadcasters to present meaningful drama. More significantly, it would have posed an awesome threat to all media, including publishing and journalism, by shifting the accountability for deviant criminal acts to them and away from the responsible persons."

In cable programing, Ted Turner announced plans to establish a 24-hour news system using satellite transmission. Turner called the undertaking, which he hoped to inaugurate by Jan. 1, 1980, "the most massive undertaking since the establishment of the networks." Meanwhile, Warner's two-way cable experiment, Qube, continued to attract about 20,000 customers in Columbus, Ohio. By midyear, about 4,000 cable systems operated in the U.S., serving 9,000 communities and 13 million subscribers.

To the chagrin of broadcasters, the FCC in November relaxed restraints on cable by placing on broadcasters the burden of proof that signal importation would damage on-air television broadcasters. Formerly cablecasters were required to prove that the importation would not adversely affect local stations.

In radio, both local and network programing fared well. While stations continued to nurture their specific audiences with special programing, BROADCASTING, in its annual survey, spied the beginning of a movement to balance specialization with more general programing. As Bob Hughes, program director of WASH(FM)



ABC's ace, Fred Silverman, became NBC's hope in January 1978 when the president of ABC Entertainment became president and chief executive officer of NBC. For the man generally credited for ABC-TV's rise to ratings heights, it meant the challenge of rescuing NBC-TV from third place in prime time ratings. The person who approached Silverman about the NBC presidency was RCA consultant Jane Cahill Pfeiffer. In October 1978 Pfeiffer was elected NBC chairman and a member of the RCA board. Silverman and Pfeiffer are pictured the following year when he received the 1979 Man of Achievement Award from the Anti-Defamation League.

Washington, noted "We're heading for another golden age of [middle of the road], a broad spectrum of mass appeal [in which] you can capture listeners from 6 to 65 and up." The savvy of programing executives brought increased revenues to the 4,549 operating AM (4,599 authorized) and 4,089 FM (4,310 authorized) stations. Radio net time sales in 1978 rose to \$2,926,900,000, a 16.5% increase over the previous year.

The FCC in October began considering deregulation of radio in major markets. FCC Chairman Charles Ferris wished to supplant the standard of "individual responsibility" with that of "market responsibility." Tyrone Brown, a black member of the FCC, felt that one way to help minorities enter the business of broadcasting was for the FCC to break-down radio's clear channels.

In April RKO General agreed to sell its CBS affiliate, WNAC-TV Boston, for \$59 million, a record price for a single station, to the New England Television Corp., a company with substantial black ownership. The transfer was later to fall through. In August, Gannett announced the sale of WHYC-TV Rochester, N.Y., for \$27 million to Broadcast Enterprises Network Inc., the first black-owned group to acquire a VHF station in the continental U.S. That transfer was completed.

The Carter administration announced a goal to increase minority ownership of broadcasting. In a 7-to-0 vote in May, the

FCC adopted two policies to achieve that goal. The commission, on a case-by-case basis, decided to issue tax certificates in station sales to buyers with significant minority interests, permitting sellers to defer payment of capital gains taxes, and the commission decided to permit broadcasters whose licenses had been designated for revocation or renewal hearing to sell their properties at a "distress sale" price to applicants with significant minority ownership interest provided that the purchasers met the commission's other qualifications.

It was a year of mergers made and unmade. The Gannett Co. in May announced a \$370-million merger with Combined Communications Corp. that would make Gannett an \$800-million-a-year communications giant with radio, TV and newspaper holdings as well as an outdoor ad firm. The merger was completed in 1979. Sonderling Broadcasting and Viacom International in June agreed on a \$28-million merger designed to take place in 1979. In what would have been the biggest broadcasting deal to that date, General Electric Co. in October announced plans to acquire Cox Broadcasting Co. for between \$440 million to \$488 million. Cox eventually withdrew from the agreement.

The Carter administration engineered an executive merger of its own by creating the National Telecommunications and Information Administration, the successor to the White House Office of Telecommunications Policy and the Department of Commerce's Office of Telecommunications. The new agency, signed into law in late March, was to handle the new developments in communications for the first time at the cabinet level. Henry Geller, a former deputy general counsel and general counsel of the FCC under Presidents Johnson and Kennedy and more recently with the Rand Corp. and the Aspen Institute Program on Communications and Society, was selected by President Carter to head the new NTIA.

Stay Tuned

- 1 Name the ABC newsman whose murder by a Nicaraguan national guard was shown on network TV.
- 2 How did the Supreme Court's decision in the "Herbert" case set back journalists?
- 3 Which ad agency did Ronald Reagan hire for his presidential campaign?
- 4 What convocation of specialists was designated as the most important radio conference in 20 years?
- 5 What rules for cable deregulation did the FCC propose?

The answers
in "1979"

release of them.

To enlarge the audience for debates on the Panama Canal treaty, the Senate allowed radio for the first time to carry a live broadcast of Senate proceedings. National Public Radio carried the debates in full for three days, while CBS and NBC carried segments of the first day of debating.

To announce a preliminary peace agreement between Israel and Egypt, President Carter appropriated what one network executive called "the prime-est of prime time"—Sunday at 10:30 p.m. during the television networks' premiere week. There were complaints of media manipulation, but Carter drew an audience of over 95 million viewers.

Broadcast newsmen were among those who lost their lives along with Representative Leo Ryan (D-Calif.) when the congressman made a November trip to Guyana to investigate reports that the People's Temple, headed by Jim Jones, was forcibly holding some members of the sect who wanted to return to the U.S. NBC correspondent Don Harris and cameraman Bob Brown were slain in an ambush. A total of five died and nine were wounded in the Ryan party as it attempted to leave. In an eyewitness account of the event for the *San Francisco Chronicle*, Ron Javers praised Brown's courage: "Bob Brown stayed on his feet and kept filming what was happening even as the attackers advanced on him with their guns. He was incredibly tenacious." The incident was followed by the mass suicide of over 800 members of Jones's sect.

Television network news practices were the target of a \$180-million antitrust suit filed by the National Emergency Civil Liberties Foundation, representing a group of independent producers. The networks were charged with monopolizing news and public affairs by refusing to purchase such programming from nonnetwork suppliers, particularly for use in prime time. CBS denied the charges, stating: "In point of fact, CBS does broadcast news and public affairs material supplied by outside sources. In essence, what is involved in this lawsuit is CBS's right to select, as any news organization must, the material it will present." ABC issued a similar denial, and NBC refused comment.

In the Justice Department's antitrust suit against the networks, originally filed in 1972, a U.S. district court dismissed the charge that the networks monopolized "the relevant market composed of national commercial television network prime-time entertainment program," but denied motions by CBS and ABC to dismiss the suit on other grounds. The long legal light continued. Another began when the FCC in October, announced a broadened study of whether TV networks unfairly dominated broadcasting, the key to which was "a comprehensive understanding of the economics of television networking."

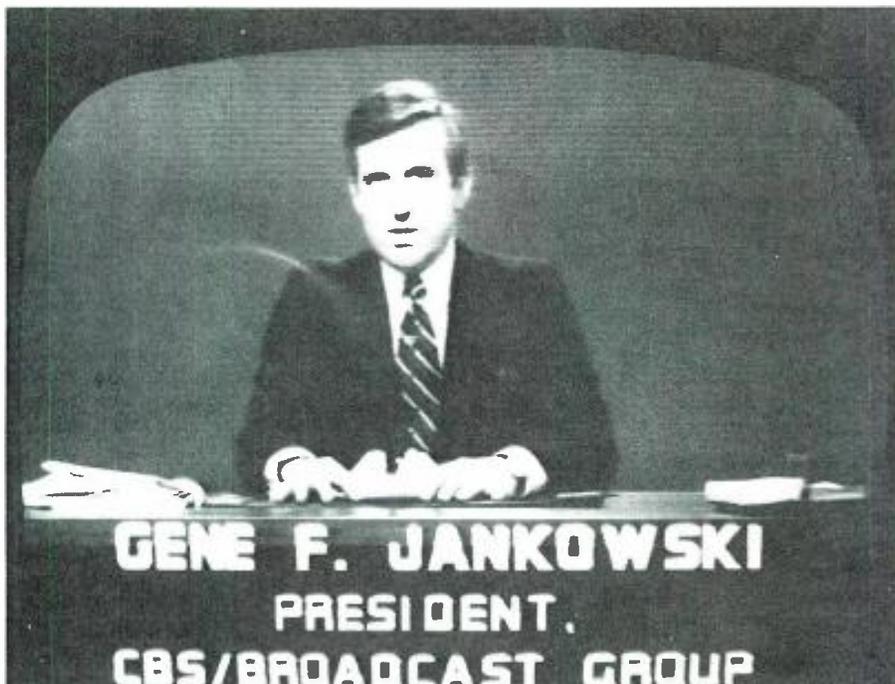
The economics of prime-time TV network programming produced in 1978 the costliest new season to date: \$730 million for 61 series and eight two-hour movie slots—a total of 69 shows, four fewer than

in 1977, but at a total price 20% higher than that of 1977. New shows included: *Taxi* (ABC), a comedy about taxi drivers in a company ruled by a tyrannical boss, with Judd Hirsch, Jeff Conaway, Danny De Vito, Marilu Henner and Tony Danza; *WKRP in Cincinnati* (CBS), a comedy about a "top-40" radio station, with Loni Anderson and Howard Hesseman; *People* (CBS), a short-lived televised version of the magazine of that name, hosted by Phyllis George; *The Paper Chase* (CBS), a drama about a law school, with John Houseman and James Stephens; *Dallas* (CBS), a soap opera about the rich, and powerful Ewing family, with Larry Hagman as the arch villain, J.R. Ewing; *The Incredible Hulk* (CBS March debut), an adventure drama about a scientist who when angered turns into a monster, with Bill Bixby and Lou Ferrigno; *Fantasy Island* (ABC, January debut), a romantic drama about a Mr. Roarke who with his quasi-magical powers and his midget assistant helped people to realize their fantasies, with Ricardo Montalban and Herve Villechaize; *Battlestar Galactica* (ABC), a science-fiction drama that reportedly cost over half a million dollars per hour to produce because of the elaborate special effects, with Lorne Green and Richard Hatch; and *Mary* (CBS), an hour-long comedy-variety show that returned the popular Mary Tyler Moore to television, only to fold in October.

ABC continued to lead the rating battle for most of 1978. NBC gained ground with its four-night presentation of a miniseries, *Holocaust*, which became the most-watched entertainment program in NBC's history, and the second most-watched entertainment program to that date on TV with *Roots* remaining in first place. CBS, hoping to acquire higher ratings, bought exclusive television rights from MGM to "Gone With the Wind," for 20 years for \$35 million. The five-hour movie in its only previous television exposure on NBC-TV in 1976 achieved for that time the highest rating ever for a TV entertainment program.

CBS fell afoul of the FCC for deceptive practices in promoting four special-event tennis matches between 1975 and 1977 as "winner-take-all" contests, although in fact the losers received money as well. CBS submitted a written apology to the FCC for "false and misleading statements" in an attempt to prevent an FCC threatened short-term license renewal for some or all of the network's owned stations. In the middle of the FCC investigation Robert Wussler resigned as president of CBS Sports, steadfastly denying a connection between his departure and the tennis troubles.

At the outset of the year, television visited two events of profoundly different character. As BROADCASTING noted: "The principal programming of Sunday, Jan. 15, provided an instructive exhibition of the range of service that television delivers to the American public. No two events could



In a move without precedent, Gene F. Jankowski, president of CBS/Broadcast Group, appeared on CBS TV April 9 to apologize to the public. His taped appearance was in response to the FCC's demand to know what CBS had done or planned to do about informing the public of "deceptive practices" used in promoting four so-called winner-take-all tennis matches (see text at right)

Broadcasting, April 10

citizen, not only in public, but also in the privacy of the home, where the individual's right to be left alone plainly outweighs the First Amendment rights of intrusion. Broadcasting is uniquely accessible to children, even those too young to read. Pacifica's broadcast could have enlarged a child's vocabulary in an instant. . . . The ease with which children may attain access to broadcast material, coupled with the concerns [the court had expressed regarding children in an earlier case] amply justify special treatment of indecent broadcasting."

FCC Chairman Ferris quickly assured broadcasters that the commission intended to apply the "filthy words" decision narrowly. "We at the FCC," Ferris said, "are far more dedicated to the First Amendment premise that broadcasters should air controversial programming than we are worried about an occasional four-letter word." To some broadcasters, Ferris's assurance provided a superficial comfort.

In June, the Supreme Court delivered a total victory to the FCC: in an 8-to-0 decision, it ruled that the FCC policy that grandfathered existing crossownership but prohibited future combinations was a "reasonable means of promoting the public interest in diversified mass communications." Only the owners of seven newspaper-television and nine newspaper-radio combinations were required to sell off one or the other of their properties as a result of this new ruling.

While this decision was being hailed by most, BROADCASTING pointed out what it called one "disquieting" feature of the court's ruling, "its reliance on its own Red Lion decision of 1969 to state once again that the First Amendment guarantees freedom for everyone but broadcasters. Quoting itself, the court asserted 'the fundamental proposition that there is no unbridgable First Amendment right to broadcast comparable to the right of every individual to speak, write or publish.' Here is one more decision by the ultimate court that must somehow be overcome, perhaps by intercession of the Congress, if broadcasting is ever to acquire constitutional parity with the rest of the press."

Besides broadcasting's continuing struggle for First Amendment standing with the print media, broadcast journalists faced several significant court cases that touched on their rights as Fifth Estate reporters. When the U.S. Supreme Court heard arguments in November involving a \$44.7-million libel suit that former Army Lieutenant Colonel Anthony Herbert had filed against CBS's *60 Minutes* producer Barry Lando, and one of the program's correspondents, Mike Wallace, the court weighed the extent to which reporters and producers could be forced to reveal the bases for their editorial judgments without violating their First Amendment rights. A U.S. Court of Appeals in 1977, overturning a lower court opinion, had declared that journalists need not disclose their thought processes even when being sued



On June 12, floor debates of the House of Representatives were opened to broadcast coverage. Earlier, House Speaker Thomas P. (Tip) O'Neill had announced that radio broadcasters could plug into the chamber's public address system, though he held out against TV access. However, broadcasters were less than enthusiastic about the radio offer; they felt their inability to control the microphones would inhibit their capacity to cover the proceedings adequately. Confusion about the microphones on June 12 caused NBC Radio to drop plans for a live 15-minute special and to settle for recorded comments. Other radio networks and services also relied on brief taped excerpts. Only AP Radio carried the live feed during a five-minute special. Photo shows how AP Radio correspondent Charles Van Dyke monitored the internal closed-circuit TV coverage of the House proceedings as he anchored the AP Radio live broadcast from the chamber's microphone system.

Broadcasting, June 19

for libel. Herbert sought access to information to prove the journalists' "frame of mind" to prepare his libel suit.

When the Supreme Court was asked to review the case of Joe Pennington, the high court again was asked to define the limits of a reporter's First Amendment protection. Pennington, when he was with KAKE-TV Wichita, Kan., received a sentence of 60 days in jail for criminal contempt for refusing to divulge the identity of a confidential source even though the material the source provided was never used in a broadcast. When the Supreme Court refused to review the case in which Myron Farber, *New York Times* reporter, received civil and contempt charges for refusing to turn over to a New Jersey state judge the notes and other records sought by attorneys for a defendant in a murder trial, the question of First Amendment protection for reporters remained as elusive as ever.

For his refusal Farber spent 40 days in the Bergen county jail, and the *New York Times* paid \$285,000 in fines. The New Jersey Supreme Court, in a 5-to-2 vote, held that the First Amendment and the New Jersey shield law must yield to the Sixth Amendment's guarantee of a fair trial. The Radio-Television News Directors Association interpreted the Supreme Court's refusal to review the case as placing in jeopardy the protection that journalists assumed the shield laws provided, and Arthur Ochs Sulzberger, publisher of the *Times*, felt that it be essential that the

Supreme Court rule on the issues raised in the Farber case. Sulzberger argued that "it would seem simple logic that before a reporter goes to jail and the *Times* pays fines there be a hearing to determine whether a shield law, which still stands on the books, is real or made of papier mache."

Gerald Rafshoon, the media adviser for Jimmy Carter's 1976 presidential campaign, became "assistant to the President for communications." Rafshoon initiated a series of dinners for media executives and working journalists with the President and Rosalynn Carter. He created a telephone access service permitting journalists to interview Carter officials while being taped for TV. The Carter White House in December began to produce and issue 30-second to two-minute audio press releases featuring the President and other officials. The audio project was praised by some as informative, criticized by others as propaganda.

The wreckage of a previous administration continued to surface. In April the Supreme Court, in a 7-to-2 decision, reversed a lower court ruling that had called for immediate public access to former President Richard Nixon's White House tapes. Although not supporting Nixon's contention that release of the tapes constituted an invasion of his privacy, the Supreme Court ruled that the General Services Administration, under the Presidential Recording Act of 1974, controlled access to the tapes and therefore possessed authority over the



There were smiles when Representative Lionel Van Deerlin (D-Calif.) got together with key figures of the Association of Independent Television Stations before the opening dinner of the 1978 INTV convention in San Diego. But there was neither warmth nor applause a little later when the congressman spoke in an effort to rally support for his proposed rewrite of the Communications Act. In pretidinner photo (l-r): FCC Commissioner Abbott Washburn; Herman Land, INTV president, Leavitt Pope of WPIX-TV New York, INTV chairman; Vicki Van Deerlin, daughter of the congressman, Van Deerlin and Nicki Goldstein, INTV vice president for operations.

Several FCC commissioners, including Chairman Charles Ferris, Abbott Washburn, Tyrone Brown and Joseph Fogarty, had reservations about the new bill, specifically its deletion of a mandate to the proposed regulatory agency to govern, as under the Communications Act of 1934, "in the public interest, convenience and necessity."

Ferris felt that reliance upon the forces of market competition would not provide the desired diversity of ideas and information. Pointing to the failure of market forces to establish parity for women and minorities, Ferris argued: "I think the general point is that competition is a useful and effective mechanism which can increasingly be relied on. But it is not an end in itself. It is a tool, a means to preserve and protect the public interest. As many communications markets do not work perfectly, there is a need to retain some regulatory tools." Commissioner Brown concurred, saying "the bill would permit return to the disgraceful days when women and minorities were excluded from employment in the industries and therefore excluded from programing decisions. Adoption of [the rewrite] would, in short, make the broadcast license in fact what it has sometimes been called in jest—a license to print money with few if any responsibilities attached." Washburn added that "so long as the government is handing out exclusive-use rights to valuable scarce frequencies we will continue to

need the 'public interest' standard." Commissioner Margita White felt that the marketplace standard was synonymous with "in the public interest," and Commissioner James Quello felt that the "public interest" phrase had lost its power as it had been stretched to mean almost anything.

White disliked the proposed reduction of the limit in the number of stations that broadcast groups could own from the present 21 (seven TV, seven AM, seven FM) to 10 (five TV and five radio). She noted that "efforts to increase diversity through diversification of ownership will not necessarily result in either more competition or a greater diversity of viewpoints. Indeed, they can limit the financial resources and incentives to produce quality programs, inhibit the emergence of new and viable competitors and weaken the ability of the free press to withstand government encroachment on First Amendment rights."

Commissioner Quello praised the rewrite in general, but expressed doubts as to the wisdom of placing responsibility for telecommunications policy with the proposed National Telecommunications and Information Administration as part of the executive branch: "It seriously erodes the authority of the independent regulatory agency... and in my opinion implicitly weakens control of Congress in these areas. Frankly, I believe that current checks and balances are more desirable,

although perhaps less efficient than the centralizing of power and control."

BROADCASTING summarized the situation: "For both sides, it has become apparent in the past few weeks, the Communications Act of 1934 is the indispensable Linus blanket. A nightmare has been induced by the House Communications Subcommittee's draft of a Communications Act of 1978: Everybody stands naked in the Capitol rotunda. Suddenly the regulators and the regulated are united in common alarms at the proposed disappearance of the 'public interest, convenience and necessity' as a standard by which the FCC makes regulations." All of the controversy caused the bill to go back to committee for further rewriting in preparation for introduction in the next Congress.

By mid-August, Van Deerlin was saying the rewrite would have to be rewritten. He said introduction of the bill was only a starting point, and that he was open to change on some of the issues.

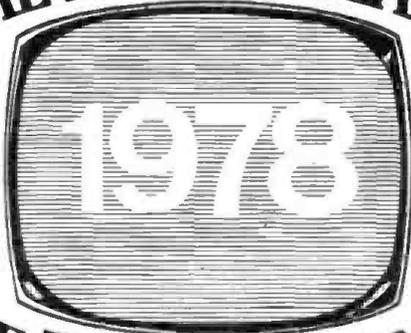
In September, Van Deerlin was urging radio broadcasters to rally around the rewrite (their "100% support" had faded somewhat) regardless of the position that had been taken by television broadcasters and other trade organizations. Also, Van Deerlin said drafters of the new rewrite might grant cable's wish to stay under federal regulation.

At the end of the year, Van Deerlin was feeling the sting of his counterpart in the Senate, Ernest Hollings (D-S.C.), who said he planned to give the bill a thorough going over. Hollings said he favored step-by-step changes in the law, and not the one-shot overhaul.

While broadcasters awaited the outcome of this major piece of legislation, the courts issued rulings on indecency and crossownership that altered the broadcasting terrain. In response to the FCC's request for a review of the appeals court's decision that negated the commission's power to regulate indecency over the air, the Supreme Court in a 5-4 ruling reversed the lower court's decision; the Supreme Court held that the FCC may regulate and punish the broadcast of "indecent" material.

The majority of judges accepted the premise that the provision in the Communications Act forbidding censorship did not prevent the commission from reviewing and regulating programs containing indecent material. The judges also accepted the commission's distinction between "indecent" and "obscene," thereby negating Pacifica's (WBAI-FM New York) argument that the George Carlin broadcast, the original cause of this ruling, could not be censored because it lacked the "prurient interest" component that defines obscenity. The Supreme Court asserted there were limitations on broadcasting's First Amendment rights because the broadcast media "have established a uniquely pervasive presence in the lives of all Americans. Patently offensive, indecent material presented over the airwaves confronts a

THE FIRST 50 YEARS



OF BROADCASTING

Broadcasters spent much time in 1978 in a running argument with a California congressman who had elected to rewrite the 1934 Communications Act. In the previous session of Congress, Lionel Van Deerlin (D-Calif.), chairman of the House Subcommittee on Communications, had trimmed his ambitions from outright rewrite to substantial revision, thinking broadcasters would be amenable to lesser change. His revisions, however, encountered hostility. In an article for the *New York Times*, Van Deerlin chastised broadcasters: "In a time of record profits (annual income \$8.1 billion and growing) the broadcast industry feels embattled as never before. Yet rather than moving to equip itself for a new environment, the industry chooses to draw its wagons into a circle around the hopelessly outdated Communications Act of 1934."

In January, the National Association of Broadcasters said "dramatic overhaul" of communications regulation was not in the best interests of broadcasters. It argued for legislation that would repeal the fairness doctrine and equal time for political candidates, lengthen station license terms from three to five years, remove FCC authority to interfere in broadcast advertising and continue regulation of cable television as an ancillary service to broadcasting. Van Deerlin said the NAB was trying "to keep the gold in Fort Knox."

In June, Van Deerlin and his co-author, Representative Lou Frey (R-Fla.), ranking Republican on the subcommittee, unveiled a massive bill that was more rewrite than revision of existing law. Among its provisions: almost total deregulation of radio; the abolition of all federal cable TV regulation in favor of state and local regulation; the extension of TV license terms from three to five years for the next 10 years, becoming indefinite thereafter; the grandfathering of all present multiple ownerships, but with a limit on future acquisitions to one AM, FM or TV station in the same market and no more than five radio and five television stations to any group; the elimination of the fairness doctrine for radio and the establishment instead of an "equity principle" that required equal treatment of controversial issues without demanding that stations treat such



California voters on June 6 approved the Proposition 13 initiative that cut property taxes in the state by 57% thus limiting state government spending. Later that month, the U.S. Supreme Court ruled 5-to-4 that the racial quota plan at the University of California Medical College at Davis was unjustifiably biased against white applicants and ordered that Alan Bakke, who sued for "reverse discrimination," must be admitted. Pope Paul VI died after a heart attack Aug. 6; his successor, Pope John Paul I also suffered a fatal heart seizure after just 34 days in office. Polish Cardinal Karol Wojtyla on Oct. 16 became John Paul II, the first non-Italian Pope to rule the Catholic church in 455 years. And in a baseball scenario that would be reported often, Bob Lemon took charge of the New York Yankees after owner George Steinbrenner and Manager Billy Martin came to a vociferous parting of the ways. And in BROADCASTING ...

issues in the first place: the elimination of equal-time requirements for political candidates on radio, and the elimination of equal-time requirements for presidential, vice presidential, senatorial candidates and others running in statewide elections on TV; the replacement of the FCC by a five-member Communications Regulatory Commission that would regulate only "to the extent market forces are deficient"; and the establishment of a license fee for both broadcast and non-broadcast users of the spectrum with proceeds to go toward supporting federal regulation, public broadcast programming, minority ownership of stations and rural telecommunications. The new commission was to draw up a fee schedule intended to pro-

duce \$350 million a year or more.

Van Deerlin and his chief counsel, Harry M. (Chip) Shooshan, described the spectrum users' fee as a trade-off for broadcast deregulation.

The National Radio Broadcasters Association endorsed the bill, which promised modest license fees for radio. In July hearings, the bill took a drubbing from all sides, including citizen groups objecting to the removal of the public interest standard in the 1934 act. Cable television, which the bill would free from the federal regulation, said thanks for the interest, but it didn't want to get thrown back to the states for regulation. Henry Geller, head of the National Telecommunications and Information Administration, however, was largely supportive of the rewrite. Also at the hearings, the Association of Maximum Service Telecasters said the rewrite's encouragement of more diversity carried the seeds of destruction for existing television service. AMST found nothing good in the legislation.

Vincent Wasilewski, NAB president, reiterated that association's opposition to the fee proposal. It also continued to oppose the deregulation of cable and did not like the proposed Communications Regulatory Commission. The NAB thought a smaller body would provide "fewer opportunities to expand the expertise of the commission," and carried the danger that only two votes when only three members were present could carry an issue.

Keystone Broadcasting Co., a company that served as sales representative and programmer for more than 1,200 stations in smaller towns, noted: "Radio stations must fill a need and the need has become acute with the decline of the daily newspaper in many towns. And in some towns which never had a daily newspaper there's a radio station giving local news and community service programing." The spectacular growth of local radio billings from \$602 million in 1967 to \$1.87 billion in 1977 proved one measure of local radio's success. From progressive rock, to country, to top 40, to classical, to all-news, radio, the first broadcast medium, proved itself flexible enough to compete through diversification.

The increase in the 1960's and the 1970's in the number of assassinations and attempts on lives of public figures as well as other terrorist activity brought new problems to broadcast journalism, aside from reporting obligations. It was the question of whether intensive media coverage influenced others to resort to similar violent behavior.

The issue was revived in March 1977 when Hanafi Muslims seized 134 hostages at three different locations in Washington. During the 39-hour siege, a WTTU-FM Washington reporter was killed, and others were injured. The media meticulously covered all phases of the incident, including reports on the demands of the Hanafi Muslims for the turnover of Black Muslims involved in the 1973 murder of seven Hanafis and the withdrawal of a film on Mohammed that the Hanafis consider sacrilegious.

Andrew Young, ambassador to the United Nations, suggested that the First Amendment might be "clarified" to lessen the probability of creating terrorist acts through media coverage. "A lot of these phenomena," argued Young, "are the result of the publicity they are given. In a sense, we are advertising to neurotic people [that the way to get attention is] to do something suicidal and ridiculous." Just what that clarification might involve remained vague.

The Washington incident was complicated for journalists by the Hanafi Muslim leader's choice of Max Robinson, WTOP-TV Washington anchorman, as an intermediary. While acknowledging the seriousness of the problem, CBS's Walter Cronkite stated that reporters and editors in instantaneous journalism should not be concerned with the consequences of their reporting: "I don't know how this society got so media-oriented in blaming the messenger for everything that transpires in our society and for all of its ills. . . . We are only the messenger." Cronkite also argued against blackouts as an ameliorative technique, saying: "That's not serving the public's best interests at all. All that does is lead to rumor, speculation, to doubt that the press is telling the whole story under any circumstances. And that's the most important consideration of all. If we cover up stories under one circum-



CBS commentator Eric Sevareid (l), retiring after 38 years, was presented the Radio-Television News Directors Association's Paul White Award. Making the presentation at RTNDA's San Francisco convention was the association's past president, John Salisbury of KXL-AM-FM Portland, Ore.

Broadcasting, Sept. 26

stance, the public has every right to believe that we cover them up under any circumstance. And if we cover up at all, then the whole belief, reliance upon the press, is gone."

The National News Council offered two suggestions to broadcasters: the consideration on a case-by-case basis of self-restraints that included the curtailment of live coverage which the council felt "precludes full context and judicious editing," and the elimination of docudramas that mix fact and fiction and, according to the council, cause "public confusion and historical revisionism or inaccuracy . . . particularly because the needs of drama may tend to take priority over journalistic standards." Responding to the seriousness of the situation, CBS News in April issued guidelines for the coverage of terrorist/hostage stories. While noting that all coverage must be guided by the uniqueness of each situation, the network's recommendations for personnel included advocating that they avoid providing an excessive platform for terrorists or kidnap-

pers when reporting demands, limit live coverage since "we may fall into the trap of providing an unedited platform" and contact specialists and follow instructions on phrases to use and to avoid.

Another noteworthy programming effort in 1977 was the interviews of former President Richard Nixon by David Frost. The series was carried on a special lineup of TV stations set up by Syndicast Services and simulcast on the Mutual Broadcasting System. The first broadcast drew both high ratings and high praise. Benjamin Bradlee, executive editor of the *Washington Post*, and Richard Salant, president of CBS News, called the segments some of the best TV they had ever seen. Mickey Johnson, president of Syndicast, envisioned the interview series as the "Roots of syndication." Nielsen overnight ratings showed the initial interview, which dealt with Watergate won a 32.9 rating and a 50 share in Los Angeles, a 33.5/47 in New York, and a 20.7/35 in Chicago. A fifth Frost-Nixon interview was offered. But it was picked up by only 50-odd stations in September. In it, the former President renewed his attack on the news media.

In other broadcast journalism events: Roone Arledge, ABC sports chief, became head of ABC News as well. Frederick Pierce, president of ABC Television, explained that Arledge would "bring a different perspective to the network's news through the eye of a production expert with journalistic leanings." CBS commentator Eric Sevareid retired in November after more than 38 years with CBS. Looking back, Sevareid felt that it was CBS News that gave that network its push to prominence. Looking forward, Sevareid warned: "Competition has sharpened, and it is going to put a higher premium on personality. Now the immediate assumption is that that means a lot of lowering of standards—a lot of Hollywood types with a lot of black hair and white teeth—but it doesn't have to be like that. I'm afraid that everybody on a thing like a network evening news program is going to have to be not only a good reporter and good writer; he's going to have to have some quality of personality that sticks with the audience."

An offshoot of broadcasting in 1977 was the home video games that grew in popularity: TV consumers interacted with their sets by manipulating cartridges and joy sticks, the paraphernalia of a new kind of TV high. Broadcasters pondered the permanent effect these games might have on ratings.

The end of the year signaled the beginning of the Ferris FCC. Commission Chairman Richard Wiley had left in September to enter private law practice. The naming of Ferris returned the chairmanship to a Democrat for the first time since 1966. A few days later, in September, Washington attorney Tyrone Brown, also a Democrat, was appointed to the commission. Brown, a black, took over the vacancy created when Benjamin L. Hooks resigned to head the National Association for the Advancement of Colored People.

Stay Tuned

1. How did FCC Commissioners Brown and White feel about the elimination of the "public interest" premise in the proposed rewrite of the Communications Act?
2. What was the outcome of the WBAI "filthy words" case?
3. What Rafshoon-inspired use of radio by President Carter was called "informative" by supporters but "propagandistic" by opponents?
4. What TV arch-villain became the man American loved to hate?
5. What new communications agency began in 1978 and who headed it?

The answers
in "1978."

trial, which was broadcast by Miami television stations. Ellis Rubin, the boy's lawyer, contended that his client's constant viewing of such programs as *Kojak* and *Policewoman* produced "a mental condition of insanity . . . diseasing his mind and impairing his behavioral controls." Zamora was convicted and received a life sentence.

The NAB in September adopted a TV code amendment prohibiting the broadcast of material that in the licensee's judgment was "obscene, profane or indecent." BROADCASTING commended the NAB for its "realistic understanding of the true purpose of the code—to assert general guidelines with which the great majority of broadcasters can agree, but to stop well short of the explicitness that would deny subscribers their individual interpretation."

One new program, ABC-TV's *Soap*, especially tested the NAB code's promotion of programming in "good taste." A satire on daytime serials, the show featured a homosexual son who wanted a sex-change operation and a mother and daughter who shared the same lover. ABC-TV officials recognized the show's "outrageousness," but reasoned that the program was done in good taste and bet that the show would be one hit of the new season. Among those objecting to *Soap* was the U.S. Catholic Conference Department of Communication, which criticized the program for a "titillating obsession with sex" and urged that the program be taken off the air. Despite criticism, *Soap* survived and made it through to regular fall scheduling.

Another ABC innovation, which won a ratings coup, was the TV adaptation of Alex Haley's book, "Roots," about his search for ancestry leading back to Africa. The telecast, over eight consecutive nights, became the most watched program in the history of television. Eighty million people saw at least some part of the final two-hour episode. With *Roots*, the mini-series form reached its apogee. ABC in 1977 again won rating leadership with NBC in second place and CBS in third.

The rating successes of the 1976 Olympics prompted feverish negotiations for the 1980 games. ABC-TV had commanded a 48.2 share of audience with its 1976 coverage of summer games in Montreal. In addition, the network had used the summer games to promote its upcoming season schedule and went into the fall with a large audience lead. ABC in January 1977 formalized its agreement for American and Puerto Rican rights to the 1980 winter games in Lake Placid, N.Y. The price was \$15.5 million, according to an Olympics Organizing Committee spokesman, with another \$25 million paid for services and equipment. That brought ABC's total cost to \$40.5 million, a record price for broadcasting rights to the winter Olympic Games.

Negotiations for the 1980 summer games in Moscow were more complex. Initially, the three American TV networks



Michael Pertschuk, former chief counsel of the Senate Commerce Committee, was Jimmy Carter's choice to be chairman of the Federal Trade Commission. He was sworn in April 21 in a White House Rose Garden ceremony, where he presented his fiancée, Anna Sofaer, to the President

Broadcasting, April 25

discussed a plan for pooled coverage. However, after the agreement was submitted to the Justice Department for antitrust clearance, CBS pulled out. Then in early February, NBC signed an \$85-million agreement with the Soviet Olympic organizing committee for the 1980 summer games. Payments, to begin in 1977 and continue through 1980, included approximately \$22.5 million to Russia for U.S. broadcast rights, \$12.6 million to the International Olympic Committee for U.S. broadcast rights and \$50 million to Russia for production facilities, services and the origination of the link to the Intelsat satellite.

The 1977 ratings war between the TV networks featured heavier promotion and more "specials," including variety shows, mini-series, special movies, dramas, and two-hour episodes of regular series. New shows included: *Love Boat* (ABC), comedy-drama sketches about the passengers and crew of the "Pacific Princess," a cruise ship, starring Gavin MacLeod; *Lou Grant* (CBS), a drama about the newsroom of the *Los Angeles Tribune*, starring Edward Asner, Mason Adams and Nancy Marchand; *Three's Company* (ABC), a comedy that debuted in March, about two women and a man that shared an apartment, starring John Ritter, Joyce DeWitt and Suzanne Somers; *Fish* (ABC), a comedy spinoff of the *Barney Miller Show*, featuring detective Fish's personal life as a foster parent, starring Abe Vigoda and Florence Stanley; *The Betty White Show* (CBS), a comedy about movie people, starring Betty White as a middle-aged actress and Georgia Engles as her friend; *The Oregon Trail* (NBC), a drama about a widower who takes his three children on a wagon train out West, starring Rod Taylor; *Man from Atlantis* (NBC), an adventure show about the last survivor of the lost continent of Atlantis, starring Patrick Duffy.

In 1977 CBS celebrated 50 years of operation, and Chairman and Chief Executive Officer William S. Paley delegated additional powers to President John Backe in a move to regain the TV network's supremacy. Backe attributed CBS's loss of the top spot to complacency: "We'd been number one for a long time. There was nothing in the pipelines; we had nothing on the shelf and our programs began to fail back last September. That's hardly the case now. We've had probably the most dramatic change in our development efforts that we've had in a long time, and we're certainly not going to be caught off guard this time." Although still attempting to regain its 20-year tradition of being the number-one network, CBS, on its 50th birthday, could trace its growth from a broadcast operation that in 1927 grossed \$72,500 to an entertainment-information conglomerate with a 1977 revenue of \$2.5 billion.

For being what the Justice Department considered too powerful an influence on programming, CBS and ABC continued to face antitrust charges. The Justice Department in September 1977 added more than 200 pages of pleadings to its record of network abuses, including charges that CBS and ABC used their control of prime-time programming to eliminate competition and to restrain competition from such secondary communications markets as pay television. NBC, named in the original suit filed in 1972, was not named in the current pleadings since that network had negotiated a consent decree (see 1976) that received court approval in December 1977. The consent decree, whose major provisions would become effective only if ABC and CBS agreed to the same terms, restricted NBC from obtaining exhibition rights to independently produced programs if those rights were conditioned on the grant to NBC of any other right to the program, restricted NBC from using for three years any prime-time program in other domestic communications markets, and restricted NBC from acquiring exclusivity against the exhibition of feature films in theaters, on closed-circuit television or on videodisks, cartridges or cassettes.

While television grew and prospered, radio, with FM leading the way, also experienced a steady push toward more stations and bigger revenues. By the end of 1977, 4,513 AM stations were on the air (4,569 authorized), 3,972 FM stations were on the air (4,130 authorized), and radio net times sales had increased 12.8% over the preceding year for a record \$2,512,500,000. Between 1967 and 1977 the number of FM stations had grown by more than 1,100 while the number of AM's increased by only about 300.

To compete with FM's sound, AM stations began to look at stereo programming. The NAB in a report, "Radio in 1985," predicted AM stereo would be in general use within a decade. To compete with the other media, radio continued to be sensitive to local needs. Nicholas Gordon of

Deerlin: "You don't graze on public lands without paying something for it . . . such as a fee, based on broadcast station revenues or profits, whatever seems fairest."

The broadcasters were dead set against fees of any amount. The year ended with the House Communications Subcommittee and the broadcasters growling at each other.

At the FCC, 1977 was a year of setbacks in the U.S. Court of Appeals. In February, the court, headed by Chief Judge David Bazelon, unanimously reversed the FCC's crossownership rules that had been adopted in 1975. The FCC had ordered divestitures in 23 markets where it found "egregious" concentrations of control of broadcasting stations and newspapers. Elsewhere it decreed existing crossownerships to be lawful while under present ownership but to be broken up upon transfer to others. The court ordered divestiture everywhere. BROADCASTING identified 153 combinations that would be affected, worth billions of dollars. In his opinion, Bazelon wrote: "The commission has sought to limit divestiture to cases where the evidence discloses that crossownership clearly harms the public interest. . . . We believe precisely the opposite presumption is compelled, and that divestiture is required except in the cases where the evidence clearly discloses that crossownership is in the public interest."

In October, the Supreme Court agreed to hear appeals by the FCC, joined by the National Association of Broadcasters, the American Newspaper Publishers Association and others.

The U.S. Court of Appeals also over-

turned an FCC action that established rules for decent language, removing the commission from the "forbidden ground of censorship." Complaints about WBAI-FM New York's broadcast in 1973 of a George Carlin album had led the FCC to establish a standard for acceptable broadcast language that included what came to be known as the "seven dirty words one can never say" on the air. But in overturning the commission's ruling, Judge Edward A. Tamm wrote: "We should continue to trust the licensee to exercise judgment, responsibility and sensitivity to the community's needs, interests and tastes. To whatever extent we err, or the commission errs in balancing its duties, it must be in favor of preserving the values of free expression and freedom from governmental interference in matters of taste." The appeals court by a 5 to 4 vote rejected the FCC's request for a rehearing. The commission appealed to the Supreme Court.

The Court of Appeals in Washington in March overturned the FCC's pay-cable rules designed to protect broadcasters against the siphoning of sports and movie programming. The decision held that the commission exceeded its authority over cable in promulgating the rules and failed to present evidence to support its claim that such rules were needed. The court also directed FCC members and staff to avoid ex parte contacts in rulemaking proceedings. The commission petitioned the Supreme Court in July to review the appeals court decision, claiming the FCC had the same authority to regulate cable as to regulate over-the-air pay TV. The high court declined to review.

By 1977, cable penetration of TV homes had increased to 17.3%, the number of systems to 3,800, and the number of subscribers to almost 12 million. The motion-picture industry accused Time Inc.'s Home Box Office of being a monopoly since it possessed 80% of the pay-cable programming market, the rest being divided among six other companies. The Motion Picture Association of America took its complaints to the Federal Trade Commission and the Justice Department's Antitrust Division in hopes of an investigation of HBO.

Warner Cable Corp.'s two-way experiment, Qube, at a cost of more than \$10 million was inaugurated in Columbus, Ohio, on Dec. 1. First conceived as an incentive to TV households that didn't subscribe to cable, the two-way system, according to Gustave M. Hauser, chairman and chief executive of Warner Cable, was a "dramatic leap" in cable programming that combined elements of conventional television, community channels, premium programming on a pay-per-view basis and means for subscribers to talk back to their television sets. Qube, besides offering subscribers 30 channel choices, including TV programming and premium movies, sports, art and education, offered subscribers five "response buttons" that allowed subscribers to participate in local game shows, vote on referendums, take quizzes and purchase products. The 26,500 subscribers to Warner's pre-Qube system there paid only \$9.95 for the installation of Qube. New subscribers paid \$19.95. Subscribers also paid a basic monthly service charge of \$10.95 plus whatever paid programming they purchased. A new era had begun.

If cable programming seemed innovative and on the edge of a revolution, broadcast television labored under the old criticisms of programming excessive violence and sex. House hearings on violence culminated in a controversial report. In its first draft, the networks received the brunt of criticism. But in the adopted form, the guilt was distributed among producers, writers, advertisers and viewers as well. Although the co-authors of the new report, Representatives Martin Russo (D-Ill.) and Lou Frey (R-Fla.), felt that their version presented a more balanced picture, Representative Henry Waxman (D-Calif.) criticized their report as a "whitewash" of the networks. "If we adopt this report," Waxman stated, "we're telling the American people 'Don't worry about it. Everything's under control, and no more needs to be done about TV violence!'" Representative Albert Gore Jr. (D-Tenn.), another member of the House Communications Subcommittee, objected to the final report saying: "This subcommittee ought to be unyielding in saying that violence on TV is a terrific problem and ought to be corrected."

In a denouement worthy of a televised cop drama, 15-year-old Ronald Zamora, facing charges of murder in Florida, pleaded insanity due to "involuntary, subliminal television intoxication." In the



Mutual Broadcasting System again changed hands in 1977 when Amway Corp. bought Mutual Broadcasting Corp. from a group principally owned by Mr. and Mrs. Benjamin D. Gilbert of Stamford, Conn. Final contract was signed Sept. 29 by Richard M. DeVos (l), president of Amway Corp., and C. Edward Little, president of MBS, who represented the sellers and who continued as president of the network. Not present at the consummation of the \$18-million purchase was Amway Chairman Jay Van Andel, owner with DeVos of the Ada, Mich., distributor of household and personal care products.

Broadcasting, Oct. 3

THE FIRST 50 YEARS



OF BROADCASTING

Jimmy Carter took office as the 39th President on Jan. 20, 1977, and immediately created a television spectacular by walking the ceremonial route from the Capitol, site of his swearing-in, to the White House. Where other Presidents had ridden in their limousines, Carter strode jauntily, hand-in-hand with his wife, Rosalynn, and daughter, Amy, while cameramen, who had planned for a conventional inaugural parade, hastily refocused and network anchors stared in disbelief. It would not be the last time that Carter would shake the broadcasting establishment.

By the end of the year Carter had installed a cadre of regulators drawn principally from consumer-minded careerists in government, of the kind to give broadcasters fits. For FCC chairman he picked Charles D. Ferris, aide to Mike Mansfield (D-Mont.) when the latter was majority leader of the Senate and later aide to Thomas P. (Tip) O'Neill Jr., Speaker of the House. For Federal Trade Commission chairman, the choice was Michael Pertschuk, counsel to the Senate Commerce Committee, remembered by broadcasters as the behind-the-scenes architect of the tobacco interests' deal that cost radio and television \$230 million a year in outlawed cigarette advertising.

Upon arrival at the FCC, Ferris began talking about regulation that broadcasters would hate: releasing their financial reports as a public service, identifying the percentage of informational programming that broadcasters would be expected to supply. His first appointments were of a piece with his own: lawyers who had been associated with citizen groups. As for Pertschuk, he began talking of regulating television advertising directed to the young and closed the year with a call for outright prohibition of advertising in television programs attracting juvenile audiences.

But whatever was in store for broadcasting from the regulators Carter chose, his personal stamp was put on radio and television early in his Presidency. He had hardly moved into the White House before he appeared in a television-era adaptation of Franklin Roosevelt's fireside chats: There was a folksy Carter on the screen, wearing a sweater and sitting



Carter pardoned Vietnam draft evaders Jan. 21. Two jumbo jets collided March 27 over the Canary Islands killing 528, the worst aviation disaster in history. Tongsun Park was identified as a Korean agent who allegedly spent millions to influence U.S. officials. An agreement was drawn up to transfer the Panama Canal to Panama by the year 2000. Elvis Presley died Aug. 16. Bert Lance, U.S. budget director, resigned Sept. 21 after criticism of his banking practices before joining government. A nationwide strike of farmers started in December. On Dec. 15, Congress approved Social Security payroll tax increases that President Carter said would make the system financially sound through the year 2030. Senator William Proxmire's (D-Wis.) August "Golden Fleece Award" went to the Agriculture Department for its research to "identify methods of reducing psychological stress and boredom" of pregnant pigs. And in BROADCASTING ...

cozily before a fire. He drew an audience of 80 million. Next was a two-hour telephone-talk show on CBS Radio, *Ask President Carter*. That one was also videotaped and played back on the Public Broadcasting Service.

In further sharpening his chosen image as a president of the people, Carter traveled to Clinton, Mass., to attend a town meeting and to Charleston, W.Va., for a roundtable discussion with local residents—trailed by cameras and microphones.

Calling Carter a "master of television," NBC's Washington director of news, Ed Fouhy, noted that the President "used television intelligently, making use of different formats and forums to get his views across." David Broder of the *Washington*

Post felt that Carter "has transformed himself from the very shaky winner of a bungled campaign into a very popular President, whose mastery of the mass media has given him real leverage with which to govern." The broadcasting media, of course, formed the elixir for this magical change.

Changes were in the air in Washington. Lionel Van Deerlin (D-Calif.), chairman of the House Communications Subcommittee, won a first-year appropriation of \$498,000 to hire a 10-member staff and outside consultants for a "basement-to-attic" rewrite of the Communications Act. In April, the staff presented an 850-page report containing a wide range of options for the subcommittee's consideration. Among the options proposed for broadcasting were the lease of spectrum space and the regulation of broadcasting as a public utility. "Why," asked Vincent Wasilewski, president of the National Association of Broadcasters, "have hundreds of man-hours of congressional staff time been spent dreaming up wild and woolly schemes to repair something that's not broken?"

Van Deerlin, trying to quiet the broadcasters' alarm, began telling them they had little to fear and a lot to look forward to. To a convention of the National Radio Broadcasters Association he promised "virtually the total deregulation of radio." Afterward, however, Harry M. (Chip) Shooshan, Van Deerlin's staff director and author of the broadcasting section of the options report, said radio broadcasters would have to make concessions to win deregulation. That's right, said Van



FCC nominees Margita White, from the White House staff, and Joseph Fogarty, from Capitol Hill, as they faced questioners during their August confirmation hearings. White eventually filled the unexpired term of Charlotte Reid who had resigned in June. Fogarty succeeded Glen O. Robinson for a full seven-year term.

Broadcasting, Sept. 6

In 1976, NBC celebrated a special birthday of its own, 50 years of programing. It traced its roots back to Nov. 15, 1926, when Merlin H. (Deac) Aylesworth, the first president of NBC, opened a four-hour special inaugural program that included five orchestras, a brass band, Metropolitan Opera soloists, a light opera company, an oratorical society, and entertainers that included Will Rogers. The special show in 1926 was carried by 25 stations, 21 NBC charter affiliates plus four other stations, and was heard in approximately five million radio homes.

Fifty years later, in 1976, Julian Goodman, chairman and chief executive officer of NBC, reviewed the network role. "The networks," he said, "have traditionally been the ones to step up with the amount of money, at high risk, to make possible the programing that has established the large viewing audience in the U.S. for the stations. And I think those networks that have made those risks, which have paid for sports rights, far into the future, which have paid for motion pictures, valuable motion pictures, at high prices, running far into the future—I think the networks, having made those risks, deserve to make a profit. And I think the figures will show that over the years the networks' profits not only have been reasonable, and have fluctuated, but they have been very modest as a percentage of return on sales."

To celebrate its 50 years, NBC had developed a new "N" logo at a cost estimated at "well under \$1 million" only to discover that the Nebraska Educational Television Network had been using the identical logo developed at a cost of "well under \$100" for the previous six months. Later in the year NBC negotiated a settlement with NETV for the use of the logo.

In other negotiations, NBC reached an agreement with the Justice Department

that ended, for that network, the four and a half years of antitrust litigation that began in April 1972, when the Justice Department filed suits against all the networks. The suits had charged that the networks had used their control over access to television's prime-time hours to restrain and monopolize prime-time television programing in violation of the antitrust laws. The provisions of the negotiated agreement, including one limiting the amount of programing NBC would be able to produce for its own use, would not become effective until the outcome of litigation against CBS and ABC.

NBC argued that "by taking the lead in entering into this new charter, NBC continues its effort to advance constructive relationships in the industry to the benefit of our program suppliers, the NBC Television Network, and most importantly the viewing public." ABC disagreed, calling the negotiated provisions "basically anti-competitive, inconsistent with FCC policies, and not in the interest of our affiliated stations or the public. . . . ABC has no intention of entering into such a consent judgment." CBS concurred with ABC, noting that the government's claims against the network were "without legal or factual basis."

As the result of another executive decision, NBC Radio decided, after two years and more than \$10 million in losses, to terminate its News and Information Service by mid-1977.

The NAB, in a radio code action somewhat analogous to TV's family-viewing venture, urged radio broadcasters to screen records for offensive lyrics, particularly those concerned with sex and drugs. The code, which stated that "broadcasters are responsible for making good faith determinations on the acceptability of lyrics under radio code standards," encouraged broadcasters to be vigilant.

The FCC, recognizing the increasing prominence of FM radio, reduced the time that FM stations could duplicate the programing of AM adjuncts. Beginning May 1, 1977, an FM station was to be limited to 25% of the average week of a co-located, commonly owned AM station if either was in a community of over 100,000 population. In communities of between 25,000 and 100,000, FM's were to be limited to 50% of AM duplication.

Representative Robert Kastenmeier's (D-Wis.) Judiciary Subcommittee, proposed a copyright revision bill that the National Cable Television Association supported but that the NAB opposed. The bill that passed Congress in late September, the first revision of copyright law in 67 years, included the following major provisions for cable: The bill required cable systems to obtain a compulsory license requiring them to pay prescribed semiannual royalties based on a percentage of subscriber receipts for distant broadcast signals; established a five-member royalty tribunal to review cable and other rates, and prohibited cable systems from substituting their own commercials on imported broadcast signals. Broadcasters still argued that pay cable and deregulation of the cable industry constituted threats to free TV.

Broadcasters, looking ahead to 1977, saw a new configuration of the FCC with Benjamin Hooks's resignation (effective January 1977) to direct the National Association for the Advancement of Colored People and the appointment to the commission of Margita White, a Republican, and Joseph Fogarty, a Democrat.

Also on the horizon for broadcasters was the prospect of revision of the Communications Act, as promised in 1976 by Representative Lionel Van Deerlin (D-Calif.), the new chairman of the House Communications Subcommittee. The biggest unanswered question was what would happen to federal regulation when the new Carter administration came to power.

Stay Tuned

1. What radio format did Jimmy Carter employ early in his presidency as part of his effort to eliminate presidential isolation?
2. Where was the first two-way cable system used and what was the name of the company that developed that service?
3. What hostage seizure in Washington, renewed speculation about the cause-and-effect relationship between broadcast coverage and terrorist activity?
4. Name the two appointments to FCC in 1977.
5. What programing series in 1977 drew record ratings for ABC-TV and strengthened its hold on prime-time leadership?

The answers
in "1977."

posedly drawn in general terms, has enabled contemporary themes to be aired in the early evening hours while restraining dialogue that family audiences would find tasteless. [The concept proved] that there are creative people who can produce entertaining and enlightening programs of quality that are also responsible." Michael H. Franklin, the executive director of the Writers Guild of America West, took another view: "The family hour is in clear violation of the First Amendment, and we're going to get it thrown out."

After considerable court sparring and an attempt at compromise that failed, the court in November ruled that the networks, the NAB and the FCC had acted illegally by allowing "the NAB television code review board to act as a national board of censors for American television. The plaintiffs have evidenced a successful attempt by the FCC to pressure the networks and the NAB into adopting a programming policy that they did not wish to adopt." David Rintels, head of the WGA, hailed the court decision as a mandate that "we as creators will be free from unwarranted government interference and arbitrary censorship, hopefully to bring you diverse programming." John A. Schneider, president of the CBS/Broadcast Group, criticized the edict as one that "unfairly singled out the broadcasting industry for prohibitions not applied against other industries and professions [thereby setting a] dangerous precedent that threatens the American tradition of voluntary self-regulation. Voluntary maintenance of general industry standards is both good broadcasting and good citizenship, and ... this cause is worth defending."

The NAB decided both to review its code and to appeal the court's decision. As seen by Robert Gordon of WCPO-TV Cincinnati, chairman of the NAB TV board, Judge Warren Ferguson's decision "does not alleviate the fundamental problem that led to the family-viewing decision in the

first place"—concern about excessive violence and sex on television. CBS and ABC planned appeals, seeing the ruling as a threat to industry self-regulation. However, NBC declined to appeal, calling Ferguson's opinion a "clear prohibition against government interference with broadcast program content and scheduling."

While the furor over family viewing raged, ABC-TV which had regularly finished in third place in the prime-time ratings, was beginning to move up. Change came under Fred Silverman, who had left CBS in 1975 to be the new president of ABC Entertainment.

ABC-TV had made some gains in the fall of 1975, but after the 15th week, its 16.7 average prime-time rating was a distant third to CBS-TV's 19.3 and NBC-TV's 18.3. However, with the second season, ABC-TV came up with strong offerings that included the *Rich Man, Poor Man* mini-series, a revamped *Happy Days*, *Charlie's Angels* and the Winter Olympics. It meant that ABC-TV ran off a streak of 11 straight weekly ratings wins.

Frederick S. Pierce, president of ABC-TV, happily characterized the network as "hungry, aggressive, winning."

ABC continued to dominate the ratings for the rest of the year, pushing CBS into second place and NBC into third. Competition for ratings for the new season in the fall of 1976 was especially fierce, with each network "front loading" to capture bigger than usual audiences. ABC started the season for its *The Captain and Tennille Show*, with such guest stars as Bob Hope, Redd Foxx and Jackie Gleason during the first few weeks, as well as 90-minute episodes of *Happy Days* and two-hour episodes of such programs as *Starsky and Hutch*, *Streets of San Francisco*, and *Rich Man, Poor Man Book II* the series that evolved from the mini-series. CBS relied on such big-grossing theatrical movies as "Chinatown" with Jack

Nicholson and Faye Dunaway, "Play it Again Sam" with Woody Allen, and "Paper Moon" with Ryan O'Neal and his daughter, Tatum. NBC countered with a two-hour premiere episode of its World War II adventure series, *Baa Baa Black Sheep*, a 90-minute version of *Little House on the Prairie*, and a two-hour episode of the nine-hour mini-series, *The Captains and the Kings*.

New shows included *Delvecchio* (CBS), a drama about a big-city detective with a law degree, starring Judd Hirsch; *Eight is Enough* (ABC), a comedy/drama about a newspaperman with eight children, starring Dick Van Patten; *Serpico* (NBC), a drama about an idealistic undercover New York City policeman, starring David Birney; *Alice* (CBS), a comedy about a recently widowed mother who pursues a singing career and her independence by working as a waitress, starring Linda Lavin, Vic Tayback and Polly Holliday; *The Tony Randall Show* (ABC), a comedy about the home life of a Philadelphia judge; and *Family* (ABC), a drama about the Lawrence family in Pasadena, Calif., starring Sada Thompson, James Broderick, Kristy McNichol, and Meredith Baxter-Birney. *Mary Hartman, Mary Hartman*, starring Louise Lasser became a popular late-night show that satirized middle-class mores and was syndicated by Norman Lear's T.A.T./Tandem productions.

All the networks planned lavish coverage of the nation's bicentennial. As part of CBS-TV's 16 hours of special programming, at a cost of \$1.5 million, the network presented *In Celebration of U.S.*, a show that interspersed live coverage of celebrations with "anniversary reflections" by public figures and guests including Valerie Harper, Danny Kaye and Beverly Sills. Walter Cronkite anchored the day's coverage of the program that ran from 8 a.m. to midnight. NBC-TV's hour coverage, at a cost of also \$1.5 million, was *The Glorious Fourth*, produced by NBC News and co-anchored by John Chancellor and David Brinkley. It included coverage of live events from 8 a.m. to noon and 1 to 6 p.m., a special edition of *Meet the Press*, three hours of entertainment called *Happy Birthday America*, a Bob Hope special, and a late-night wrap up, *The Best of the Fourth*. ABC, at a cost of approximately \$500,000, featured three hours of special news broadcasts anchored by Harry Reasoner, entitled *ABC News Goes to The Great American Birthday Party*. All three networks scheduled pickups from outer space of the Viking Spacecraft landing on Mars, of "Operation Sail" in which some 200 historic ships from 30 nations sailed into New York Harbor, of the arrival of the Bicentennial Wagon Train at Valley Forge, Pa., of a speech by President Ford and a folk life festival in Washington.

By late 1976, 97% of the nation's families owned TV sets and average daily viewing had increased to about six and a quarter hours.



Judge Warren Ferguson, who said the family-viewing concept was illegal and bounced the ball back to the FCC.

Broadcasting, Nov. 8

a hell of a problem. Yet it also seemed to us that if virtually everything went right, they were willing to pursue the course that we were outlining, and if the Carter campaign was not sensationally effective, then there was a reasonable chance."

The Carter ads reiterated the theme of leadership. They stated that Carter "who had proved himself in the primaries would unite our country with strong leadership," and accused the Ford administration of "tired and worn-out" leadership. Early Ford ads stressed the President's accomplishments in his administration, the greatest of which was "the healing" of America after Watergate, and the President's expertise versus Carter's inexperience. Where Carter's spots showed him among the diverse ethnic groups of America, talking about the need for government to mirror the "competence, compassion and simple decency of its people," a Ford spot pictured the President presiding over a nation at peace.

The Carter trademark became a five-minute spot designed to introduce Carter to the nation as a family man of diverse abilities and a former successful governor of a prosperous state. A late Ford campaign tactic employed the man-in-the-street interview to emphasize negative Carter qualities. In the final weeks of the campaign, commercials using man-in-the-street interviews switched to the "upbeat" promotion of Ford with such homilies as "I like him because of his honesty. Jerry Ford reminds me of my father. I trust Jerry Ford."

Carter and Ford spent a total of \$27 million on advertising in 1976—\$12 million and \$15 million, respectively. Carter's breakdown by media: television \$8.2 million, direct mail \$1 million, radio \$1 million, print \$300,000, collateral (including production) \$1.5 million; Ford's: television \$8.5 million, direct mail \$3 million, radio \$1 million, print \$1 million, collateral (including production) \$1.5 million.

Election night imposed marathon time and personnel demands on broadcasters. Because of the closeness of the election, a Carter victory was not predicted until after 3 a.m. Over 120 million viewers watched some part of the returns. NBC, anchored by John Chancellor and David Brinkley with assistance from Tom Brokaw and Catherine Mackin, won the 7-11 p.m. Nielsen ratings. Barbara Walters, Harry Reasoner and Howard K. Smith anchored ABC's news. Walter Cronkite anchored the CBS returns, assisted by Dan Rather, Lesley Stahl, Bill Moyers, Eric Sevareid, Roger Mudd, Mike Wallace and Bruce Morton. With the election over, the broadcast industry, as BROADCASTING noted, pondered the "new uncertainties in the future of communications regulation" that the election of Jimmy Carter to the Presidency introduced.

Other issues of broadcast journalism received attention and stirred controversy in 1976. Among them were Daniel Schorr's fight in Congress to protect his



A Museum of Broadcasting was opened to the public in November 1976 in New York. Founder and chairman of the museum was CBS Chairman William S. Paley, who personally guaranteed funding of the museum for the first five years. Other supporters included the networks, major independent station operators and the National Association of Broadcasters. The museum opened with displays and a collection of 718 broadcasts going back to virtually the beginning of radio. Paley is shown at console in the museum's broadcast study center as Robert Saudek, museum president, looks on.

Broadcasting, March 1

news sources, ABC's hiring of NBC's Barbara Walters for \$1 million and the TV networks proposal of longer national newscasts.

Schorr, after obtaining a copy of a secret House report on U.S. intelligence activities, passed this information to the *Village Voice* for publication. He then found himself the object of investigation by the House Ethics Committee and censure by CBS, which removed him from his intelligence beat, and then indefinitely suspended him.

CBS provided Schorr with legal counsel in support of his refusal to name the source for the House report. Richard Salant, CBS News president, explained the limits of the CBS help: "In respect of his subsequent actions in arranging for publication of the report [after use of the material on the air], Schorr acted as an individual and . . . as a matter of individual conscience."

Despite CBS's quickness to put some space between itself and Schorr's actions, Schorr envisioned himself as a journalist on a quest: "I do not seek the legal contests which may lie ahead, but I am confident that, as they unfold, it will become clear that what is involved beyond specific details of my action is the public's continued right to know in the face of the secrecy backlash."

After interviewing more than 400 people and spending more than \$150,000, the House Ethics Committee failed to uncover Schorr's source. After being subpoenaed by the House, Schorr refused to reveal his source. He placed himself in contempt of the House, but earned this praise from Salant: "Your appearance today was superb and an immense service to all your fellow journalists, to the Constitution and

to the public's right to know. I am grateful."

Despite this praise and the Ethics Committee's eventual abandonment of its investigation, Schorr resigned from CBS News in late September. "Aware of the polarizing effects within CBS News of the controversy involving me," said Schorr, "I would doubt my ability to function effectively if reinstated. I believe that my reinstatement would be a source of tension within an organization whose future success I still care about."

Barbara Walters, with NBC for 12 years, signed with ABC in April for five years as co-anchor with Harry Reasoner on the *ABC Evening News*. Walters became not only a highly paid anchorperson, but the first woman to occupy such a position. Half of Walters's \$1-million annual salary was for her co-anchor position; the other half for four prime-time specials to feature her each year.

Walters's spectacular salary fed rumors that ABC wanted to lengthen its evening news to 45 minutes, a move that necessarily would have triggered like expansions at NBC and CBS. While ABC considered "not whether, but when" to lengthen its news, ABC affiliates along with NBC's and CBS's opposed the move as a threat to lucrative programing now independently programed in the 7-7:30 p.m. period decreed off limits to the networks by the FCC prime time access rule. The National Association of Independent Television Producers and Distributors urged the FCC to safeguard the 7-7:30 p.m. time. "The networks ought not to be encouraged to proceed on the assumption that a commission waiver is a mere technicality to be satisfied after they have formalized their plans to enlarge the network news by invading access time," the association said.

The plans for longer evening news on networks failed to materialize. ABC, instead, outlined other plans for "areas of possible expansion of the network's news service, including a one-hour prime-time news magazine program, a daily one-minute news headline report in prime time, and a new five-minute daytime news program during Monday to Friday."

The family-viewing provision that the National Association of Broadcasters adopted in its television code in 1975 came a cropper in court in 1976. NAB, the FCC and the television networks had been sued by the writers, directors and actors guilds and by producers. The litigants charged that the concept of reserving evening hours for presentation of programing suitable for families, as instigated by FCC Chairman Richard Wiley, breached the no-censorship provision of the Communications Act and violated the First Amendment rights of writers and producers.

The networks continued to defend the family-viewing concept. To Arthur Taylor, president of CBS, the code provision had demonstrated its value by the "virtual elimination of violence in family viewing time. . . . The goal of family viewing, pur-

candidates who were stiff with each other at the start, shared the camaraderie of two men "who had just had their pockets picked."

The second debate was aired in October by all networks, with CBS handling the pool coverage. It was seen by about 85 million Americans, fewer than had witnessed the first debate. On this occasion, President Ford made the remark that some critics felt cost him the election. It was a statement that Poland was not dominated by the Soviet Union.

The third debate showcased the vice presidential candidates in a 75-minute forum, 15 minutes shorter than the 90-minute presidential debates. The final debate between Ford and Carter with pool coverage by NBC, drew an estimated 74 million viewers.

There were those who wondered why the incumbent President had agreed to give his opponent the exposure of nationally televised debates. According to Michael Duval, President Ford's debate coordinator, Ford regarded the debates as necessary since Carter at the time was leading in the polls, there were indications of a general belief that Carter was more competent to be President, and Ford's campaign manager felt the need to counter Carter campaign charges that Ford relied on the trappings of the White House Rose Garden to enhance his image.

Associated Press's Walter Mears, a panelist at the vice presidential debates, felt that while the debates were useful, "It was a bad campaign. I think that there were a lot of things wrong with it . . . I think the debates focused it." Joseph Kraft, columnist and panelist at the third presidential debate, found the debates "not very good, and . . . not the best way to choose Presidents. [Because the debates] put a premium on qualities that are not very presidential—quickness, a capacity to articulate something in a hurry, the appearance of being confident—very, very superficial qualities. . . . They don't demonstrate any capacity to think clearly, don't demonstrate any capacity for real depth or familiarity with the issues." Kraft conceded that "the debates were probably the best thing going in terms of giving the American people the best available view of the candidates in the flesh."

NBC's Newman agreed with Kraft, calling the debates "stuffy and stilted." Newman said the problem stemmed from candidates with "so much at stake. They won't take any chances. If one of them had been willing to take a chance, if one of them had so much as cracked a joke, the dividends could have been enormous. These men weren't trying to use TV well. They were trying to get elected President of the United States."

As a remedy, some suggested head-to-head confrontations as in the Lincoln-Douglas debates, a format that most commentators felt the candidates would never agree to. Max Frankel, associate editor of the *New York Times*, a questioner at the second debate, felt that in the current form



Thomas J. Houser, who served on the FCC for 10 months in 1971 before he returned to private law practice, returned to the government scene in 1976 as director of the Office of Telecommunications Policy. The OTP post had been vacant since September 1974 when Clay T. Whitehead resigned it and John Eger stepped in as interim director. The oath of office was administered July 6, 1976, to Houser (l) by Supreme Court Justice John Paul Stevens (r) as Houser's wife, JoAnn, held the bible.

Broadcasting, July 12

"you really can't get down to brass tacks and there's too little time. . . . Not enough conversation or interchange and the sons-of-guns really didn't answer the questions."

From the networks' standpoint, improvements would come with greater control over the broadcasting of the debates and the selection of questioners. Under the League of Women Voters ground rules, the debates were not broadcast from studios. In addition, shots of the audience were not permitted, a prohibition that the candidates demanded in the name of impartiality, but which caused the networks to bristle at what they regarded as infringement of their rights. Broadcast journalists also charged that potential panelists had to be approved by the candidates, an allegation the league adamantly denied. Richard Salant, CBS News president, said that if CBS had been in charge of the debates, it would not have agreed to demands from the candidates to participate in the selec-

tion of panelists or to prohibit certain camera angles. "We just have never played and will never play a game where the subjects of interviews can have any part in whose going to interview them," Salant declared. "That's pretty basic."

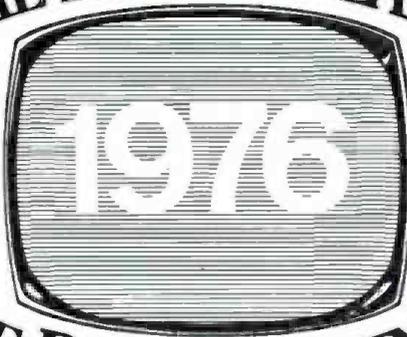
Newton Minow and Dean Burch, both former FCC chairmen, proposed that in future debates TV access be granted to minor party candidates. Besides providing time for the two major party candidates, the Minow-Burch proposal would allow time to candidates who qualified for three-fourths of the state ballots, and who received one-eighth of the popular vote in the last election, and for new candidates who qualified in three-fourths of the states.

Television and radio, in addition to serving as vehicles for the debates, figured in the campaign as purveyors of each candidate's image. Gerald Rafshoon of the Atlanta-based Rafshoon advertising agency, media adviser to Jimmy Carter, described his campaign strategy in these words: "We advertised to our strength. We advertised to states we had to take. . . . If you want to put it in advertising terms, [you advertise] where you have the best market distribution. We had to keep Ford running around the country. In other words, in the states where we figured we didn't have a chance, he *had* to win them. We could lose California. He *had* to win California. So we kept pressure on him, kept him spending money in states that were really marginal."

John Deardourff of Bailey, Deardourff & Eyre, the political consultants handling Ford's campaign, acknowledged their challenge: "We knew from the day that they turned over to us all of their polling that it was a long, uphill climb. At the time that we first got involved, the President was something like 34 percentage points behind. That signalled to us that there was

Life at the top was relatively short-lived for Anthony L. Conrad, who took charge of RCA in November 1975. That was when Robert Sarnoff resigned during a "palace revolt." Conrad, in turn, resigned as RCA chairman and president in September 1976, after admitting he had filed no personal income tax returns for 1971-75. Edgar H. Griffith was chosen RCA's president and chief executive, in another surprise change—at CBS—Arthur Taylor was dismissed as president. William S. Paley at the same time announced his intention to relinquish the post of chief executive officer, but said he planned to stay at the helm as chairman. John D. Backe, president of the CBS/Publishing Group, was designated to succeed Taylor as CBS inc. president.

THE FIRST 50 YEARS



OF BROADCASTING

An underdog Jimmy Carter made it to the White House. An underdog ABC-TV made it to the top of the prime-time ratings. And the family viewing rule failed to make it anywhere—stymied by a California court.

Those were among the major events that involved broadcasting in 1976, a year when the national elections made politicians all the more conscious of radio-TV influence on their futures. The year got off to a political start with a complaint against the networks by House Speaker Carl Albert (D-Okla.) who released a study by the Congressional Research Service of the Library of Congress. The document criticized TV for its willingness to afford live coverage of Republican President Gerald Ford's news conferences whenever the President's staff asked for it, while not according the same treatment to Democrats in Congress. "I must conclude," Albert declared, "that the networks have exercised little or no news judgment when considering presidential requests for air time for television addresses." All three TV networks categorically denied Albert's charges. A statement by Richard C. Wald, president of NBC News, typified the networks' rebuttals. Wald said: "NBC presents live coverage of presidential addresses when the President—regardless of his party affiliation—has something important to say to the American people as chief executive. In each case we exercise our independent news judgment."

To facilitate debate among 1976 political candidates, the FCC in 1975 had revised an original interpretation of Section 315 of the Communications Act to exempt broadcast debates between major-party candidates from the equal-time provision, if debates were arranged by parties other than the candidates or the broadcasters. Under the new rules, the League of Women Voters in 1976 organized five debates among the Democratic primary candidates, three between the Democrat and Republican presidential contenders, and one between the two vice presidential candidates. The major networks aired only segments of the primary debates as part of their regular news coverage, but National Public Radio covered all debates.

For the "Great Debates" between President Ford and his Democratic challenger, former Georgia Governor Jimmy



CB radios became an obsession with Americans and a problem for an FCC deluged with applications.

Tongues wagged when 50 cadets were convicted of cheating at West Point in April. Arizona reporter Don Bolles, on assignment to investigate organized crime, died after a bomb explosion in his car June 12. The U.S. celebrated its bicentennial July 4. Israeli airborne commandos freed 103 hostages held by pro-Palestinian hijackers in an Air France plane at Uganda's Entebbe airport July 4. A mysterious disease killed 29 after striking an August American Legion convention in Philadelphia. A nationwide program of swine flu vaccinations, started in March, was halted Oct. 12 following the deaths of several persons who had received shots. The Seattle Seahawks and the Tampa Bay Buccaneers were the new expansion teams in the NFL. And in BROADCASTING ...

Eugene J. McCarthy (D-Minn.), running independently for President, filed suit in the U.S. District Court in Washington asking for a ruling that he and other presidential candidates be included in debates. Tom Anderson and Rufus Shackelford, presidential and vice presidential candidates, respectively, of the American Party, filed in the same court, seeking an order to block the debates. In the meantime, Lester Maddox, presidential candidate of the American Independent Party, asked the FCC to order radio and TV stations not to cover any debates from which he was excluded and to order the networks to give him equal time.

U.S. District Judge Aubrey E. Robinson Jr. dismissed the several suits, saying it appeared that the plaintiffs were attempting to reargue the case in which the U.S. Court of Appeals had upheld the commission's ruling that exempted the political debates from the equal-time law. The FCC rejected the Maddox petition.

The first debate, with pool coverage provided by ABC, was televised live by ABC, CBS, NBC and PBS in September, and brought Carter and Ford to an estimated 90-100 million viewers in 35-40 million homes. There was a 28-minute delay when the audio failed nine minutes before the end of the debate. No backup system had been set up because the electronic equipment used was presumed to be failure proof. Anchormen filled the time with summaries and interviews of each candidate's representatives. Referring to the 28-minute gap, moderator Edwin Newman of NBC observed that both

Carter, the networks utilized pool coverage. The same arrangement prevailed for the meeting between Senators Robert Dole (R-Kan.) and Walter Mondale (D-Minn.), vice presidential candidates.

Earlier, the Democratic National Committee, asserting that the FCC's revised interpretation of Section 315 favored incumbent Ford, and Representative Shirley Chisholm (D-N.Y.) and the National Organization for Women, asserting it slighted minority and fringe-party candidates, filed appeals. But the U.S. Court of Appeals in April, in a 2-to-1 decision, upheld the FCC's interpretation.

Although this ruling cleared the way for the debates, other challenges persisted. Senator

dissenting commissioners, prophesied that the new interpretation of the fairness doctrine would permit "grossly unbalanced coverage of the political activities of political opponents." Benjamin L. Hooks, the other dissenter, warned that the "egalitarian precept underlying political 'equal time' ... has suffered a severe and, perhaps, mortal blow."

"Checkbook journalism" was finding its way into television language. With such controversial and newsworthy figures as H.R. Haldeman and Richard Nixon willing to grant interviews in exchange for money, broadcast journalists argued about the propriety of purchased news. Richard S. Salant, CBS News president, found himself defending CBS's payment of \$25,000 to Haldeman for an interview and some film of White House activities. Salant said CBS's purchase of the material was analogous to a *New York Times Magazine* purchase of memoirs, and was predicated upon the extensive time (50 hours) involved in the interview and the taping, but conceded that CBS may have violated its own tenet of "drawing a proper line between payments which are permissible and payments which are not." As a result of criticism, particularly from *New York Times* columnist James Reston who questioned the ethics of paying officials for interviews, Salant undertook a review of CBS policy.

After NBC was unable to reach an agreement with Nixon on a payment, Nixon signed to do a series of four programs with the English television personality, David Frost, that would be aired after the 1976 presidential election.

In what critics called a prime example of the pitfalls of checkbook journalism, and which CBS defended as standard journalistic procedure, CBS paid \$10,000 to an ex-convict who promised to lead reporters to a man who could produce the body of missing union leader James R. Hoffa. The \$10,000 brought CBS no closer than anyone else to the whereabouts of Hoffa. BROADCASTING commented: "Television journalism has suffered an embarrassment in the revelation that CBS News was conned out of \$10,000 in an improbable search for James Hoffa's body. When gullibility of that magnitude is discovered at the pinnacle of broadcast news, the whole craft cringes a little ... This, of course, is at most a minor incident in CBS's long and distinguished record in broadcast journalism and ought not to be magnified. It does remind us all, however, that common sense and journalistic enterprise are perfectly compatible."

A question of common sense as well as a definition of decency were involved in an FCC ruling on obscenity. In response to a complaint about Pacifica Foundation's WBAI(FM) New York broadcast in 1974 of a George Carlin recorded monologue that contained "seven dirty words," the FCC issued a definition of "indecent" material. The FCC branded as indecent words describing "sexual or excretory activities and organs ... [in a] patently offensive manner," particularly when children were

likely to be in the audience.

In other radio news, Ronald Reagan, former governor of California, and radio sports announcer in the 1930's returned to radio with a syndicated program, *Viewpoints*, asserting his conservative views. In June, NBC Radio inaugurated an all-news service consisting of 49 1/2 minutes of news per hour, seven days a week. Stations were to be charged from \$750 to \$15,000 a month, depending upon market size. NBC would realize the revenue from six commercial minutes per hour retained for its sale.

To increase the number and power of some AM outlets, the FCC in June liberalized its allocations rules to allow nighttime service by certain daytime stations and to create some new daytime services. These, coupled with the creation of an intermediate, 2.5 kw power classification, would, the FCC felt, "provide many opportunities, unavailable since the adoption of the restrictive amendments of 1964, for the assignment of new standard broadcast stations, and the expansion of facilities of existing stations."

The FCC at last came out with a crossownership rule. After five years of deliberation, it decided to ban future acquisitions of crossownerships of newspapers, TV or radio stations within the same market. It also ordered the breakup of 16 existing crossownerships in small markets but left the rest alone. The National Citizens Committee for Broadcasting immediately called the commission's action, "too little too late" and filed an appeal to force the breakup of all multimedia holdings. Targets of the divestiture, such as James Gray, president of Gray Communications, Albany, Ga., called the FCC actions "capricious and highly discriminatory" and complained: "After 20 years of service, at the beginning of which newspapers were urged to undertake the development of television for the public good, the FCC now says that such investment of energy, money and time is of little account." Several of the affected parties filed suit to stop or forestall the FCC's actions.

With the official evacuation of Saigon in late April/early May the Vietnam war came to an embarrassing end. To cover the war over the years, ABC, CBS, NBC and some station groups sent more than 600 personnel to Southeast Asia and spent a combined amount estimated at between \$40 million and \$50 million. Critics of the media, like the *New Yorker's* Michael Arlen, felt that in its television coverage of the Vietnam war over a 10-year period the American networks had done little more than to contribute "to the unreality and the dysfunction of American life." Others, like the *New York Times's* James Reston, felt that "maybe the historians will agree that the reporters and the cameras were decisive in the end. They brought the issue of the war to the people ... and forced the withdrawal of American power from Vietnam." CBS's Morley Safer, whose coverage of the war established him as a major broadcast journalist, criticized

television for being too concerned with the "bang-bang" aspect of the war and too little interested in the "why" of the story. However, Safer expressed impatience with critics of media coverage: "They are looking for that one special, that one documentary, that will end the war the next morning, that will cause the soldiers to lay down their arms and the politicians to hang themselves from the lamppost in Washington. It doesn't work that way; it's a matter of accretion: of building stories here and there, persuading by the weight of evidence, at least as perceived by the reporters."

BROADCASTING offered this perspective: "This was the first war fully documented by broadcast coverage without censorship. It is in keeping with the broadcasting tradition to cover the news wherever it breaks. ... With little regard for the costs, top correspondents and camera crews were dispatched to the war theaters for the long ordeal. ... The history of the Indochina war cannot be written without the documented fact of American free enterprise broadcasting in action."

There were those who questioned the effort of the immediacy of television coverage on the domestic front. After two attempts to assassinate President Gerald Ford, by Lynette (Squeaky) Fromme on Sept. 5 and by Sara Jane Moore on Sept. 22, House Republican leader John Rhodes (Arizona) asked: "What possible good purpose can come from this intense coverage of terrorist activity?" And Representative Robert N.C. Nix (D-Pa.) stated: "The media coverage given to assassins, kooks and conspiracy theories, like the full moon in Gothic literature, brings out the latent impulses in those among us who lust after notoriety."

But the expansion of electronic media went on inexorably. Cable television operators were moving into a more aggressive role. Videodisks and home disk libraries were promised for the mass market in 1976 by RCA and Philips MCA. The Betamax home video recording system was announced. The sheriff's job was getting complicated.

Stay Tuned

1. Which two candidates filed suit against the "Great Debates" of '76?
2. Name the person and advertising agency that handled Jimmy Carter's campaign, and the person and advertising agency that handled Gerald Ford's campaign.
3. What broadcast journalist eventually resigned his position as a result of a controversial leak to the *Village Voice* of a secret report on U.S. intelligence?
4. What happened to the family viewing concept?
5. What syndicated satire of middle-class mores gained popularity?

The answers
in "1976."

working title of a women's service to be produced by a joint venture of ABC Video Enterprises and the Hearst Corp., was scheduled to begin operation in January 1982.

ABC augmented its cable chips in August when it combined with Westinghouse Broadcasting to form Satellite News Channels. The venture was designed to produce two 24-hour channels of advertiser-supported cable news that would be beamed free to cable operators. The first channel was targeted to start in the spring of 1982 and would put Satellite News Channels in direct competition with Ted Turner's Cable News Network.

ABC continued its partnership in the newer media with an announcement that it would team up with Getty Oil's ESPN to offer pay sports programming. The pay service, as intended at the time of the announcement in late September, would be carried within the existing ESPN basic-cable package, but blacked out to subscribers who didn't pay for the added features.

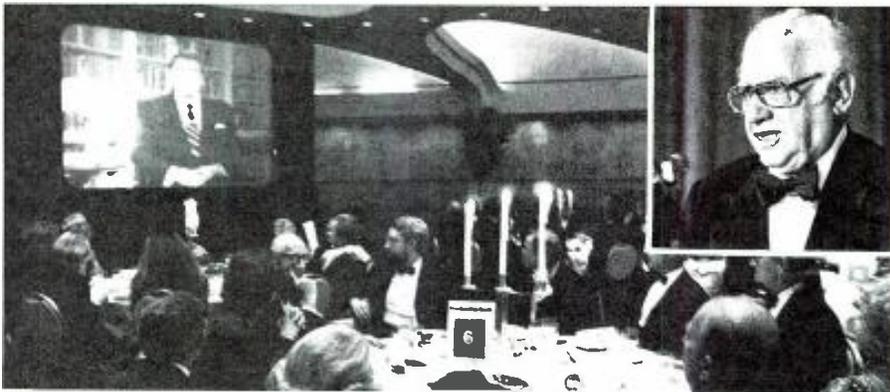
The biggest challenge to broadcast journalists in 1981 came on Jan. 20 when elaborate plans for coverage of the presidential inauguration in Washington went awry as the Iranian hostages gained their freedom within the same hour that Ronald Reagan was sworn in as the 40th President.

"The single most complex day in broadcast history" was the description of Jeff Gralnick, ABC News executive producer for special events. He said that the crush of information being funneled to America's television audience was almost too much for the capacity of the satellites that were used to transmit it. At one critical point on Jan. 20 there were three hours when "there was no way to get a video signal from Europe [where the released hostages were being taken] to the United States." On Monday night [Jan. 19], Gralnick added, there was such a jam-up in traffic coming from the bird over Frankfurt that "the signal had to be routed the other way around the world," making the final connection from the West Coast to New York via land lines.

Joe Angotti, NBC News executive producer, special broadcasts, said he couldn't remember any time "when so many people had to work so long and hard." Manpower and facilities were "strained to the absolute limit," he declared.

While "everything came out fine," said Ernest Leiser, CBS vice president for special events, "there were lots of tense moments."

TV and radio were again witnesses to history on March 30 when an attempt was made on the life of Reagan outside a Washington hotel where he had just addressed a labor group. ENG cameras at the scene captured the shocking scene in which the President, White House Press Secretary James Brady, a Secret Service agent and a Washington policeman was wounded. Among the pictures captured were some of shooting suspect, John W. Hinckley Jr., as he circulated through the



Golden gala. Some 1,200—including President Reagan via videotape—saluted Editor and Chairman Sol Taishoff at the Broadcast Pioneers Oct. 15 gala marking BROADCASTING's 50th anniversary. Taishoff (inset) simply responded: "My cup runneth over."

Broadcasting, Oct. 19

crowd.

The early afternoon shooting caused disruptions and interruption of TV network schedules with bulletins and special reports into early evening. It resulted in an Oscar telecast on ABC-TV being postponed to the next night "in the interest of good taste."

NBC drew some flak for its same night telecast of the college basketball championship game. But the network defended its decision by saying that the President had been declared in good condition by early evening.

News of a common standard for videotext (via cable) and teletext (via air) came out of the Videotex '81 trade fair in Toronto in May. The standard combined technology of the French Antiope system, Canadian Telidon system and the AT&T system. Odd man out was the British Ceefax system. The standard announced in Toronto could be the North American standard for teletext, if approved by the FCC. (Videotext via cable is not a commission concern).

CBS, which played matchmaker for the common standard, said it would amend the Antiope-based standard that it submitted to the FCC with a petition for rule-making in July 1980. The amended filing subsequently was made by CBS and Canadian Telidon proponents.

Among other major developments in 1981:

■ The highest price ever paid for a single station caught the industry by surprise in July. Metromedia agreed to pay Boston Broadcasters Inc. \$220 million for ch. 5 WCVB-TV Boston. The previous high was \$65 million when the Outlet Co. acquired KOVR(TV) Sacramento, Calif., in 1980. Sequel to the Boston sale was the announced sale, in September, of Metromedia's KMBC-TV Kansas City, Mo., to the Hearst Corp. for \$79 million. The transaction is to comply with the FCC multiple ownership rules that would apply to Metromedia holdings.

■ Westinghouse and Teleprompter received FCC approval in August for their \$646-million merger that was first announced in October 1980. And despite the

efforts of the National Citizens Committee for Broadcasting to stay the closing, the deal—the biggest in cable history—was consummated later in the month.

■ Columbia Pictures Industries and the Outlet Co. in July signed for a merger. Under the \$165-million agreement, Outlet's five TV stations and seven radio stations would be combined with Columbia's five radio stations with Karl Eller at the head.

■ The U.S. Court of Appeals in New York upheld the FCC's 1980 order that repealed the distant signal and syndicated exclusivity rule for cable. That prompted the petitioner (Malrite of New York) and its supporters to seek relief from the Supreme Court. But that high court, in early 1982, refused to review the FCC's order.

■ ABC-TV President Frederick S. Pierce restructured the ABC-TV executive team in May by relinquishing the title of president of ABC Television to John C. Severino. Pierce remained as executive vice president of ABC Inc. concentrating more on corporate duties. However, Severino and three other divisions already in the Pierce chain of command, continued to report to Pierce.

Stay Tuned

1. Who was to become the FCC's first woman chairman?
2. What did the combination of direct broadcast satellites and local stations do to cable?
3. Will the U.S.-Cuban AM interference problem be resolved?
4. In what year did the Fifth Estate win full First Amendment status?
5. How did NBC fare with Grant Tinker at the helm?

**Those answers and others
in the second 50 years of
BROADCASTING**

Lasser of *Mary Hartman* in the cast; *Strike Force*, about an elite police unit, starring Robert Stack; *The Fall Guy*, a humor-adventure series with Lee Majors, and *Best of The West*, about an Eastern tenderfoot named Best who becomes a sheriff in the old West.

New series announced by CBS included: *Mr. Merlin*, about a San Francisco garage-man by that name, who is a sorcerer, and his 15-year-old apprentice, starring Barnard Hughes and Clark Brandon; *Simon & Simon*, starring Jameson Parker and Gerald McRaney as "two brothers who operate San Francisco's most free-wheeling detective agency"; *Shannon*, centering on the personal and professional life of a plainclothes detective who has moved to San Francisco from New York with his 10-year-old son following the death of his wife; *Jessica Novak*, featuring Helen Shaver in the title role as a young news reporter for a television station; *Falcon Crest*, starring Jane Wyman, a family drama devised by Earl Hamner, creator of *The Waltons*, and *Walt Disney Presents*, a series of one-hour programs including both new programming and new-to-TV product from the Disney library.

The new offerings from NBC included: *Father Murphy*, a family adventure series in the American West of the 1870's, starring Merlin Olsen; *Love, Sidney*, comedy in Manhattan with Tony Randall as star; *Lewis & Clark*, with Gabe Kaplan as a New Yorker who migrates to Texas to operate a country music club; *Gimme a Break*, starring singer-entertainer Nell Carter as a housekeeper who runs a household for a recently widowed police



The soon-to-be RCA Chairman Thornton Bradshaw (l) and the soon-to-be former president of NBC, Fred Silverman, exchanged pleasantries at the TV network's affiliates meeting in May. In July, Bradshaw moved in as Silverman departed. *Broadcasting, May 26*

captain and his three children; *Bret Maverick*, in which James Garner returns as the now older, smooth-talking gambler that he played in early-day TV, and *McClain's Law* in which *Gunsmoke* star of many years, James Arness, portrays a retired detective who returns to police work in San Pedro, Calif., after his partner in retirement is slain.

CBS easily won the prime-time ratings honors for the 1980-81 season with an average of 19.8. ABC had a 18.2 and NBC

a 16.6. Those figures were based on ratings through the third week of April, traditionally the time when the networks closed the book on the season. NBC, however, pointed out that it had started the season in mid-September, while ABC and CBS had started in late October—one result of the actors' strike earlier in 1980. Accordingly, NBC claimed the season was year-round.

But, even considering NBC's earlier start, the network order remained the same, albeit with less differential.

All three networks sent up trial balloons at their affiliate meetings on expanding the network evening news. But opposition from affiliates put all three's plans on the back burner.

The Rev. Donald Wildmon and his Coalition for Better TV came to the forefront in February. At a Washington news conference, Wildmon outlined a crusade to clean up TV, including the monitoring of network programming and boycotts against sponsors of shows that CBTV found offensive. The coalition, said to include about 200 regional and national organizations, drew the support of the Rev. Jerry Falwell, leader of Moral Majority, who defended the boycott as "very American."

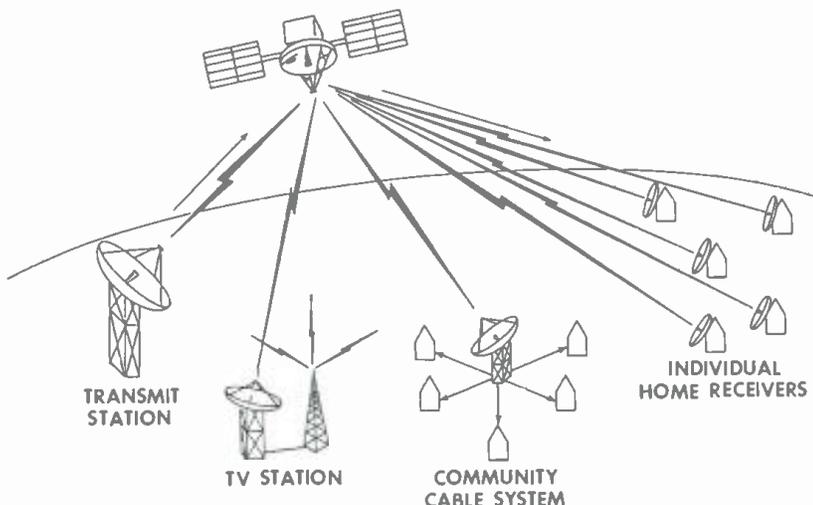
The boycott and its target were to be officially announced June 29, but three days before that date Wildmon called off the war temporarily. Wildmon explained: "We are at this time convinced that those companies which expressed little concern during the [three-month period in which coalition volunteers monitored network prime-time shows] are now concerned . . . To boycott companies which are making a sincere effort would be senseless, stupid and immoral."

But Wildmon added that there would be some monitoring later on "to make sure that everyone is doing what they say."

RCA, the company that originated broadcast networking in the first place, in 1981 joined its two over-the-air commercial TV competitors in committing itself to pay-cable programming. It was announced at the RCA shareholders meeting in May that the company had formed a partnership with Rockefeller Center Television (RCTV) to provide cultural programming to cable systems. RCTV, under Arthur Taylor, one-time CBS Inc. president, had acquired first-run pay cable rights to BBC-TV product in the U.S.

CBS Inc. was the first of conventional broadcasting's Big Three to announce plans to enter the cable programming arena, just before the National Cable Television Association convention in Dallas the preceding year. CBS Cable was to start Oct. 12. ABC's announcement followed in December 1980, but that company made it to a satellite first, with its ARTS performing arts service, which premiered on April 12, 1981, piggybacked with Warner Amex Satellite Entertainment Co.'s children's service, *Nickelodeon*.

ABC was more prolific, counting numbers of services announced. Beta, the



Perhaps the most ambitious of the DBS applications put before the FCC in July was CBS's which calls for a high-definition TV system on three channels serving four time zones—and which suggested the development of a terrestrial HDTV system as well. CBS's Channel One would serve its affiliated TV stations, which would broadcast its advertiser-supported programming (some of it, and eventually all of it, simulcast with the existing network) on new channels that would have to be carved out of the present spectrum. Channel Two would serve cable systems and/or individual homes with subscription-supported programming. Channel Three would serve a number of purposes, including distribution of HDTV programming to theaters, teleconferencing and other applications to be developed.

Broadcasting July 26

FTC budget in 1981 be trimmed \$3.5 million to \$74.3 million and further reduced, in 1982, to \$69.5 million. OMB suggested cuts in personnel and elimination of the FTC's 10 regional offices.

The FTC itself came up with a suggestion that gladdened the hearts of advertisers, agencies and broadcasters but saddened activist groups. The FTC staff in April recommended termination of its rulemaking looking into children's advertising. However, the staff persisted that there still was cause for concern in that area. The FTC officially interred the rulemaking on Sept. 30.

One of the principal instigators of the inquiry, Action for Children's Television, vowed it wouldn't quit the arena. ACT's president, Peggy Charren, claimed that "the very existence of the FTC has been threatened by Washington's antiregulatory fever. ACT is not threatened, however. We will actively continue our battle against

deceptive ads targeted at children, concentrating on a case-by-case report."

She added that a mission of ACT would be to insure that "cable doesn't repeat broadcasting's mistakes where children's ads are concerned."

Reagan's choice in July for the FTC's chairmanship was James C. Miller III, a Republican economist. He took over the post Oct. 5 when Commissioner Paul Rand Dixon's term expired.

Turmoil at the top of RCA-NBC didn't lessen in 1981. In January, Edgar H. Griffiths asked to be relieved as RCA chairman and chief executive, effective July 1. Simultaneously with the official announcement, Thornton F. Bradshaw, president of Atlantic Richfield (Arco) and a member of both the RCA and NBC boards, was designated as Griffiths's successor.

The announcement was to have been made Monday, Jan. 26, but was made pre-

maturely on Saturday, Jan. 24, because word had gotten out that Griffiths was being ousted.

The official word did little to allay speculation, which generally divided into two schools. Bradshaw, RCA spokesman and others said the changes were the upshot of Griffiths's having told members of the RCA board many months before that he would like to retire when he reached age 60 in June. The other theory was that Griffiths's stubborn, "loner" style of management had brought frequent run-ins with RCA board members to the point that he was either asked to stand aside or did so rather than continue in that kind of situation.

"Either way," one observer said, "you can figure that board members' dissatisfaction was at the root of it."

One of the first questions that faced the new chairman-designate (he officially assumed office July 1) was Fred Silverman's future as president of NBC.

"Fred Silverman is hard-working, he has 24-hour-a-day dedication and he is extremely talented," Bradshaw told BROADCASTING. "But as you know, results are what count. The only question is timing: How long does a person get before the results are in?"

The time wasn't that long: Silverman submitted his resignation June 30, and Bradshaw announced that the new chief was Grant Tinker of MTM Enterprises. Tinker became chairman and chief executive officer of NBC. The presidency of NBC went to Robert Mulholland on July 30. A troika at the top was created in late August when Irwin Segelstein was appointed NBC vice chairman. Tinker announced: "Our top management team is in place."

Production and scheduling problems for TV in the fall loomed April 10 when the Writers Guild of America voted to walk out. The primary issue was how much writers should receive from pay-TV channels. That was the same issue that precipitated a Screen Actors Guild strike in the summer of 1980. However, the 1981 strike was considered less of a threat in that networks had already begun building a supply of scripts and had given early renewal commitments on some series to give production companies a jump on output.

The WGA strike ended after 13 weeks, but the networks were already resigned to a late fall start and reverted to specials and other program revisions. Along with other scale raises, the writers were given 2% of pay-TV revenues in the new contract.

The three commercial TV networks announced their fall line-ups in May.

ABC's new shows included *Code Red*, a family-oriented drama about firefighters, starring Lorne Greene; *Today's FBI*, an updating of the old ABC *FBI* series, with Mike Connors as star; *King's Crossing*, a family drama; *Open All Night*, a comedy centering on the operator of a 24-hour food market in Los Angeles; *Maggie*, a comedy revolving around a harried housewife, written and co-produced by Erma Bombeck; *Living It Up*, with Louise



Pieces in the new FCC began to fall into place one week in May. Above: New FCC Chairman Mark Fowler took the oath of office, administered by Roger Robb, associate judge in the appeals court in Washington. Fowler's wife, Jane, held the bible for the ceremony. Below: Commissioner-designate Mimi Dawson sailed through her Senate confirmation hearing with her mentor, Chairman Bob Packwood (R-Ore.), chairman of the Commerce Committee, at her side.

Broadcasting, May 25





The upstaging of a President: It happened on Inauguration Day when release of American hostages in Iran and their arrival in Algiers became two-continent challenge to broadcast journalism.

Broadcasting, Jan. 20

When the FCC first initiated its rulemaking to establish LPTV service in September 1980, it said it would accept applications conditioned on the rulemaking's outcome. It was envisioned that LPTV stations would have simpler rules governing start-up, programming and operations than rules in force for full-service stations, but LPTV's would be limited to a fraction of regular power and would be prohibited from interfering with full-service TV stations.

The FCC on Aug. 4 officially reversed its position on AM channel spacing. By a 4-2 vote, it decided that the present 10 khz standard should be retained. It was the culmination of a history of events that included unanimous FCC approval of 9 khz in December 1979. In the forefront of the forces advocating retention of 10 khz was the National Association of Broadcasters.

That also turned out to be the consensus at the Region 2 conference in Rio de Janeiro in the fall when western hemispheric nations voted against any change in radio channel spacing. However, the conference ended Dec. 19 on a note of uncertainty when the Cubans walked out with strong denunciations of the U.S. Incompatibilities of the two nation's inventories of AM frequencies was a major issue.

The Supreme Court at midyear affirmed the FCC's ruling in the Carter-Mondale Presidential Committee case. The highest court, in a 6-3 decision, held that presidential and congressional candidates have an affirmative right of access to the nation's broadcast stations. To the extent that that right exists, broadcasters' editorial discretion in making time available to the candidates—and determining when a campaign begins—was limited.

The case was a legacy of President Carter's re-election campaign. The networks had refused to sell the Carter-Mondale Presidential Committee a half hour of prime time on one of several days during December 1979 to help launch the President's 1980 campaign. That refusal was

challenged by the committee, and the FCC, by a 4-3 vote, held that ABC, CBS and NBC had violated the reasonable access law. The U.S. Court of Appeals agreed.

Both the FCC and broadcasters got help from Capitol Hill and the White House in 1981. Congress passed, and President Reagan signed into law Aug. 12, a bill that extended license terms for radio broadcasters from three to seven years and for TV broadcasters from three to five years. It also included permission for the FCC to use lotteries to choose new licenses from equally qualified candidates; made it illegal for license renewal applicants to "pay off" frivolous competing applicants; changed the FCC from a permanent agency to one that will have to be authorized every two years, and included items affecting public broadcasting.

The vehicle for those amendments to



The shooting of a President: ENG cameras captured this moment March 30 when shots from a would-be assassin sent a startled Reagan and his party ducking for protection and put security guards into action.

Broadcasting, April 6

the Communications Act was a mammoth budget reconciliation bill to which the amendments were appended after a stormy conference between the House and Senate Commerce committees, chaired by Representative Timothy Wirth (D-Colo.) and Senator Bob Packwood (R-Ore.).

The public broadcasting-related items included reduced funding for the Corporation for Public Broadcasting through 1986, permission for a limited experiment in institutional advertising by some public stations under FCC guidance, changes in how CPB will allocate its funds and a reduction in the number of CPB board members.

With Republican David Clanton as its acting chairman, the Federal Trade Commission received indications early in 1981 that its role would be more limited in the future. The Office of Management and Budget in March recommended that the



Sealing the union between ABC and Hearst Corp. for new Beta programming venture were (l-r): Raymond E. Joslin, vice president and general manager, Hearst Cable Communications; Elton H. Rule, president and chief operating officer, ABC Inc.; Frank A. Bennack Jr., president and chief executive officer, The Hearst Corp.; Leonard H. Goldenson, chairman and chief executive officer, ABC Inc.; Gilbert Maurer, president, Hearst magazines division, and Herbert A. Granath, vice president, ABC Video Enterprises.

Broadcasting, Feb. 9

THE FIRST 50 YEARS



OF BROADCASTING

Ronald Reagan, in 1981, wasted little time in seizing an opportunity that few Presidents had in the first year of their terms. He installed an FCC majority in less than eight months and gave the commission a new chairman, Mark S. Fowler. In addition, congressional aide Mimi Weyforth Dawson and Albuquerque, N.M., lawyer Henry M. Rivera became new members and Commissioner James H. Quello was reappointed. Gone with the change of administration were Chairman Charles Ferris and Commissioner Tyrone Brown. And the dean of the commissioners, Robert E. Lee, elected to retire after 28 years of service.

"The Jimmy Carter FCC is gone, to the great relief of broadcasters," BROADCASTING noted editorially as it warned against over-optimism about elimination of unnecessary regulation and freedom of the broadcast market from government influence. "It would be wrong . . . to be beguiled into thinking emancipation is at hand. There are statutory limits to the FCC's deregulatory powers, and they will no doubt be repeatedly tested in the courts by the special-interest lobbyists whose jobs are threatened by deregulation. . . . True deregulation of radio and television can come only from Congress, but there may be conflicts between attitudes there and at the FCC."

Earlier, in January, the FCC adopted a radio deregulation proposal initiated in 1978 by then FCC Chairman Charles Ferris. The order went into effect April 4, 1981. Specifically, the commission eliminated nonentertainment programming guidelines (which were 8% of total program time for AM's and 6% for FM's); formal ascertainment requirements for new station and renewal applicants as well as for those acquiring stations; commercial limit guidelines (a maximum of 18 minutes per hour), and the requirement to keep detailed programing logs in the licensees' public files.

Fowler, sworn in May 18, hit the deck running. After initial changes at the FCC to put the agency's house in order, the new chairman sounded his emancipation for radio and television in an address June 12 to the Oregon Association of Broadcasters. He promised to declare war on every regulation in sight, vowed to make the marketplace the only standard to measure performance, said he would seek new First Amend-



The year began on a happy note with the January release of the American hostages in Iran. The mood deteriorated with the attempted assassinations of President Reagan on March 30 and Pope John Paul II on May 13. Journalists winced when Washington Post reporter Janet Cooke admitted that her Pulitzer-winning story on an 8-year-old heroin addict was a fabrication. Air traffic controllers walked out in August in a contract dispute, only to find the door for their return barred by the government. A baseball strike between June and August produced a generally unpopular split season. September brought Sandra Day O'Connor to the Supreme Court as the first woman associate justice. And in BROADCASTING, which marked its 50th anniversary on Oct. 15 . . .

ment freedom, and indicated he favored lifting of new media restrictions.

Heeding Fowler's call, the commission in September went for broke to free radio-TV in a legislative package sent to Capitol Hill. Not only did the FCC propose repeal of Section 315 of the Communications Act, as had been expected, but it also urged wholesale revision of the 1934 law to reflect reliance on "relevant marketplace forces" in determining the availability of telecommunications services to the public.

The commission further called for repeal of the "reasonable access" provision, Section 312(a)(7); elimination of the compara-

tive renewal process and Section 307(b), which requires the "equitable" distribution of radio service throughout the nation; codification of its January radio deregulation action; increased fines up to \$100,000, plus a variety of other changes.

After more than 10 years of losing battles over radio formats, the FCC won the war. On March 24, the Supreme Court ruled that the FCC had the authority to leave the question of radio entertainment formats to the discretion of licensees and the play of the marketplace. The Supreme Court's 7-2 decision reversed a 1979 ruling of the U.S. Court of Appeals, which held that the FCC was required to review renewal and transfer cases in which a change of a "unique" format precipitated local complaints. The format controversy had begun in 1969, when a group in Atlanta protested the sale of WGKA-AM-FM because the buyer planned to abandon what was the only classical musical format in that city.

Deluged by some 5,000 low-power TV applications, the FCC in April put a freeze on accepting and processing most LPTV and translator applications. The commission said it would allow just three exceptions to the freeze: applications for stations in areas currently served by fewer than two full-service TV stations, applications of existing TV translators seeking to move from channel 70 through 83, and applications of existing translators seeking to change channels to resolve interference problems.

The first LPTV grant was made in May to John Boler for Bemidji, Minn.

The FCC said it would try to establish technical rules for LPTV that would speed LPTV processing.

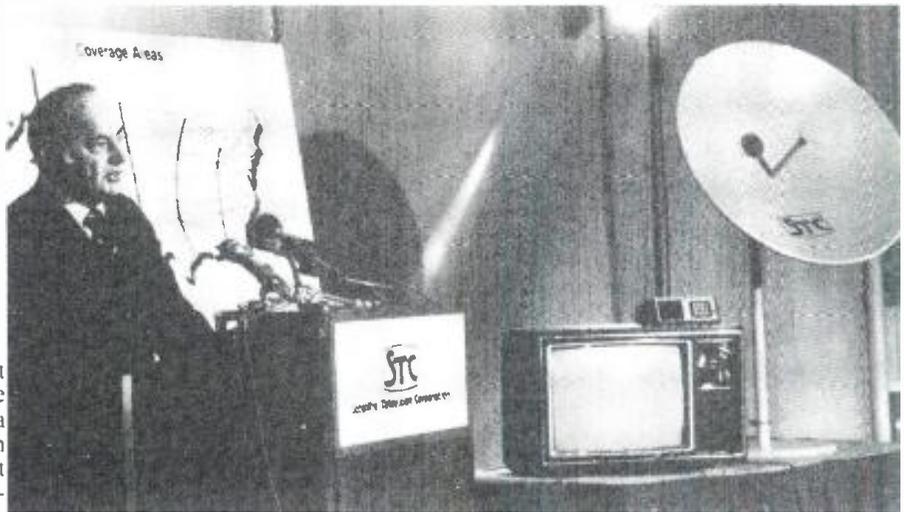
Lofty bid for first DBS system

Comsat asks FCC to approve ambitious plan to construct three-channel, pay-supported system for U.S. by 1985; \$700 million to get it going

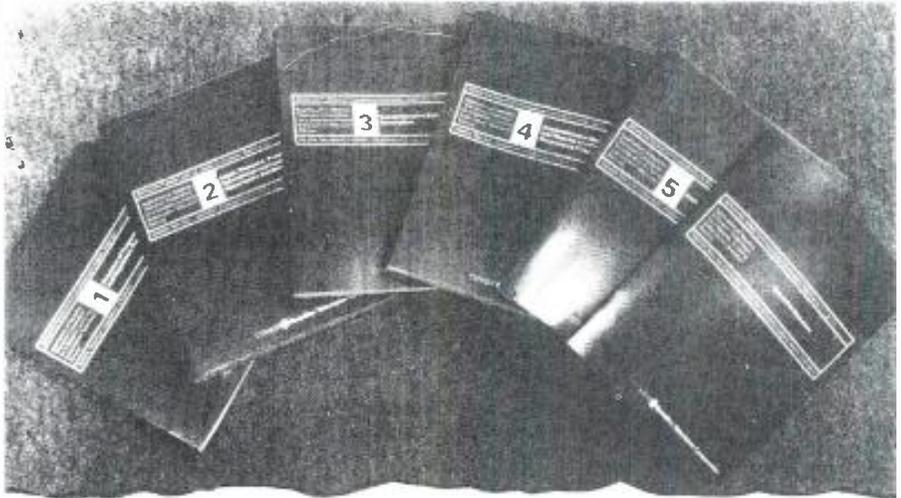
Comsat's Satellite Television Corp. last week unveiled plans for the largest single venture in the history of television: a direct broadcast satellite (DBS) system that will cost nearly \$700 million to start up and see through its first year of operation.

According to STC Chairman John Johnson, who announced the plans at an elaborate press conference in Washington last Wednesday, the system will provide three channels of pay television to subscribers equipped with small earth stations for a monthly fee of about \$25. The system could be operational within three or four years of the FCC's approving its application, but no earlier than 1985. The voluminous application (five individual books plus a summary), was delivered to the FCC just prior to the press conference.

The system ultimately would have four operational satellites—one to serve each time zone—and two back-up satellites, that will be phased in, Johnson said. The first phase will consist of just one satellite and one in-orbit spare. The remaining three operational satellites and the other spare could be incorporated into the



Comsat President Charyk



Broadcasting, Dec. 22

a final decision could be shot down on appeal on the basis of the existing record. Accordingly, it issued a notice of further rulemaking to strengthen the record. At that time, the Motorola system appeared to have gained the most favor. Other systems were being proposed by Belar, Harris and Kahn. Deadline on the notice was Jan. 9, 1981, with Harris at yearend seeking a further extension.

■ Cable News Network was born June 1 in Atlanta, initially providing 24-hour news service to subscribers of 172 cable systems. CNN was founded by Ted Turner, the flamboyant Atlanta broadcaster and entrepreneur, with Reese Schonfeld as CNN president.

■ In June, the Cabletelevision Advertising Bureau was formed under the aegis of the Cable Television Administration and Marketing Society. Lucille Larkin, CTAM executive director, at the time said that more than half of the \$250,000 needed for the start-up of the bureau had already been pledged.

■ In July, Capital Cities Communications took a big plunge into cable with an agreement in principle to buy RKO

General's Cablecom-General for \$139 million. In the acquisition, Capcities, a group broadcaster and publisher, acquired 43 cable systems in a dozen states and a chain of about 100 motion-picture theaters.

In dollar volume, 1980 was to be the second largest year of station sales in broadcasting history. A BROADCASTING analysis found that the value of station trading came to \$876 million, exceeded only by the 1979 total of \$1.1 billion. The \$82-million package sale of five TV outlets by Newhouse Broadcasting Co. to the Times Mirror Corp. was the largest transfer in 1980. The average price of a TV station in that year was \$15,261,428, more than double the 1979 average of \$6,757,042. For radio stations, the average was \$801,023 in 1980, an increase of 30.3% over the 1979 average of \$614,646.

Going into 1981, BROADCASTING reviewed the progress of television, radio, cable and the newer technologies and editorialized: "We find it difficult to contain our enthusiasm... All our instincts tell us that from under all the controversies still ahead on the media horizon—the

tugs of war about copyright payments and direct broadcast satellites and low-power TV and expansion of the radio spectrum—will emerge proof to demonstrate, in the hindsight of five or 10 years down the road, that the past was but prologue."

Stay Tuned

1. Name the three members of the FCC who left?
2. Name the Reagan appointees to the FCC?
3. What VHF commanded a record sales price in July?
4. What happened to the FCC's stance on 9 khz?
5. How was the top echelon at NBC reorganized?

The answers in "1981."

qualified competing applicants for broadcast licenses. It would bar the FCC from decisions involving radio program formats and do away with ascertainment policies requiring procedural formalities. Other provisions of the bill were intended to foster deregulation and amend Section 315 of the Communications Act to exempt presidential and vice presidential debates from the equal-time rule if the debates were not arranged by a broadcaster.

In cable, the FCC would be empowered to limit multiple system ownerships and crossownerships with other media; AT&T would be prohibited from providing cable service, except perhaps in sparsely populated areas, and co-located telephone company crossownership with cable would be prohibited except where it could be demonstrated that additional media diversity would occur. There were lesser provisions that defined the role of government and state in supervising cable.

The Senate bill stalled in committee. One controversial point was whether legislation affecting telephone-cable crossownership could be addressed before the Justice Department's suit against AT&T was resolved.

After years of bickering, Congress clipped the wings of the Federal Trade Commission by approving authorizing legislation for the FTC which subjected FTC rules to a two-house congressional veto and limited the agency's public participation funding. The FTC's children's television advertising inquiry was allowed to proceed, but with certain specifications: The complete text of any proposed new

rule would have to be published in advance and the inquiry would have to be based on deceptive and false advertising, rather than on unfair advertising as in the past.

The FTC directed its staff to make recommendations of possible courses of action, including a text of a proposed rule, by Feb. 15, 1980.

Behind all this FTC action was the on-again, off-again status in the children's advertising inquiry of the agency's chairman, Michael Pertschuk. In November 1978, Pertschuk had been disqualified from participation in such a rulemaking by U.S. District Judge Gerhard Gesell. That decision stemmed from a suit brought by a group of advertisers who claimed that Pertschuk, in a speech to an Action for Children's Television conference, showed he had prejudged the issue and could not be impartial. Gesell agreed and ordered Pertschuk to remove himself from the inquiry.

However, a little more than a year later, the U.S. Court of Appeals overturned that disqualification. The majority held that simply because Pertschuk had explored certain issues, he was not bound to them forever. Several days later, in January 1980, Pertschuk voluntarily withdrew from the proceedings. He said he was concerned that his prior statements on the issue would give opponents of the proceeding "a diversionary issue" and that controversy over his participation would inhibit the progress of the inquiry. Wary that Pertschuk might change his mind, advertiser groups in April asked the Supreme

Court to review the appellate reversal. In June, the Supreme Court let the Pertschuk decision stand.

In December, Comsat's Satellite Television Corp. unveiled plans for the largest single venture in the history of TV. It asked the FCC to approve a plan for a direct broadcast satellite system that would cost nearly \$700 million to start up and see through its first year of operation. The DBS service would be operational by 1985 or 1986. It would offer three channels of pay television to subscribers equipped with small, low-cost earth stations for a fee of about \$25 a month. Service would be phased in with the first stage to include just one operational satellite serving the Eastern time zone. When fully operational, the system would comprise four satellites, serving all of the country.

The FCC already had begun taking a broad look at DBS in two separate dockets. In October, it accepted comments from industry on an inquiry aimed at formulating the U.S. position for the 1983 Regional Administrative Radio Conference which will focus on DBS. Among those comments was a proposal by CBS that DBS be used as a catalyst for the development of high-resolution television. The FCC also in the fall initiated an inquiry into formulating domestic regulatory policy on DBS.

Among other significant developments in 1980:

- In April, the FCC attempted to hasten the emergence of AM stereo by tentatively adopting a Magnavox system. But by August, the commission concluded



Veterans day came early in 1980, during the April reunion of the Broadcast Pioneers at the NAB convention in Las Vegas. Past presidents were among those with the incumbent during a breakfast. Seated (l-r): Sol Taishoff, BROADCASTING; incumbent Jerry Lee, WDR(FM) Philadelphia; Roy Danish, Television Information Office; Ward Quaal, consultant and formerly WGN Continental; Leonard Patricelli, WTCI(AM) Hartford, Conn.; Gordon Gray, consultant and formerly WKTV(TV) Utica, N.Y., Carl Haverlin,

retired president, Broadcast Music Inc. Standing; Charles Tower, Corinthian Broadcasting; Norman E. (Pete) Cash, Television Bureau of Advertising; Joseph E. Baudino, retired Washington vice president, Westinghouse Broadcasting; Bert Parks, entertainer and recipient of Pioneers award for 48 years of "distinguished service to broadcasting"; Don Mercer, NBC, and Carl Lee, Fetzer Stations.

Broadcasting, April 21

ture with Viacom it held 50% of the pay programming firm, Showtime, and owned the production company, Filmation, and the recorded music supplier, Muzak, Westinghouse Electric, through its Westinghouse Broadcasting, held seven AM, four FM and six TV stations, owned by Group W Productions, and had interests in a number of cable TV systems.

The usual debate over "Great Debates" came in the wake of the summer national political conventions. This time the main controversy was over whether independent John Anderson should be a participant with Democrat Jimmy Carter and Republican Ronald Reagan. The Democrats opposed Anderson's inclusion. "We obviously think our best interests are served by a one-on-one meeting," said Robert Strauss, Carter's campaign manager. The Reagan forces insisted on the independent's participation as a matter of "fairness." The initial result was that Carter boycotted a first debate, in Baltimore on Sept. 21, that featured Reagan and Anderson. NBC-TV and CBS-TV carried the event live, but ABC-TV stayed with its regular Sunday night programming. According to ABC researchers, the Reagan-Anderson debate attracted 50 to 55 million viewers, as compared with the 90-plus million that watched the first debate between Carter and Gerald Ford in 1976.

The question of Anderson's participation stymied subsequent debate plans. But the League of Women Voters salvaged a single debate, on Oct. 28 in Cleveland, to which Anderson was not invited.

Some 120 million Americans tuned to that confrontation, carried by all the networks. Most of the polls after the debate indicated that Reagan had fared better than Carter.

The nation's voters were much more decisive on Nov. 4 when Reagan scored his sweeping victory at the polls. And the major networks, which had spent two years and \$20 million in preparation for election night, found its main event was in doubt for no more than an hour or two.

NBC News projected Reagan as a winner at 8:15 p.m., NYT, and drew flak from its rivals. ABC News projected the Reagan victory at 9:52 p.m., NYT, moments after President Carter conceded his defeat (ABC later blamed its delay at least partially on a computer breakdown). CBS News officially called it at 10:42 p.m., NYT, almost 40 minutes after Carter conceded.

Both CBS and ABC were critical of NBC's early call, not only of Reagan's national victory but of the outcome of the presidential race in many states. NBC, they contended, relied essentially on the results of its exit polls, without waiting for enough actual returns. CBS claimed that in 19 states, NBC projected victory within two minutes after the polls had closed.

NBC itself said it was the first to project Reagan victories in 30 states. These included Connecticut at 8 p.m., when the polls closed; Ohio at 7:31, a minute after the polls closed, and Florida at 7:02, when



The new Cable News Network provided some solace and a vehicle of expression for John Anderson, the independent candidate who was not invited to participate in the Oct. 28 Carter-Reagan debate CNN inserted remarks by Anderson into a delayed tape of the debate, making Anderson a participant in the proceedings, at least for CNN viewers.

Broadcasting, Dec. 1

by some accounts some polls were still open.

An NBC spokesman also said NBC made no projections for any state until at least some of the state's polls had closed—and he charged that ABC, too, despite its claim to the contrary, had also made some projections in states where voting was still in progress.

But NBC officials contended they did not rely on exit polls alone in making their calls, but took voting returns in key precincts into account as well. The trend toward Reagan was "unmistakable," an NBC spokesman said. "We felt it was news, and we don't withhold news."

The 1980 elections brought defeat for Representative Van Deerlin, ending his mission, since 1976, to overhaul the Communications Act. His first rewrite attempt in mid-1978 contained conflicts and anomalies that Van Deerlin tried to resolve in his second rewrite attempt in 1979.

But by the beginning of 1980 it had been reduced to amendments to the common carrier provisions of the Communications Act and stalled in committee.

What momentum there was in 1980 for restructuring the Communications Act was generated on the Senate side. In June, Senator Ernest Hollings (D-S.C.), chairman of the Senate Communications Subcommittee, introduced a bill that followed six months of meetings by Democrats and Republicans. Co-sponsors of the legislation were Senators Howard Cannon (D-Nev.), Bob Packwood (R-Ore.) and Harrison Schmitt (R-N.M.). It focused extensively on common carrier matters, but contained some broadcast and cable provisions. Absent was a spectrum fee, though the bill would instruct the FCC to study the idea of license fees and report back to Congress.

The bill envisioned FCC authority to regulate the retransmission of distant signals for cable when a broadcaster could demonstrate the need for restrictions to protect the public interest. This would put the burden of proof on the broadcaster.

The bill also would extend the license terms of radio and television stations from three to five years, and would authorize the FCC to use a random selection system, such as a lottery, to decide among



Prime-time newscasts for independent TV stations became a reality June 9 when 27 members of the new Independent Network News began airing a half-hour that originated Monday through Friday from WPXI-TV New York. With it, local anchors (above, l-r) Pat Harper, Steve Bosh and Bill Jorgensen went national. John Corporon, WPXI vice president and INN executive producer, said most of the independents were offering the new broadcast at 10 p.m. NYT.

Broadcasting, Dec. 1

and the commercials of 25 major advertisers.

CBS, which had declined to join in the three-network captioning project, announced in November that it would begin close-captioning of CBS programs over its KNXT(TV) Los Angeles as part of CBS's test of the French Antiope teletext system. [Teletext, it was explained, is a means of broadcasting textual information in a repeating series of "pages." The information is digitized and transmitted during the vertical blanking interval of a television signal and does not affect normal television programming. A decoder attached to or built into the television set receives and demodulates the information, transforms it into alphanumeric or graphics and displays it on the television screen.]

Earlier in 1980, CBS had broken ranks with the Electronics Industries Association subcommittee that was attempting to work out industrywide teletext standards. CBS in August petitioned the FCC to institute a rulemaking to establish standards. The petition also contained CBS's recommendation for standards, based on the French Antiope system and CBS's own teletext standards. Most comments filed at the FCC in response to the CBS petition supported the idea of a teletext proceeding, but there was sentiment that any immediate action would be premature.

The CBS Los Angeles teletext test also included noncommercial KCET(TV) Los Angeles.

The antitrust battle that the Justice Department touched off in 1972 with ABC, CBS and NBC came to an end in 1980. The government had sought to curb the networks' power in dealing with program suppliers. NBC made an out-of-court settlement with Justice in 1976 (approved in 1977) and CBS followed suit in May 1980. ABC came to terms in August. As in the other consent decrees, it imposed a number of restrictions on program ownership that were to be effective for all the networks when the agreement with ABC was approved by the judge.

The world of cable and subsequently the Justice Department was shaken with the April 24 announcement of Premiere, a joint venture of Getty Oil Co. and four major Hollywood motion picture companies. Premiere was to compete with Home Box Office, Showtime, The Movie Channel and other established services for pay-cable dollars.

The major studios with Getty in the satellite venture were Columbia Pictures Industries, MCA, Paramount Pictures Corp. and 20th Century-Fox Film Corp. Under terms of the agreement, motion pictures of those four companies were not to be exhibited on any other satellite pay network programming service during a nine-month period following their availability to Premiere.

To the relief of those who saw restraint of trade in the proposed operation, the Justice Department in August filed an antitrust suit against Premiere and sought an injunction to block its start-up.



On June 1, Samuel D. Ewing (r), director of the Federal Home Loan Bank Board's Federal Savings and Loan Corp., took over as president and chief executive officer of the National Association of Broadcasters' Minority Fund. The fund was formed to aid the entry of minorities into broadcasting. Above, Federated Media's John Dille Jr., chairman of the fund's board of directors, congratulates Ewing.

Broadcasting, May 13

Nevertheless, Premiere went ahead with its plans for a Jan. 2, 1981, start that was not to be. On Dec. 31, Judge Gerard Goettel granted the Justice Department's request for an injunction to bar the launch of the new pay-TV network. By that time roughly \$15 million had been invested in the venture.

In his ruling, Goettel brushed aside the defendant's contention that a preliminary injunction would end their efforts to get into the pay-TV market and said: "Their claim that they cannot enter the market at any later time seems to ignore the tremendous potential for growth in the pay television industry."

Turning to "the public's interest in the enforcement of antitrust laws and in the preservation of competition," Goettel said Premiere has "a high potential for the ultimate raising of prices. The defendants have embarked on this venture largely out of dissatisfaction with the revenues they

have been obtaining from the network program services for their films."

"Those higher prices will be passed on to the consumers," Goettel concluded. "Much of this harm, including the irreparable alteration of the marketplace, will likely occur long before the trial on the merits could be completed."

Premiere's chairman, Burt Harris, and its president, M. Christopher Derick, indicated they would appeal. But the die had been cast, and Premiere was never to be.

Good news for all in cable came July 24 when the FCC repealed its rules on syndicated exclusivity and distant signal importation—the last regulations that the cable industry regarded as restrictive. It meant removal of the protection formerly afforded local TV stations against duplication of the syndicated programming to which local broadcasters held exhibition rights. It also removed all limits on the number of broadcast signals a cable system could carry. Malrite Broadcasting, backed by a large contingent of broadcasters, went to the U.S. Court of Appeals in New York to block the FCC action. The NAB filed a petition to intervene and asked the FCC for a stay order. The commission denied the latter request, but the appeals court did grant a stay pending its decision in appeal. The case was unresolved at yearend.

The proposed \$480-million merger of Cox Broadcasting Co. into General Electric fell apart in the spring of 1980. In April, Cox notified the FCC, whose approval had been sought for transfer of various broadcast properties involved, that it wanted out. Cox felt that the value of its properties—particularly its cable holdings—had increased to such an extent that the price on which the original contract was based was too low. GE's offer to increase the price by what some sources said was \$130 million was also rejected by Cox as inadequate.

But the superlatives for the shelved GE-Cox deal were brought out again in October when it was announced that Westinghouse Electric Corp. would buy Teleprompter Corp. for \$646 million. Not only was Teleprompter generally considered the largest cable system owner with a subscriber total in the neighborhood of 1.25 million, but in its joint ven-



CBS Inc. got a new president June 2, following the May 8 resignation of John Backe, who was being reassessed and who failed in his demand for a vote of confidence. He was succeeded by Thomas Hunt Wyman (l), vice chairman of the Pillsbury Co. Wyman is shown with CBS Chairman William Paley.

Broadcasting, May 26

dience."

A week later, CBS-TV announced its fall line-up would include five newcomers. They were *Magnum, P.I.*, the story of a private investigator with Tom Selleck in the title role; *Ladies' Man* with Lawrence Pressman portraying the sole male on the staff of a women's magazine; *Enos*, a spin-off from the *Dukes of Hazzard* with the popular corn-fed deputy, played by Sonny Shroyer, going to Los Angeles to team up with "a tough, ghetto-bred black cop named Turk"; *Freebie and the Bean*, starring Tom Mason and Hector Elizondo as two street-wise San Francisco police sergeants, and *Secrets of Midland Heights*, with a variety of plots about life in a college town, still largely controlled by its founding family.

Simultaneously, ABC-TV announced its new offering would include *Those Amazing Animals*, "astonishing happenings" in the animal kingdom, with Burgess Meredith, Priscilla Presley and Jim Stafford as hosts; *Too Close for Comfort*, with Ted Knight playing the overly protective father of two girls; *Bosom Buddies*, about two advertising men who disguise themselves as women to find a place to live in an all-female residence hotel; *But I'm a Big Girl Now*, about a meddling father (Danny Thomas) and his divorced daughter (Diana Canova); *Breaking Away*, a comedy drama based on the Oscar-nominated movie of that name with Shaun Cassidy, Barbara Barrie and Vincent Gardenia in the lead roles, and *It's a Living*, about the lives of five cocktail waitresses.

The following week NBC-TV announced five new shows for the fall—all hour-long. They were *Hill Street Blues*, a mixture of drama and comedy at a police station in an urban slum; *Flamingo Road*, a soap opera about people with "the lustiest secrets to hide"; *Harper Valley PTA*, based on a movie that was based on a song, with Barbara Eden as the widowed mother battling hypocrisy and double standards in a small town; *Speak Up America*, a forum for the "mad-as-hell" generation to speak its mind, and *Thursday Games*, a "celebration of the common man's participation in sports."

The fall season got off to a late and staggered start, however, after the Screen Actors Guild and the American Federation of Television and Radio Artists struck July 22. The main obstacle to new contracts was disagreement about the scale of residuals to be paid for use of performances in the newer technologies such as pay TV, videodisks and cassettes. Tentative agreement with the program production companies was reached Sept. 25, and ratified by the unions in late October.

CBS-TV survived best in the new season. By Christmas time, it had an average prime-time rating of 18.6; NBC-TV had an 18.2, and ABC-TV 18.0.

NBC and its parent RCA provided the big head-rolling news in mid-1980. First was the quick deposition of RCA President Maurice R. Valente. Less than six

months in office, the one-time IFT executive resigned in face of the RCA board's verdict that he had not performed up to expectations. Valente's post of president and chief operating officer was eliminated and its functions assumed by an office headed by RCA Chairman and Chief Executive Officer Edgar H. Griffiths and including five other RCA executives.

Those June shockwaves had just begun to abate when Rockefeller Center experienced another major ouster: NBC President Fred Silverman in July fired NBC Chairman Jane Pfeiffer in a public display of corporate infighting. Pfeiffer, who played an integral role in getting Silverman to leave ABC for NBC, said the NBC president sought her removal to preserve his own job and quoted him as saying, "he would probably follow me out the door in six months." In the end, they settled their differences and Pfeiffer resigned, taking with her Silverman's profession of good wishes.

Before the settlement, the public bloodletting was so garish that it raised questions about the job security of not only Silverman but also of Chairman Griffiths of the parent RCA Corp.

On a more harmonious note, CBS announced in February that Walter Cronkite

would step down as anchorman and managing editor of *CBS Evening News*, the dominant early-evening news show among the TV networks. CBS News correspondent Dan Rather was named as his successor in early 1981, when Cronkite would undertake other special assignments with CBS News including the hosting of a new *Universe* series.

The choice of Rather over CBS correspondent Roger Mudd for *CBS Evening News* was prologue to the latter's departure for NBC. NBC announced acquisition of the newsman in June, but since Mudd was under contract to CBS until the end of the year, it meant he was destined to have less exposure during the national conventions and campaign.

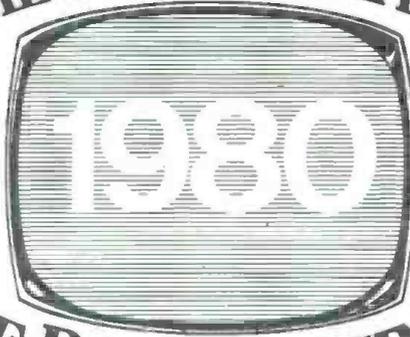
Closed captioning for the benefit of the hearing-impaired was started on ABC-TV and NBC-TV on March 16. Public Broadcasting Service, which already was offering some closed-captioned broadcasts, simultaneously planned to expand the service to seven regular series. By year-end, the National Captioning Institute was captioning an average of five hours of ABC and NBC television per week (in prime time) and more than 10 hours of PBS. It also was captioning two-and-one-half hours per week of syndicated programing



Final formula for the distribution of \$14.6 million paid in royalties in 1978 by cable companies was issued in September 1980 by the Copyright Royalty Tribunal. Under the formula, U.S. and Canadian broadcasters were to receive 3.25% of the pie; program syndicators 75%; sports claimants 12%; Public Broadcasting Service, 5.25%, and music performing rights societies, 4.5%. Distribution was ordered held up until appeals were resolved. Members of the CRT (seated l-r): Mary Lou Burg, then chairman, worked in both radio and TV, including terms as general manager and sales manager of WYLO(AM) Jackson, Wis., before serving as vice chairman and deputy chairman of the Democratic National Committee in 1970-77; Clarence James, an attorney, was director of law/deputy mayor of Cleveland, 1968-71, special counsel to the Ohio attorney general, 1972-77, and on the staff of the Carter presidential campaign in 1976; (standing l-r): Thomas Brennan, first chairman of the tribunal, was chief counsel of the Senate Subcommittee on Patents, Trademarks and Copyrights, which was responsible for the present copyright law; Frances Garcia, chairman of the tribunal's budget committee, was audit and office manager of Austin office of Arthur Anderson & Co., an international accounting firm, and Douglas Coulter, a freelance writer who worked in both the Carter and McGovern presidential campaigns. Tribunal members ordinarily serve seven-year terms, although Garcia and James were serving five-year terms. All five commissioners rotate the chairmanship every year, receiving pay comparable to a GS-18 civil-servant rating, then in excess of \$50,000.

Broadcasting, Aug. 4

THE FIRST 50 YEARS



OF BROADCASTING

The dawn of the '80's brought a year of sunsets. The defeat of Jimmy Carter in November was the signal for packing day throughout the administration. Swept out in the elections was Representative Lionel Van Deerlin (D-Calif.) with his dreams of a Communications Act rewrite. The reign of ABC-TV as king of the prime-time ratings ended. And CBS's Walter Cronkite prepared to turn over his scepter to Dan Rather.

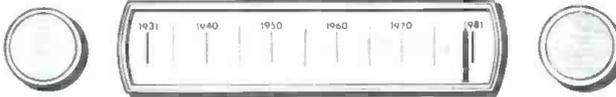
It also was a year in which cable was heartened by deregulatory gains, but filled with mixed emotions about the promised emergence of Premiere, a major-studio joint venture, as a dominant payable programmer.

In January 1980, the FCC sent waves of concern through the industry when, on a 4-to-3 vote, it directed its staff to prepare an order that would strip RKO General of three TV stations up for license renewal. They were WOR-TV New York, KTLA-TV Los Angeles and WNAC-TV Boston. The FCC adopted its January order in June on an identical 4-to-3 vote. The commission felt RKO General shared in the conduct of its parent, General Tire & Rubber, that drew the attention of the Securities and Exchange Commission. GT&R itself had documented misconduct in a report to the Securities & Exchange on bribery of officials of foreign governments and illegal political contributions. Parent GT&R had settled with the SEC by signing a consent decree.

To protect its 13 other broadcast licenses, RKO General informally asked the FCC for permission to spin-off those other holdings into a separate broadcast company that would be held by shareholders of GT&R, but which would not be subject to control or influence by GTR or RKO boards. The FCC rejected the idea in October and set the other 13 license renewals for hearing. Further FCC action was held in abeyance, however, pending a decision by the courts on an appeal of the initial FCC decision. Observers saw final resolution of the case as being years away.

ABC-TV came up with a brass ring in the 1980 winter Olympics, but NBC-TV came up with a handful of nothing for the summer games.

ABC-TV paid \$15.5 million for the TV rights to the February events at Lake Placid, N.Y. The network won victories in



American hostages remained in captivity in Teheran throughout the year. An attempt by a secret U.S. military mission to rescue them was aborted April 24 due to equipment failure. In the pullout from Iran, eight Americans lost their lives and five were injured.

On March 10, Dr. Herman Tarnower, prominent physician and author of best-seller, "The Complete Scarsdale Medical Diet," was shot and killed by Jean Harris, a long-time friend and headmistress of a Virginia school. On May 18, dormant volcano Mount St. Helens in Washington state erupted for the first time, taking at least 26 lives. After months of skirmishing, Iraq and Iran entered into open warfare on Oct. 22. In November, America decided it wanted Ronald Reagan in the White House. And in

BROADCASTING ...

the Arbitron and Nielsen rating sweeps that month, carrying it well to the front of the prime-time competition and providing a powerful lead for the end-of-the-season race in March and April.

ABC-TV estimated its prime-time Olympic coverage averaged 18,080,000 households per minute for an average audience of approximately 38 million. ABC-TV devoted 34 3/4 hours of prime time in the 13 days of Olympic coverage (Feb. 12-24).

NBC-TV's dreams of even greater returns from the summer games in Moscow began to fade early in the year when the U.S. government denounced the Soviet invasion of Afghanistan and called for sanctions against the ag-

gressor. The sanctions eventually included America's boycott of the summer games where NBC-TV had planned more than 150 hours of coverage. The TV rights payment was to have been \$87 million.

President Carter gave NBC a graceful out in April when he ordered a halt to the export of all U.S. goods and technology, including broadcasting equipment, to Russia and prohibited NBC from making further payments on its contract. The order meant that \$26 million of the \$87 million rights payment was to remain in the NBC treasury. In the RCA financial report for the second quarter, released in July, it was indicated that, despite insurance coverage, NBC-TV incurred out-of-pocket expenses of between \$25 and \$30 million.

The winter Olympic games, however, did not guarantee total ratings victory to ABC-TV.

CBS-TV, in an upset as startling as when ABC-TV seized prime-time leadership four years before, retook the ratings crown for the 1979-80 season with a win in the final week in April. Victory was by one-tenth of a point, according to Nielsen. The final standing: CBS 19.6, ABC 19.5 and NBC-TV 17.4.

BROADCASTING summarized the close prime-time race: "It has been a costly contest. All three networks ... have spent freely on program development to attract audiences. The spending has been reflected in declining profit margins for all three, and for NBC, which made gains but not as big as management wanted, the price was especially high. The true winner was, as it almost always is, the American television au-

quencies by about 800 khz; to amend the international table of allocations to reflect co-equal sharing by television mobile and fixed services in the 806-890 mhz band, and to establish frequencies in the 14 ghz band for satellite uplinks from transportable earth stations.

At home the FCC in September took a step toward radio deregulation, issuing a proposed rulemaking. The FCC proposed to remove its guidelines on the quantity of nonentertainment programming; to eliminate all specific requirements on how to ascertain the needs and problems of the licensee's communities; to eliminate limitations on commercial time, and to eliminate federal program log requirements for commercial radio stations. Charles D. Ferris, FCC chairman, labeled the proposed rule a "current, updated, futuristic look at how the public interest will be defined."

In other radio developments the FCC in March issued a proposal to break down clear channels by limiting their signals to 750 miles as a means of gaining more AM stations. Early in the year the FCC issued a notice of inquiry into standards for FM quadrasonic broadcasting, and began looking into the possibility of reducing channel spacing for FM's from 200 khz to 150 or 100 khz as a means of gaining more FM channels.

In 1979, both AM and FM increased their revenues but not enough to offset rising costs. According to FCC figures, AM stations and AM-FM combinations reporting together had net revenues of just over \$2 billion, a slightly more than 5% gain over revenues in 1978. Their operating profits declined by 29% to \$157 million. FM stations filing separate financial reports had revenues of \$696 million in 1979, a 20% gain over revenues of the year before. Their profits dropped by nearly 21% to \$58 million. Radio networks in 1979 had total revenues of \$96 million, better than 7% over 1978, and operating profits of \$16 million, about 4% over profits of 1978.

At the end of 1979, 4,559 commercial AM stations were on the air, 3,155 commercial FM's and 1,038 noncommercial, educational FM's.

Two new radio networks were formed in 1979: NBC Radio's The Source and the RKO Radio Network.

Television in 1979 had its own profit squeeze. Television revenues were up 13.3% over 1978 to \$7.9 billion. Profits rose only 2%, to \$1.7 billion.

At the end of the year, 746 commercial television stations were in operation. There were 267 noncommercial stations on the air.

In television programming the ratings race continued, with ABC ahead for most of the year, NBC ahead for a brief period during premiere week, and CBS leading the November sweeps, the first time that CBS had pulled ahead of ABC since 1975. Special lures included ABC's presentation of *Roots II*, which helped that network to its second highest weekly rating ever, and



The newest FCC commissioner, Anne Jones, was sworn in April 2, filling the seat formerly held by Margita White. She was congratulated by FCC Commissioner Robert E. Lee (l) as Chairman Charles Ferris looked on.

Broadcasting, April 9

ABC's "Jaws," which delivered the second highest number of households for a movie.

The second season debuts included *Dukes of Hazzard* (CBS); *Benson* (ABC), a spin-off from *Soap* about a nice, but not very bright governor, starring Robert Guillaume; *Hart to Hart* (ABC), and, in syndication, *The Baxters*, a Norman Lear-TAT Communications program billed as the "first situation comedy where the viewers in your market can actually participate as each week our Baxter family presents a provocative issue which your studio audience resolves."

The programming of children's television continued to receive the scrutiny of citizen groups, the FCC and the Federal Trade Commission. The FCC in November released a staff report on compliance with the commission's 1974 guidelines on children's TV, which found that the industry failed to meet the FCC goals of increasing educational children's programming, decreasing advertising in children's programming, and eliminating objectionable selling practices in children's TV. The FCC in December gave broadcasters eight months to convince the commission that they would be responsive to children's needs, under threat of sanctions that included the addition of mandatory pro-

Stay Tuned

1. Which group broadcaster faced loss of three TV station licenses?
2. How did Congress put restrictions on the children's advertising inquiry of the FTC?
3. Which AM stereo system was tentatively adopted by the FCC?
4. Which TV network struck ratings gold with the winter Olympics?
5. Which TV network lost the summer Olympics as the result of an American-Soviet conflict?

The answers
in "1980."

gramming quotas of two and a half hours for school-age children and five hours for preschoolers aired during weekdays between 8 a.m. and 8 p.m.

The FTC conducted hearings on what it considered to be the excesses of advertising aimed at children. Despite objections by manufacturers and broadcasters, who claimed that the FTC either lacked jurisdiction or overstepped its bounds, the FTC continued to talk of limiting or banning advertising aimed at children.

The FCC began a plan of cable deregulation that deleted the rules limiting the distant signals that cable systems may carry, and removed the broadcasters' exclusivity protection for syndicated programs. FCC Chairman Ferris praised the commission's action as part of "zero-based analysis... that clearly indicated that the signal carriage and syndicated exclusivity contribute little if anything to helping viewers of over-the-air television while substantially penalizing subscribers to cable services." Broadcasters rose in opposition.

To promote pay TV, the FCC repealed its rule limiting one subscription television station to a market and instructed its staff to move toward elimination of other regulations. By October 1, six STV stations operated, all UHF. The largest, KBSC-TV, Corona, Calif. (Los Angeles), had 210,000 subscribers.

To help minorities, the Carter administration pledged more loans and assistance by the Small Business Administration and other government agencies for the purchase of broadcast properties by minority groups. The National Association of Broadcasters raised \$10 million for a Minority Assistance Investment Fund. When the FCC, in April 1979, approved the transfer of WAEQ-TV Rhinelander, Wis., to Seaway Communications Inc., a 100% minority-owned enterprise, it was the first transfer to a minority group granted under the FCC "distress sale" policy that had been established in May 1978.

The National Black Media Coalition presented a 35-point petition to the FCC in October requesting assurance of air time, resources, jobs and spectrum space for blacks. Two policies that the FCC initiated to grant minority entrepreneurs easier access to broadcast ownership, the tax certificate, and the distress sale program, proved effective. Eleven tax certificates, and two distress sales were approved.

In other broadcasting business, the FCC in June approved the \$370-million merger of Combined Communications Corp. and the Gannett Co., a transaction that created a company owning 80 daily newspapers, seven television stations, six AMs, six FM's, outdoor advertising in the U.S. and Canada, as well as weekly newspapers, Canadian newsprint interests, a news service and Louis Harris & Associates, the research firm. Still pending at the year's end was the even larger merger of Cox Broadcasting into General Electric, a half-billion-dollar deal.

WHERE CREDIT IS DUE

The work of several hundred BROADCASTING editors and writers, past and present, is represented in this volume. It is impossible to name them all, but we can't go to press without mentioning a few.

The late J. Frank Beatty, who served as managing editor and for years as one of the magazine's most traveled correspondents. Bruce Robertson, who joined us at the start in 1931 and served with distinction in senior editorial roles on both coasts. The late Robert K. Richards, who contributed importantly to the magazine during the 1940's. Art King, managing editor for much of the post-World War II period.

Edwin H. James, whose dedication to style, accuracy and principle has kept BROADCASTING's standards high for over a quarter century. Rufus Crater, for years the magazine's chief correspondent and forever one of its best reporters. Fred Fitzgerald, who, other than myself, has had the longest editorial tenure with the magazine, and who backstopped the accuracy of each paragraph and page herein.

And, since he rejoined the company 11 years ago, Don West, our energetic and creative managing editor, who has inspired a talented staff in bringing into focus all the technologies, old and new, that make up the Fifth Estate.

The assignment of reading all the back issues of BROADCASTING in the original and researching and writing the basic manuscript of this history was performed by Candyce Stapen Kempler, PhD, who brought to that task a fresh mind and a scholar's skill.

S.T.
Washington, D.C.
June 1982

HONOR ROLL

OF THE Fifth Estate

A reader's guide to who's been who in electronic communications during the past 50 years, as reflected in the "Our Respects" and "Profile" sketches that have appeared in each issue of BROADCASTING magazine since Vol. 1, No. 1, on Oct. 15, 1931.

A

- Chloe Wellingham Aaron 2/27/78 Daniel Aaron 5/1/78 Jeffery Arthur Abel 2/26/62 Irvin Goodes Abeloff 7/9/51 Howard Phineas Abrahams 1/22/51 Eugene Aristides Accas 3/7/77 Goodman Ace 10/7/63 Harry Stephen Ackerman 3/26/50 George Perrin Adair 5/4/42 Beatrice Adams 4/24/50 Charles Francis Adams 12/20/65 David Charles Adams 12/5/55 Vincent James Adduci 10/8/73 Gerald Adler 3/31/69 Seymour Louis Adler 4/15/63 Saidie Adwon 7/19/76 Roger Ailes 11/11/68 Herbert Vestnor Akerberg 7/1/36 George E. Akerson 8/13/73 Fred Woodward Albertson 5/11/53 Emerson Anderson Alburty 5/26/47 William Carlton Alcorn 1/26/42 Ernest Fredrick Werner Alexanderson 12/24/45 Thomas James Allard 2/26/51 Joe L. Allbritton 3/22/76 Edward Walter Allen Jr. 6/30/58 George Howard Allen 4/17/44 George William Allen 8/8/60 James Edgar Allen 9/16/68 Richard Montgomery Allerton 7/28/52 Peter Ward Allport 4/17/61 Carl Joseph Ally 9/10/73 Robert Herbert Alter 9/21/81 The American Audience 10/15/56 American Broadcasting 11/5/45 Edward Moore Anderson 9/6/54 Robert Edward Anderson 10/4/65 Victor John Andrew 5/23/49 James Andrews 6/28/43 Douglas Arlington Anello 3/28/66 Reynold (Rene) V. Anselmo 5/6/74 Earl C. Anthony 7/15/32 Marvin Antonowsky 11/11/74 Philip Dean Archer 6/7/65 George J. Arkedis 2/28/77 Roone Arledge 1/1/68 Edwin Howard Armstrong 1/24/44 George W. (Bud) Armstrong 8/17/64 Charles Edward Arney Jr. 3/8/43 Desi Arnaz 9/24/62 Danny Arnold 10/29/79 Lewis Edmond Arnold 5/6/57 Campbell Arnoux 5/7/45 Leslie Goodwin Arries Jr. 11/10/75 Aubrey Leonard Ashby 3/15/39 Anne Schumacher Ashenhurst 4/1/35 Alfred Andreas Atherton 7/1/63 H. Leslie Atlass 11/1/34 Ralph Leigh Atlass 9/3/45

James Thomas Aubrey Jr. 2/13/56 □ Stever Aubrey 10/16/72 □ Harold M. (Bud) Austin 12/2/74 □ Orvon Gene Autry 12/13/48 □ Lewis Havens Avery 6/19/50 □ M.H. Aylesworth 1/1/32 □ Charles Thatcher Ayres 11/7/55 □ Emilio Azcarraga 12/7/42.

B

□ John Butler Babcock 3/4/74 □ John D. Backe 1/3/77 □ Roy Irving Bacus 9/25/67 □ Kenneth Leon Bagwell 2/22/70 □ Cy Nesbe Bahakel 12/5/77 □ Warren Arthur Bahr 1/16/67 □ Richard Eugene Bailey Sr. 4/5/71 □ Stuart Lawrence Bailey 1/3/49 □ Elizabeth Ellen Bain 1/11/65 □ Joseph Michael Baisch 7/25/55 □ Howard Henry Baker Jr. 4/16/73 □ Kenneth Hammond Baker 4/22/46 □ Walter Ransom Gail Baker 5/15/44 □ William Franklin Baker 4/23/79 □ William Reginald Baker Jr. 12/1/38 □ Winthrop Patterson Baker 7/23/73 □ Gerald Bernard Baldwin 10/27/80 □ James Wallace Baldwin 10/1/33 □ Lucille Ball 7/31/67 □ Robert Walton Ballin 5/12/47 □ Charles Balthrop 9/14/53 □ Dolly Ruth Banks 11/15/48 □ John Palmer Bankson Jr. 10/18/76 □ Glenn Franklin Bannerman 2/17/41 □ Harry Ray Bannister 4/9/51 □ Walter L. (Red) Barber 10/22/45 □ Joseph Roland Barbera 6/30/69 □ Sherlee Barish 8/25/75 □ Edmond Asa Barker 7/28/69 □ Julius Barnathan 7/16/62 □ David H. Barnow 3/30/53 □ James Earl Barr 1/4/54 □ Charles (Bud) Carroll Barry 3/16/59 □ Walter Russell Barry Jr. 3/2/70 □ Gerald Aron Bartell 4/9/56 □ Melvin Martin Bartell 8/31/59 □ George Wilkinson Bartlett 3/15/65 □ Walter Eugene Bartlett 7/13/64 □ William Marcus Bartlett 7/23/62 □ Robert Taylor Bartley 12/10/45 □ Bruce Barton 11/15/37 □ Ralph Max Baruch 11/24/69 □ David Franklin Bascom 7/27/64 □ Perry Bagnall Bascom 1/27/69 □ Charles Gordon Baskerville 7/17/50 □ John Bates 10/14/36 □ William Andrew Bates 2/5/62 □ Charles Alvin Batson 5/31/65 □ Joseph Edward Baudino 12/24/51 □ Lionel Baxter 9/10/62 □ David Lionel Bazelon 1/27/75 □ James Webster Beach 12/17/56 □ William John Beaton 3/1/54 □ Ralph William Beaudin 11/11/63 □ Aurelia Stier Becker 12/27/43 □ Ralph E. Becker 9/22/80 □ Alfred Ross Beckman 6/13/60 □ Curtis John Beckmann 9/3/79 □ Donald Casper Beelar 4/29/63 □ Francis Kenneth Beirn 11/5/56 □ Robert Harry Beisswenger 6/26/67 □ Donald Belding 9/6/43 □ Edgar Thompson Bell 6/1/36 □ Howard Hughes Bell 4/3/67 □ Henry Adams Bellows 10/15/32 □ Robert Martin Bennett 6/3/74 □ Walter Esdras Benoit 2/18/52 □ Lester Arthur Benson 6/15/34 □ Robert Gustav Benson 9/30/74 □ William Burnett Benton 7/1/38 □ Leo L. Beranek 9/29/75 □ Benjamin Hill Berentson 3/7/66 □ Arthur Bergh 5/15/34 □ Robert Irving Bergmann 6/5/67 □ Theodore Gerard Bergmann 10/7/57 □ Roger G. Berk 2/25/74 □ Kenneth Homer Berkeley 8/3/42 □ Don Bernard 12/20/48 □ John Joseph Bernard 7/16/56 □ Seymour Berns 6/2/69 □ Fred L. Bernstein 1/5/52 □ Gilbert Irwin Berry 3/24/47 □ Hugh Malcolm Beville Jr. 6/10/68 □ Charles Cornelius Bevis Jr. 10/8/51 □ Lester Martin Biederman 8/6/62 □ Joel Bigelow 12/16/46 □ George Cecil Bigger 3/18/46 □ Kenneth Whipple Bilby 3/6/56 □ Edgar Luther Bill 4/15/34 □ George Barry Bingham 6/15/36 □ Harry Murray Bitner Sr. & Harry Murray Bitner Jr. 3/29/54 □ James W. Blackburn Sr. 11/7/77 □ Hill Blackett Jr. 5/23/66 □ John Portwood Blair 2/3/41 □ James Edward Blake 2/1/71 □ Melvin Jerome Blanc 11/14/66 □ David Mordecai Blank 9/26/66 □ John Oliver Blick 9/24/51 □ Milton M. Blink 3/1/39 □ Roy Lee Bliss 1/26/81 □ Vincent R. Bliss 5/30/55 □ Richard Charles Block 12/16/63 □ Willard Block 3/20/72 □ Victor Gustav Bloede 2/26/68 □ Chuck Blore 8/4/69 □ Jack Paul Blume 10/14/74 □ Harold John Bock 2/7/49 □ John Nash Boden 3/5/79 □ Norman Boggs 3/6/50 □ Frederick Owen Bohon 5/5/52 □ Hugh Kendall Boice 5/1/36 □ Hugh Kendall Boice Jr. 1/7/57 □ George Arthur Bolas 12/6/48 □ Linda Lou Bolen 11/26/73 □ Thomas E. Bolger 4/14/80 □ George William Bolling II 1/23/61 □ Joseph Salvatore Bonansinga 7/29/68 □ David Ford Bond 9/27/48 □ Henry Carl Bonfig 8/15/55 □ Robert Mermod Booth Jr. 6/19/61 □ Richard Albert Borel 6/16/47 □ William Coates Borrett 12/15/39 □ Edward Raymond Borroff 12/20/43 □ Frederick William Borton 3/10/41 □ Diana Bourbon 2/17/47 □ Frank Townsend Bow 10/4/48 □ Scott Howe Bowen 12/1/32 □ John Sheets Bowen 9/19/77 □ Chester Bowles 7/15/37 □ Francis Davis Bowman 11/15/36 □ Philip Boyajian Boyer 2/14/77 □ Francis Louis Boyle 1/22/73 □ Clayton Henry Brace 11/16/64 □ Rex A. Bradley 4/5/76 □ Bertha Brainard 9/1/37 □ Charles Brown Brakefield 11/18/68 □ Gustav Carl Brandborg 8/1/55 □ Richard Paul Brandt 11/26/63 □ James Carson Brantley 4/28/41 □ Verl DeChrista Bratton 7/23/51 □ William Rubble Brazzil 2/24/75 □ Robert Wilson Breckner 7/31/61 □

HONOR ROLL

Ralf Brent 6/4/62 □ Richard Michael Brescia 9/25/78 □ William John Bresnan 6/18/73 □ George Warren Brett 7/4/55 □ Stanley Gerald Breyer 11/24/52 □ Walter Cecil Bridges 3/20/50 □ Paul Clarke Brines 6/8/64 □ Emil Eli Brisacher 3/3/41 □ George Treat Bristol Jr. 7/21/69 □ Kathryn Elizabeth Flynn Broman 6/17/74 □ Edward Holland Bronson 6/2/52 □ Gene Burke Brophy 1/16/50 □ Reginald McLaren Brophy 6/15/35 □ Thomas D'Arcy Brophy 6/21/48 □ Melvin Brorby 6/26/50 □ Charles Bernard Brown 4/19/43 □ Clarke Rogers Brown 7/20/42 □ Kenyon Brown 8/5/46 □ Thaddeus Harold Brown 8/1/32 □ Thaddeus Harold Brown Jr. 6/11/51 □ Tyrone Brown 11/20/78 □ Walter Johnson Brown 7/16/45 □ James T. Broyhill 4/10/72 □ Leslie Combs Bruce Jr. 1/14/63 □ Robert Rockwell Bruce 6/18/79 □ Ralph Raymond Brunton 8/23/43 □ Joseph McKinley Bryan 2/20/56 □ Robert E. (Bucky) Buchanan 6/26/72 □ Max E. Buck 10/25/71 □ Walter Albert Buck 8/14/50 □ Richard Dimes Buckley 8/2/54 □ Richard Dimes Buckley Jr. 11/23/70 □ Robert William Buckley 12/3/45 □ Arthur Lionel Budlong 2/14/49 □ Frank Bull 6/12/50 □ Dorothy Stimson Bullitt 5/15/50 □ Edmond Cason Bunker 10/13/58 □ Walter Bunker 11/17/47 □ George McGuffin Burbach 5/15/40 □ Roy Dean Burch 12/13/71 □ Thomas Francis Burchill 2/11/80 □ Don Wesley Burden 8/3/59 □ John W. Burgard 10/22/62 □ Daniel Barnett Burke 8/7/72 □ Harold Clayton Burke 6/2/41 □ Harry Denvir Burke 3/10/47 □ John Frank Burke 9/15/58 □ Charles Lloyd Burlingham 3/8/54 □ Jack Averill Burnette 9/2/58 □ Leo Burnett 7/25/60 □ John Lawrence Burns 6/17/57 □ Robert Jay Burton 8/19/57 □ William Kay Burton 1/7/74 □ Leonard Thomas Bush 1/15/38 □ Blayne Richard Butcher 9/29/41 □ Harry Cecil Butcher 9/1/34 □ Avram Butensky 5/15/78 □ Burrigge Davenal Butler 4/1/34 □ George Deal Butler 11/3/69 □ Herbert Wallace Butterworth 4/1/36 □ Edwin Leslie Byrd 1/13/64 □ Edward Armour Byron 11/15/34 □ James Aloysius Byron 3/2/59

C

□ Gene Laurence Cagle 4/2/45 □ Herbert Bernard Cahan 6/24/68 □ Albert MacNaughton Cairns 11/4/46 □ Louis Goldsboro Caldwell 10/20/47 □ Spence Wood Caldwell 8/23/48 □ Vincent Francis Xavier Callahan 5/15/37 □ Maximo Avila Camacho 5/3/43 □ Charles Laughton Campbell 9/8/41 □ Chesser Milburn Campbell 8/13/45 □ Donald Paul Campbell 2/16/70 □ Eldon Campbell 6/26/61 □ George Washington Campbell 9/18/67 □ John Edward Campbell 1/13/69 □ Horace Allen Campbell 4/15/39 □ Marianne Boggs Campbell 6/20/66 □ Martin Burroughs Campbell 6/1/34 □ Wendall Baker Campbell 6/3/46 □ Joseph Edward Campeau 10/27/41 □ Howard W. Cannon 4/10/78 □ John Quayle Cannon 7/7/52 □ Albert Lant Capstaff 6/22/59 □ Lawrence Michael Carino 3/20/61 □ Phillips Carlin 11/29/48 □ William Carlisle 10/20/75 □ Harry Kenneth Carpenter 5/15/33 □ Robert Wilfred Carpenter 7/2/56 □ Lester Hayden Carr 3/13/61 □ Sidney Eugene Carr 4/27/42 □ Carroll Carroll 5/12/52 □ Harold Robertson Carson 4/15/40 □ John W. (Johnny) Carson 5/8/72 □ Ralph Carson 5/19/58 □ Andrew Robinson Carter 10/28/68 □ Garry John Carter 7/12/48 □ Kenneth Leland Carter 7/14/52 □ Nelson Ira Carter 3/18/63 □ Dwight Leland Case 6/2/75 □ Norman Stanley Case 4/15/35 □ Norman Earl Cash 4/8/57 □ Edmund Leo Cashman 10/6/47 □ William Beal Caskey 1/21/57 □ Garnet Elmer (Chet) Casselman Jr. 11/22/71 □ Harold Wayne Cassell 1/29/45 □ Myers Bud Cather 4/10/67 □ Peter Amil Cavallo Jr. 4/18/55 □ James McCosh Cecil 10/1/35 □ Lawrence John Cervon 7/31/72 □ Joseph Alexander Chambers 4/15/36 □ John Chancellor 8/29/66 □ George Clarke Chandler 9/22/41 □ Norman Chandler 8/13/56 □ Richard Wallace Chapin 5/19/69 □ David Buckley Charnay 12/1/69 □ Shepard Chartoc 3/28/55 □ Joseph Vincent Charyk 12/3/79 □ Joel Chaseman 8/22/66 □ Ben Francis Chatfield 11/12/51 □ Thomas Webster Chauncy 12/29/58 □ Marvin R. Chauvin 2/23/76 □ Murray Howard Chercover 4/27/70 □ Howard Leonard Chernoff 4/12/43 □ Harry Woolford Chesley Jr. 4/15/57 □ Giraud Chester 9/10/79 □ Richard Earl Cheverton 1/8/62 □ Anthony Charles Chevins 4/24/78 □ Bernard Georges Chevy 4/20/81 □ Howard A. Chinn 3/25/68 □ Thomas Pescud Chisman 2/15/60 □

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Richard C. Christian 8/23/76 □ Arthur Burdette Church 4/15/33 □ Kenneth William Church 2/19/35 □ Theodore Roosevelt Wells Church 5/8/44 □ Linda Ann Cinciotta 9/29/80 □ Charles Evans Claggett 12/11/67 □ John Lindsay Clark 8/15/35 □ Thomas Campbell Clark 4/11/49 □ Earl Albert Clasen 1/1/73 □ Henry Brevard Clay 1/7/52 □ John Hyde Cleghorn 10/29/51 □ John McLean Clifford 2/18/57 □ Roger William Clipp 1/15/39 □ Terrence Clyne 8/3/53 □ Grover Cleveland Cowling Cobb 10/9/67 □ Wilton Elisha Cobb 3/17/47 □ Edward Codel 8/27/62 □ Martin Codel 4/5/43 □ Robert Lewis Coe 6/14/48 □ Ralston Hudson Coffin 10/5/59 □ David H. Cohan 2/9/53 □ Edwin King Cohan 10/13/41 □ John Colley Cohan 6/18/56 □ Barbara Stubbs Cohen 5/11/81 □ Jane Elizabeth Cohen 5/12/75 □ Philip Henry Cohen 8/16/43 □ David E. Cohn 3/14/55 □ Ralph Morris Cohn 6/10/57 □ Marcus Cohn 8/6/73 □ Grady Elgin Cole 11/1/54 □ Robert Cole 8/23/71 □ George Davidge Coleman 8/6/45 □ Robert Clark Coleson 4/8/46 □ Charles Hopson Colledge 4/16/62 □ Chester Frederick Collier 3/1/71 □ James Mitchell Collins 3/26/79 □ Jules Maurice Collins 6/6/55 □ Norman Collins 4/18/60 □ Nathan Porter Colwell 1/1/36 □ Robert Talcott Colwell 8/26/46 □ James George Cominos 9/25/50 □ Robin Dale Compton 9/12/49 □ Paul Buzan Comstock 3/29/71 □ George Richard Comte 10/6/58 □ Fairfax Mastick Cone 2/1/60 □ James Eldridge Conley 10/31/66 □ John Bernard Joseph Conley 1/6/47 □ Martin Francis Connelly 1/11/71 □ James Howard Connolly 3/10/52 □ Joseph Thomas Connolly 12/22/58 □ Richard Fitzgerald Connor 12/14/52 □ Frank Conrad 10/15/31 □ (Alfred) Alistair Cooke 8/5/68 □ Jack Kent Cooke 7/30/45 □ Thomas B. Cookerly 2/11/74 □ Clyde F. Coombs 11/17/41 □ Joan Ganz Cooney 6/7/71 □ Lloyd Everett Cooney 2/17/69 □ Edward Cooper 2/5/51 □ John (Jackie) Cooper Jr. 11/22/65 □ Moses Lindburgh (Lucky) Cordell 1/18/71 □ Maurice John Corken 6/3/68 □ Francis Edmund Corkery 12/5/49 □ John Robert Corporon 4/25/77 □ Doris Louise Corwith 4/19/54 □ Clarence Gilbert Cosby 12/15/37 □ Dora Cox Cosse 5/2/66 □ Theodore Benjamin Cott 9/8/58 □ Charles Halstead Cottingham 11/1/48 □ Douglas Coulter 10/15/33 □ Daniel Thomas Cousins 9/27/76 □ Alan Daniel Courtney 9/15/67 □ Louis George Cowan 6/6/49 □ John Peter Cowden 12/14/59 □ Eugene S. Cowen 10/2/72 □ Harold Guy Cowgill 4/6/59 □ Gardner Cowles Jr. 3/15/37 □ Symon Bellock Cowles 1/16/78 □ Bruce Baldwin Cox 6/8/81 □ H. Quenton Cox 9/18/50 □ Kenneth Allen Cox 8/21/61 □ Lester E. Cox 6/1/53 □ Albert Wayne Coy 11/3/47 □ Donald Walton Coyle 2/28/66 □ John Joseph Coyle 6/10/63 □ Edwin Wilson Craig 3/15/36 □ William Fairfield Craig 5/11/64 □ Douglas Schoolfield Cramer 9/2/68 □ Edward Morton Cramer 3/10/69 □ Frank William Crane 7/23/56 □ Ruth Crane 1/26/48 □ Robert Cranston 1/20/69 □ Tunis Augustus Macdonough Craven 12/1/35 □ Bruce Edgar Crawford 5/29/78 □ Kathryn Hilton Creech 6/1/81 □ Richard Singleton Creedon 1/12/81 □ John Creutz 9/11/44 □ Lowry Hyer Crites 2/6/50 □ Arthur Howard Croghan 8/7/44 □ David Cherrington Croninger 2/24/69 □ Walter Leland Cronkite 10/15/73 □ Powel Crosley Jr. 3/1/53 □ John Storrs Cross 11/23/59 □ Aloysius Burke Crotty 5/4/59 □ Samuel Frank Crowther 10/23/80 □ Charles Harvey Crutchfield 1/21/46 □ Lester Martin Crystal 11/21/77 □ Matthew Joseph Culligan 10/1/56 □ Barton Arthur Cummings 9/26/60 □ Sanford Charles Cummings 5/9/60 □ James D. Cunningham 1/3/55 □ John Phillip Cunningham 2/29/60 □ Donnelly Brown Curran 5/20/74 □ Frederick Davidson Custer 6/25/62 □ W. Bowman Cutter 8/26/74 □

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□ Ray Emmett Dady 11/3/41 □ Elizabeth Lundquist Dahlberg 6/25/73 □ Donald Lee Dahlman 4/2/79 □ Donald Charles Dailey 7/6/70 □ John Leighton Dales 1/22/68 □ Robert A. Daly 7/26/76 □ Vernon Dallin 6/3/57 □ Walter Jay Damm 12/1/36 □ Maxwell Dane 2/6/61 □ Harben Winfield Daniel 5/28/51 □ Draper Daniels 6/28/65 □ Ralph Hereford Daniels 8/10/70 □ Robert William Daniels Jr. 6/18/62 □ Roy Bertram Danish 5/26/80 □ Daniel Joseph Danker Jr. 8/1/40 □ Michael Harold Dann 5/20/63 □ Alexander Wolfred Dannenbaum 10/17/55 □ Madeline Bloom David 5/16/77 □ Miles David

HONOR ROLL

9/6/65 □ Jack Mason Davidson 4/25/55 □ Edward Aaron Davies 1/12/42 □ Clive J. Davis 4/17/72 □ Donald Derby Davis 2/15/38 □ Donald Dwight Davis 5/19/41 □ Elmer Davis 6/22/42 □ Gordon Winthrop Davis 9/29/69 □ Harold James Davis 2/2/70 □ John Morgan Davis 5/11/59 □ Lewis Berkley Davis 10/17/60 □ Richard Weston Davis 11/26/51 □ Thomas Edward Davis 12/25/67 □ Walter Balles Davison 11/8/48 □ Henry Seaton Dawson 3/8/48 □ Thomas Harrington Dawson 11/4/63 □ Wilfred Thomas Dawson 6/9/80 □ Charles Allen DeBare 2/19/73 □ Edward John DeGray 7/29/58 □ Donald Ferdinand DeGroot 8/18/69 □ Guy Della-Cioppa 4/20/53 □ Lincoln Dellar 7/26/43 □ Robert Lee Dellinger 11/5/62 □ Joseph Dembo 7/22/68 □ Ralph Nicholas Demgen 8/31/70 □ William Cyrus Dempsey 2/5/68 □ Charles Ruthven Denny Jr. 10/4/43 □ Neil Eugene Derrough 12/7/70 □ Richard M. DeVos 6/12/78 □ Van Beuren Wright DeVries 8/10/59 □ John Hibbett DeWitt Jr. 9/1/41 □ Francis Colt DeWolf 3/20/44 □ George William Dick 7/19/65 □ Carlton Hathaway Dickerman 6/21/43 □ Miriam Louise Dickey 9/28/42 □ Victor Christian Diehm 10/18/48 □ Sam Cook Digges 7/7/58 □ Edmund Michael DiGiulio 7/24/78 □ William Horace Dilday Jr. 4/21/80 □ Clarence C. Dill 2/1/32 □ Everett Lester Dillard 1/13/47 □ John Flint Dille 1/27/58 □ Barry Charles Diller 9/25/72 □ Robert William Dillon 2/25/63 □ Thomas Church Dillon 11/4/49 □ John David Dingell 10/5/81 □ Richard Warren Dinsmore 7/29/63 □ Anne Director 4/1/38 □ Walter Elias Disney 1/31/55 □ Douglas H. Dittrick 5/19/80 □ Paul Dobin 2/11/52 □ Eugene Benedict Dodson 9/7/64 □ Carrington Wood Doebler 7/30/56 □ John C. Doerfer 4/13/53 □ Richard Power Doherty 4/21/47 □ Charles Francis Dolan 11/24/80 □ William Brega Dolph 6/16/41 □ Scott Donahue Jr. 8/28/67 □ Benjamin Richardson Donaldson 3/15/54 □ Franklin Malcolm Doolittle 12/1/39 □ Louis Dorfsman 12/2/68 □ Louis Dorkin 12/11/78 □ Henry William Dornseif 9/15/69 □ Mary Dorr 4/28/69 □ Walter Ward Dorrell 12/24/56 □ Joseph LaDrue Dorton 3/13/78 □ James Robert Doss Jr. 1/18/43 □ Joseph Peter Dougherty 11/13/67 □ James Charles Dowdle 3/9/81 □ William McElroy Dozier 12/9/57 □ Louis Redell Draughon 6/1/64 □ Paul Drew 7/14/75 □ Joseph Carr Drilling 1/16/61 □ David Erskine Driscoll 8/27/51 □ Richard David Dudley 12/14/64 □ Willis Powell Duff Jr. 12/4/72 □ James Edson Duffy 12/23/63 □ Robert Joseph Duffy 3/24/75 □ Wesley Innis Dumm 2/9/42 □ Allen Balcom DuMont 12/11/44 □ Jules Dundes 3/4/57 □ Corydon Bushnell Dunham Jr. 6/16/69 □ Franklin Dunham 12/1/52 □ Orrin Elmer Dunlap Jr. 10/5/42 □ Arnold Davidson Dunton 11/12/45 □ Robert Edwin Dunville 8/15/40 □ Don Durgin 3/26/56 □ Roy Sarles Durstine 2/15/36 □ Gene Thomas Dyer 10/18/43 □ Kenneth Reed Dyke 1/5/42 □

E

□ Roderick Russell Eagan 9/11/78 □ George Warren Earl 4/20/70 □ Guy Chaffee Earl Jr. 2/15/35 □ Robert Edmund Eastman 5/13/57 □ Richard Eaton 6/28/71 □ Albert James Ebel 3/19/73 □ William Crawford Eddy 2/4/46 □ Robert Luther Edens Jr. 6/9/69 □ Eugene O'Brien Edwards 12/19/77 □ Webley Elgin Edwards 5/18/42 □ Stephen Richard Effros 7/20/81 □ Clement Lloyd Egnor 2/1/43 □ Lenore Gloria (Goodman) Ehrig 5/12/80 □ Wilbert Eickelberg 7/19/43 □ Sydney Hirsch Eiges 4/26/48 □ Dwight David Eisenhower 6/25/45 □ Milton Stover Eisenhower 6/29/42 □ Michael Dammann Eisner 10/4/76 □ Donald Siler Elias 3/2/42 □ Terrence Alan Elkes 2/5/79 □ Karl Eller 2/8/71 □ Elmo Israel Ellis 10/9/72 □ John Elmer 8/1/37 □ Frank Hemming Elphicke 5/27/46 □ Roy Lane Elson 1/15/79 □ Victor Eltin Jr. 4/19/71 □ John Worden Elwood 7/18/49 □ Robert Campbell Embry 8/30/48 □ Leonidas Polk Bills Emerson 1/8/79 □ Holland Everett Engle 12/1/40 □ Elmer William Engstrom 12/18/61 □ Robert Duvall Enoch 7/1/57 □ Joseph Bolen Epperson 3/11/74 □ Ellis Elwood Erdman 12/5/66 □ William Rodney Erickson 8/24/81 □ Leonard F. Erikson 9/28/53 □ Everett Howard Erlick 5/25/64 □ Samuel J. Ervin Jr. 11/27/72 □ Thomas Edgar Ervin 6/16/58 □ John Esau 3/15/48 □ William Harold Essex 8/29/49 □ Mark Foster Ethridge 3/1/38 □ Robert Charles Eunson 12/6/65 □ Herbert Emlyn Evans 8/25/52 □



Mark Evans (Austad) 8/20/62 □ Ralph Evans 9/24/56 □ Walter C. Evans 6/1/32 □ Carl Moraine Everson 4/10/44 □ William H. Ewen 11/29/71 □ Erwin Harry Ezzes 7/2/62 □

F

George Milton Factor 9/30/57 □ Ted Herzl Factor 5/24/65 □ Harold Clements Fair 9/29/47 □ Richard Monroe Fairbanks 1/1/51 □ Benjamin Falber Jr. 11/2/64 □ Frank Bernard Falknor 3/29/48 □ Sam Fantle Jr. 10/2/50 □ Erica Farber 10/31/77 □ Herman Edward Fast 5/30/49 □ Louis Faust 1/4/71 □ Paul Holman Faust 3/28/49 □ William Almon Fay 3/1/36 □ Don Fedderson 5/9/66 □ Philip Feldman 7/8/57 □ Edgar Herbert Felix 10/30/44 □ Edgar Albert Fellers 11/1/35 □ Harold Everett Fellows 7/27/42 □ Norman Felton 6/6/66 □ Jerome Roland Feniger 12/4/67 □ James Henry Ferguson 2/10/75 □ Robert Willi Ferguson 12/28/59 □ Frank Westby Ferrin 4/1/39 □ Charles Daniel Ferris 10/16/78 □ John Earl Fetzer 7/5/43 □ Freddie Fields 6/17/68 □ William George Harold Finch 4/28/47 □ Jules Philmore Fine 8/14/72 □ William H. Fineshriber Jr. 1/21/52 □ Leonard Firestone 6/17/63 □ Ben Chatburn Fisher 2/12/68 □ Carl O. Fisher 4/26/71 □ Oliver David Fisher 11/15/54 □ William Cochrane Fitts Jr. 8/14/67 □ Howard Dean Fitzer 11/15/38 □ John Loyola Fitzgerald 7/18/55 □ Horace Styles Fitzpatrick 8/12/63 □ Leo J. Fitzpatrick 7/1/32 □ Francis Edwin Fitzsimonds 8/25/47 □ Joseph Anthony Flaherty Jr. 5/28/79 □ Donald Flamm 1/15/36 □ Alvin George Flanagan 12/7/59 □ Robert Waples Flanders 3/19/79 □ Adrian James Flanter 8/18/47 □ Robben Wright Fleming 9/17/79 □ Robert Henry Fleming 2/21/66 □ A.J., Frank, Fred, Floyd Fletcher 3/14/60 □ "Flood Crisis" 2/15/37 □ Joseph Lawrence Floyd 8/15/60 □ James Lawrence Fly 12/15/41 □ Frank Philip Fogarty 5/26/58 □ Joseph Robert Fogarty 12/6/76 □ Bruce Jay Fogel 8/14/78 □ Paul Foley 12/14/70 □ Frank Marion Folsom 8/14/44 □ Elmer Lee Fondren 11/20/61 □ Raul Fontaina 1/12/70 □ Richard Lindsay Foote 9/28/59 □ Frederick Wayne Ford 8/5/57 □ Johnny Clinton Formby 2/17/75 □ Albert Edward Foster 7/24/50 □ Archibald McGhee Foster 9/7/70 □ David Henry Foster 9/18/72 □ Ralph Donald Foster 5/9/49 □ Wilson Keene Foster 12/6/43 □ George A. Foulkes 6/8/70 □ John Sam Fouts 3/16/53 □ Brenda Lee Fox 12/17/79 □ John Leslie Fox 9/15/32 □ Sidney S. Fox 2/15/40 □ Lawrence Philip Fraiberg 4/27/64 □ Richard Clarence Francis 7/10/50 □ Donald William Francisco 8/15/38 □ Carlos Angel Franco 3/23/42 □ Clinton Edward Frank 11/30/70 □ Reuven Frank 9/30/68 □ Richard Harvey Frank 2/13/78 □ Sundel (Sandy) Frank 12/10/79 □ Robert Dennis Fraser 12/15/80 □ Thomas James Frawley 10/21/74 □ Stanley Victor Freberg 2/14/66 □ James Lamb Free 3/1/35 □ Patrick Freeman 3/24/52 □ Carlin Scott French 10/1/51 □ Louis Frey Jr. 2/9/76 □ Milton Dultz Friedland 8/21/67 □ Edwin Friendly Jr. 7/15/68 □ Fred W. Friendly 3/9/64 □ Augustin Frigon 10/2/44 □ Lee Conrad Frischknecht 1/17/77 □ Jack Wayne Fritz 12/11/72 □ Lewis Scott Frost 12/12/49 □ Paul Roy Fry 11/28/49 □ Edwin Keith Fuller 10/25/76 □ Julie Chase Fuller 5/1/67 □ John Fulton 8/7/50 □ Austin Owen Furst Jr. 10/13/80 □

G

James Jeffrey Gabbert 8/27/73 □ James Marshall Gaines 2/20/50 □ Frank Gaither 9/16/63 □ James Wes Gallagher 7/9/73 □ Frederic Russell Gamble 6/26/44 □ Earl H. Gammons 5/23/55 □ R. Ross Garrett 2/2/76 □ William George Garry 9/9/63 □ Charles Eugene Gates 3/8/65 □ Hilliard Gates 1/25/65 □ Parker Smith Gates 11/10/69 □ Connie Barriot Gay 2/2/59 □ John Harrison Gayer 10/28/63 □ Edward King Gaylord 3/5/73 □ Richard Lee Geismar 10/30/67 □ John Thomas Gelder Jr. 4/28/52 □ Henry Geller 11/4/68 □ William Harrison Genge 10/2/78 □ Edouard Paul Genock 8/11/69 □ Carl Edwin George 2/22/54 □ Clark Brower George 9/5/60 □ David Murry Gerber 10/7/74 □ David Richmond

HONOR ROLL

Gergen 7/6/81 □ James Gerity Jr. 8/9/62 □ Henry Rawle Geyelin 2/6/56 □ Leonard Thomas Giarraputo 11/5/73 □ Ruth Avery Gibson 10/29/62 □ Kenneth Rabb Giddens 5/18/64 □ Gary Milton Gielow 11/25/68 □ John Ottomer Gilbert 9/12/66 □ Thomas See Gilchrist 5/28/62 □ Clifford Long Gill 6/20/60 □ Albert John Gillen 1/6/69 □ Henry A. Gillespie 4/8/74 □ Joseph Maynard Gilliam 4/3/50 □ John Joseph Gillin Jr. 9/15/34 □ George Oliver Gillingham 7/8/46 □ Don E. Gilman 4/1/33 □ James Stanley Gilmore Jr. 6/27/66 □ Benedict Gimbel Jr. 6/23/52 □ Charles Benedict Gingold 2/18/80 □ Arthur Louis Ginsburg 8/13/79 □ Charles Pauson Ginsburg 6/14/71 □ Earl Joseph Glade 10/12/42 □ Harvey Leonard Glascock Jr. 3/14/66 □ Robert Lenard Glaser 4/9/73 □ Charles Lionel Glett 4/14/52 □ Earle J. Gluck 4/15/32 □ H. Keith Godfrey 11/17/75 □ Paul Forman Godley 12/30/46 □ Elias Isidor Godofsky 2/27/50 □ Charles William Godwin 3/14/49 □ Peter Goelet 12/11/61 □ William E. Goetze 5/2/55 □ Daniel E. Gold 5/3/76 □ Leonard Goldberg 6/15/70 □ Melvin Arthur Goldberg 8/13/62 □ Harold Golden 11/30/64 □ Leonard Harry Goldenson 4/6/53 □ Simon Goldman 1/19/53 □ Peter Carl Goldmark 9/11/50 □ Barry M. Goldwater 6/25/79 □ Joseph William Goodfellow 12/3/62 □ Maurice Lewis Goodkind Jr. 3/1/37 □ Daniel Richard Goodman 10/3/66 □ Julian Byrn Goodman 11/15/65 □ William Carroll Goodnow 5/4/64 □ Mark Goodson 2/10/58 □ Bernard Goodwin 12/2/57 □ Robert Dyas Gordon 6/30/75 □ Kenneth Francis Gorman 7/9/79 □ George Kenneth Gould 5/25/59 □ Lew Grade 10/23/72 □ George Alford Graham Jr. 6/21/65 □ Katharine Meyer Graham 3/25/74 □ Richard Harper Graham 8/4/58 □ Clifford Charles Gramer 6/15/53 □ Oliver Gramling 11/9/42 □ Harold Otto Grams 10/19/59 □ Herbert Arthur Granath 8/17/81 □ Buddy Donald Grant 8/30/76 □ William Calloway Grant 12/13/43 □ William Stewart Grant 11/13/50 □ Lynne Anne Morian Grasz 6/13/77 □ Gordon Gray 4/20/42 □ Robert Mark Gray 1/14/52 □ Henry Vincent Greene Jr. 3/22/71 □ Milton Lester Greenbaum 8/20/51 □ Herman Milton Greenspun 10/19/64 □ James Lewis Greenwald 12/22/75 □ Sherman Delos Gregory 9/1/38 □ Lloyd Griffin 7/20/59 □ Edgar Herbert Griffiths 11/22/76 □ Basil Francis Grillo 6/3/63 □ John Lawrence Grimes 8/1/39 □ John William Grimes 9/23/74 □ Gerald Connop Gross 10/31/55 □ Jack Jerome Gross 8/16/54 □ Jack Oscar Gross 10/25/43 □ Nelson Lewis Gross 2/17/58 □ Lawrence Grossman 2/16/76 □ Gayle Vincent Grubb 6/1/39 □ John Bimel Guedel 4/26/65 □ John William Guider 7/10/61 □ Ralph Chester Guild 2/7/77 □ William Mitchell Guild 8/8/49 □ Buckingham Willcox Gunn 4/12/65 □ Hartford Nelson Gunn 7/22/74 □ Wilton Louis Gunzendorfer 10/24/49 □ Raymond Frederick Guy 8/4/52 □ John Paul Gwin 8/16/71 □

H

□ Julian Francis Haas 3/11/68 □ Walter Bernard Haase 1/5/48 □ Kenneth Kennard Hackathorn 5/26/52 □ Lawrence Frederick Haeg 12/25/61 □ Kolin Donald Hager 4/13/42 □ James Campbell Hagerty 4/16/56 □ Clarence Theodore Hagman 9/23/46 □ Louis Thomas Hagopian 11/28/77 □ George Haight 4/21/58 □ Harold Fred Hale 10/11/65 □ Robert Dean Hales 1/14/74 □ Andrew Gallagher Haley 11/11/57 □ John Joseph Haley Jr. 3/10/75 □ Joyce Clyde Hall 11/3/52 □ Mortimer Wadhams Hall 12/31/56 □ Samuel Payson Hall Jr. 12/7/53 □ Wilton Earle Hall 12/25/44 □ Guy Clarence Hamilton 5/1/40 □ William Thomas Hamilton 5/12/69 □ Lee Hammett 11/23/53 □ Charles Parker Hammond 2/9/48 □ Alvin Hampel 4/9/79 □ Kenneth Malcolmb Hance 8/25/41 □ Elliot and Ruth Handler 1/9/67 □ James Hugh Hanley 9/15/33 □ James Edward Hanna 7/3/50 □ Lee Hanna 8/25/80 □ Michael Richard Hanna 1/12/48 □ Robert Blair Hanna Jr. 1/30/50 □ William Denby Hanna 6/30/69 □ Ashton Richard Hardy 6/24/74 □ Ralph Williams Hardy 8/8/55 □ William Gardner Harley 10/18/71 □ George Frederick Harm 10/29/56 □ Sidney Mortimer Harman 2/20/78 □ Ralph Newton Harmon 3/26/62 □ Paul Church Harper Jr. 11/13/61 □ Arthur Frederick Harre 2/16/48 □ John Edward Harrington Jr. 8/22/60 □ Thomas Francis Harrington 6/15/40 □ Burt Irving Harris 3/15/71 □ Credo Fitch Harris 7/1/34 □ Henry Wood Harris 7/21/75 □ Joseph Wynne Harris II 1/22/45 □ Leslie Talbott Harris 4/30/56 □ Oren Harris 2/27/61 □ Richard Harvey Harris 2/9/70 □ Wiley Pope Harris 3/11/46 □ Alfred Francis

Honor Roll

Harrison 3/12/45 □ Austin Allen Harrison 12/11/50 □ Charles Francis Harrison 3/5/73 □ Gerald Harrison 9/15/52 □ Thomas Collins Harrison 2/8/65 □ William Hart 8/5/74 □ Werner Karl Hartenberger 9/13/76 □ Elton Kaiser Hartenbower 11/10/47 □ Robert Hugh Harter 9/23/68 □ Joseph John Hartigan 8/22/55 □ John Harrison Hartley 9/18/44 □ George Wilkins Harvey 12/10/51 □ George Clinton Hatch 1/29/62 □ Gustave M. Hauser 7/11/74 □ Arthur H. Hausman 4/26/76 □ Wilbur Moreland Havens 9/15/40 □ Carl Haverlin 8/4/47 □ George Dewey Hay 5/1/33 □ Arthur Hull Hayes 2/21/49 □ John S. Hayes 2/26/45 □ Howard Tanner Head 10/30/78 □ Frank Milton Headley 12/27/48 □ Robert Louis Heald 10/21/68 □ William S. Hedges 5/1/32 □ Edward Joseph Heffron 9/30/46 □ Cecil L. Heffel 11/13/72 □ Stockton Helffrich 9/9/68 □ Jesse Anderson Helms Jr. 2/26/73 □ Charles George Henderson 4/8/63 □ Frieda Barkin Hennock 5/31/48 □ Alan Henry 2/3/69 □ Emil William Henry 3/22/65 □ John Milton Henry 5/1/37 □ Ragan Augustus Henry 7/30/79 □ George Theodore (Ted) Hepburn Jr. 2/23/81 □ Guy Fairfax Herbert 3/31/41 □ Jules Richard Herbuveaux 9/21/53 □ Raymond Fitzhugh Herndon Jr. 10/27/52 □ Joseph Louis Herold 7/4/60 □ George Alfred Charter Heslep 2/3/47 □ William R. Hesse 11/5/79 □ Herman Strecker Hettinger 12/15/36 □ Donald S. Hewitt 4/12/76 □ Norman Heyne 5/25/53 □ James Ormerod Heyworth 6/25/53 □ George Francis Hicks 6/19/44 □ Michael Joseph Higgins Jr. 9/22/58 □ Lawrence B. Hilford 12/3/73 □ Edward Everett Hill 5/28/45 □ Ivan Byron Hill 10/18/54 □ Justin Edgar Hill Jr. 7/11/77 □ Luther Lyons Hill 3/9/42 □ Pamela Hill 10/22/79 □ Weston Hill 7/12/43 □ Robert Henry Hinckley 8/11/47 □ Ira Arthur Hirschmann 10/26/42 □ Morris Lee Hite 10/20/52 □ Oveta Culp Hobby 5/25/42 □ Ben Hoberman 2/20/61 □ Atherton Wells Hobler 6/1/40 □ Herbert Windsor Hobler 4/21/75 □ James Richmond Hobson 5/17/76 □ Heman Leslie Hoffman 12/18/50 □ Peter Stroh Hoffman 12/18/78 □ Philip Randolph Hoffman 12/18/44 □ Roy Hofheinz 4/19/48 □ John Lawrence Hogan 12/1/80 □ John Vincent Lawless Hogan 9/20/43 □ Martin Francis Hogan 6/25/56 □ Mann (Holly) Holiner 12/2/46 □ Alfred Leo Hollender 11/31/60 □ George Phillips Hollingbery 8/28/50 □ Finlay Hollinger 5/17/54 □ Ernest F. Hollings 3/28/77 □ Joseph Herbert Hollister Jr. 8/15/39 □ Paul Merrick Hollister 11/15/43 □ Harrison Holliday 9/15/35 □ Floyd Robert Holm 5/3/48 □ Benjamin Hubert Holmes 10/25/65 □ Edgar Wolfe Holtz 10/3/77 □ Krin Crawford Holzhauser 4/29/68 □ Benjamin Lawson Hooks 7/16/73 □ Claude Ernest Hooper 1/2/50 □ Leslie Towne (Bob) Hope 6/11/45 □ James Frederic Hopkins 6/7/43 □ Jefferson Denson (John) Hopkins 6/22/70 □ Alan Frederick Horn 5/8/81 □ Charles William Horn 4/30/45 □ Harold Eugene Horn 12/8/80 □ Charles Frederick Horne 12/31/62 □ Norman Stuart Horowitz 8/29/77 □ Edward Horstman 9/5/49 □ Amos Barr Hostetter Jr. 4/22/74 □ Harry William Hoth 3/13/67 □ Harold Verne Hough 9/21/42 □ Thomas J. Houser 8/2/76 □ Bryan Houston 5/22/61 □ Frederick Stoddard Houwink 7/15/57 □ Jack Rohe Howard 4/20/64 □ Robert Thornton Howard 4/1/74 □ Royal Varney Howard 4/4/49 □ Rex George Howell 1/14/46 □ Matthew Arnold Howlett 1/15/34 □ Edwin Palmer Hoyt 5/24/43 □ Ray A. Hubbard 1/31/72 □ Stanley Eugene Hubbard 7/1/33 □ Stanley Stub Hubbard 7/3/67 □ Earl Joseph Hudson 11/28/55 □ Roy Huggins 9/4/67 □ Richard Norman Hughes 9/6/76 □ Robert William Hughes 5/21/79 □ James Helim Hulbert 9/6/71 □ David Ryerson Hull 5/18/59 □ Adolf Nathaniel Hult 11/19/45 □ Robert Lee Humphreys 1/18/65 □ Audrey June Geitz Hunt 7/18/77 □ Billy Hugh Hunt 11/19/73 □ Rollo William Hunter 3/6/61 □ George Gove Huntington 11/10/80 □ John Freeman Hurlbut 6/29/64 □ Robert Francis Hurleigh 3/25/57 □ Jerome Seymour Hyams 1/11/60 □ Rosel Herschel Hyde 11/22/43 □ Robert Francis Hyland Jr. 2/27/56 □ Malcolm Kenneth Hyman 2/19/68 □ John David Hymes 9/24/45 □ Charles S. Hyneman 6/17/46 □

I

□ Salvatore Joseph Iannucci Jr. 3/4/63 □ Frederick George Ibbett 9/15/36 □ Edward Thornton Ingle 11/10/52 □ Andrew Franklin Inglis 8/17/70 □ Ward Drummond Ingram 11/12/56 □ Clifford Don Ioset 1/16/45 □ Charles T. Ireland 12/20/71 □ George Francis Isaac 2/13/50 □ James Livingston Isham 5/29/67 □ Larry Herbert Israel 9/7/59 □

HONOR ROLL

J

Cornwell Jackson 3/31/47 Eugene Delaney Jackson 9/26/77 Felix Jackson 10/24/60 Gail Patrick Jackson 1/20/64 Herbert Jacobs 12/30/68 Robert Eakin Jacoby Jr. 1/2/78 Joshua Henry Jaffe 4/19/65 Barry L. Jagoda 11/14/77 Ernest Lee Jahncke Jr. 3/19 1 Edgar Percy Horace James 4/6/42 Eugene Francis Jankowski 10/24/77 Edward Joseph Jansen 1/17/44 Cyril Moreau Jansky Jr. 12/1/33 Theodore Pennington Jardine 1/20/47 John Frank Jarman Jr. 10/16/44 John Carl Jeffrey 9/10/51 Richard William Jencks 1/15/68 Robert Gould Jennings 1/13/41 Margaret Elizabeth Jessup 2/15/34 Ewell Kirk Jett 1/1/38 Bruce Forrester Johnson 8/28/72 Claudia Taylor Johnson 9/12/55 Earl M. Johnson 9/29/52 John Griffith Johnson 3/24/80 Leslie Clifford Johnson 1/27/47 Lyndon Baines Johnson 7/19/48 Nicholas Johnson 4/24/67 Wallace E. Johnson 11/1/71 Wyatt Thomas Johnson 10/12/70 George Coffin Johnston 9/22/47 George Donald Johnston Jr. 11/29/76 Henry Poellnitz Johnston 8/20/45 Jack Russell Johnston 9/16/46 George Wilfred Johnstone 2/1/40 Clyde Morton Joice 3/5/45 Charles Byron Jolliffe 3/1/34 Anne Patricia Jones 1/14/80 Duane Dodge Jones 1/29/51 Howard Aldred Jones 6/1/59 Merle Silas Jones 5/12/41 Rogan Jones 9/7/53 Thomas Bowie Jones 5/17/65 William Alton Jones 4/16/45 William Edward Jones 5/10/48 Raymond Preston Jordan 6/15/42 Wallace J. Jorgenson 1/9/78 Austin Everett Joscelyn 10/19/42 Kenneth Joseph 6/10/74 Marvin Josephson 9/17/73 Leslie Wells Joy 4/29/46 Tom William Judge 5/11/70 Bernice Judis 12/8/41 Richard Edward Jungers 10/5/70

K

Alvin Kabaker 4/13/64 Irving Berlin Kahn 7/1/68 Bernard Kanner 2/13/67 Alonzo William Kaney 4/14/47 Hans Von Kaltenborn 10/1/38 Howard Allen Kalmenson 4/2/73 Felix Andrew Kalinski 4/14/69 Norman Coleman Kal 10/5/51 Harriett Jan (Sis) Kaplan 7/24/72 Stanley Norris Kaplan 7/24/72 Adna Harold Karns 5/19/52 John Jacob Karol 12/19/55 Russell Harold Karp 10/12/74 Robert Diaz Kasmire 8/2/65 Harold Lawrence Kassens 5/25/81 Robert William Kastenmeier 8/10/81 Eugene Katz 7/24/44 Joseph Katz 4/25/49 Oscar Katz 2/8/60 Arthur Frank Katzentine 7/21/41 Henry Julian Kaufman 11/22/54 Jesse L. Kaufman 7/15/34 Julian Mortimer Kaufman 2/11/63 Lambdin Kay 3/15/32 Albert Eberhardt Kaye 2/19/62 Sydney Milton Kaye 4/17/50 Frank G. Kear 3/15/76 Wayne Kearl 2/19/79 John Scott Keck 8/30/54 Gordon Frederic Keeble 1/17/66 Alex Keese 12/15/52 Robert Phillip Keim 7/4/66 Henry Gaines Kelley 10/22/56 Morris Sigmund Kellner 10/14/57 Robert E., Jon S. Kelly 8/2/71 Douglas Earthman Kendrick 8/1/34 Robert Edward Lee Kennedy 6/24/57 William Harold Kennedy 1/7/72 Peter Bennett Kenney 1/24/66 Robert Samuel Kerr 7/21/47 Clifford Miner Kirtland Jr. 12/31/73 Peter Alden Kizer 3/3/80 Robert James Kizer 3/31/80 Donald Eugene Klauber 6/13/66 Donald Victor Kleffman 3/10/80 Henry Clay Klein 5/15/35 Herbert G. Klein 4/6/70 Malcolm Carl Klein 1/15/62 Paul Lester Klein 1/24/72 Robert Allen Klein 10/21/57 Robert Arnold Klein 9/14/81 John Werner Kluge 5/3/54 Victor Whitman Knauth 8/6/51 Vick Knight 5/17/43 Thomas Edson Knode 9/3/56 John William Knodel 10/5/53 Noran Edward Kersta 10/7/46 Paul W. Kesten 1/15/35 Stanton Peter Kettler 4/9/62 Lyle Oscar Keys 10/4/71 Hyla Kiczales 10/15/38 Thomas Bernard Kilbride 10/16/67 James Robert Killian Jr. 11/12/73 Gerald King 4/15/37 Wilfred Strickland King 8/4/41 William King Jr. 1/19/59 Walter Ingalls Kingsley 1/26/59 David Dawson Kinley



11/18/74 □ Charles Robert Kinney 10/8/79 □ Robert Edmonds Kintner 11/25/46 □ Edward Montague Kirby 2/1/37 □ Alfred Henry Kirchhofer 4/23/51 □ Thelma Kirchner 1/11/54 □ Arthur Robinson Kirkham 12/22/47 □ John Stuart Kirwan 7/14/58 □ Frederick August Knorr 9/4/50 □ Archa O. Knowlton 3/3/72 □ Edgar Kobak 10/15/35 □ George Appelgate Koehler 5/6/68 □ Theodore F. Koop 1/26/53 □ Harry Clifford Kope 9/13/43 □ Kay Smith Koplovitz and William C. Koplovitz Jr. 6/30/80 □ William Clarence Koplovitz Sr. 3/3/58 □ Daniel Waldemar Kops 9/21/59 □ Bennett Henry Korn 10/30/61 □ Joseph Kotler 8/9/63 □ Albert Harold Kramer 7/19/71 □ Worth H. Kramer 12/27/54 □ Philip Ned Krasne 8/16/54 □ Erwin Gilbert Krasnow 11/15/76 □ Harold Richard Krelstein 3/4/76 □ Barton Kreuzer 4/15/68 □ Wilma Lohkamp Kriner 6/4/79 □ Herbert Louis Krueger 3/18/57 □ Jack Elmer Krueger 1/6/58 □ Thomas G. Kuhn 1/3/72 □ Eugene Herbert Kummel 3/2/81 □ Theodore Roosevelt Kupperman 2/20/67 □ Charles Bishop Kuralt 9/7/81 □

L

□ Stephen Bronislaw Labunski 5/10/65 □ Frederick Ernest Lackey 10/3/55 □ Nesbit Lee Lacy 12/23/68 □ Jack William Laemmar 9/1/40 □ Perry Lafferty 8/8/66 □ Harold Arundel Lafount 6/15/32 □ Louis Phillippe Lalonde 2/2/48 □ Brian Patrick Lamb 3/17/80 □ Edward Oliver Lamb 10/22/51 □ Robert Marion Lambe Jr. 3/2/64 □ Edward Charles Lambert 1/18/54 □ Herman William Land 1/30/78 □ Ely Abraham Landau 4/1/57 □ Klaus Landsberg 8/21/50 □ Alan Landsburg 12/24/79 □ Charles Howard Lane 12/1/47 □ Homer Logan Lane 7/15/63 □ Thomas Henry Lane 1/10/44 □ Jennings Lang 7/11/66 □ Cyril Ouellette Langlois 3/25/46 □ John Dexter Langlois, Cyril Ouellette Langlois Jr. 2/1/58 □ John Burdick Lanigan 12/21/64 □ Charles Joseph Lanphier 1/19/48 □ Edmund Abner Laport 2/14/44 □ Sigurd Stanton Larmon 12/24/62 □ Marshall Dale Larsen 3/16/64 □ George Bennett Larson 3/12/51 □ Edward Lasker 11/1/40 □ George Lasker 3/16/42 □ Philip Grossman Lasky 7/15/38 □ John Ralph Latham 8/15/37 □ Craig Robert Lawrence 9/7/42 □ Mark Lawrence 4/3/61 □ Richard Lawrence 4/11/77 □ William Lunz Lawrence 11/30/42 □ Clarence Frederick Lea 10/11/43 □ Thomas Francis Leahy 1/23/78 □ Norman M. Lear 7/3/72 □ Albert Edward Leary 1/20/41 □ William Ira LeBaron 12/1/41 □ Robert Jay Leder 1/2/61 □ Carl Lee 7/13/59 □ Robert Emmett Lee 5/24/54 □ James Millar LeGate 3/22/43 □ Roger William LeGrand 3/22/68 □ Alcuin Williams Lehman 10/8/45 □ Dennis Howard Leibowitz 11/26/79 □ Gerald J. Leider 12/26/70 □ Winslow Percy Leighton 12/3/51 □ John Gerald Leitch 5/27/63 □ Robert Wendell Lemon 1/31/66 □ Kathryn Lenard 10/13/75 □ Max Manuel Leon 2/15/54 □ William Augustus Leonard II 12/1/75 □ Peter George Levathes 2/22/60 □ Gerald M. Levin 9/8/75 □ Robert Sam Levinson 12/20/76 □ Robert Daniels Levitt 4/22/57 □ David Levy 4/20/59 □ Isaac David Levy 11/1/33 □ Leon Levy 5/5/47 □ Robert Fisher Lewine 8/18/58 □ Dorothy Moore Lewis 2/10/41 □ Fulton Lewis Jr. 5/15/39 □ Philip Morgan Lewis 10/1/73 □ Thomas Howard Lewis 6/1/42 □ William Bennett Lewis 2/16/42 □ Richard Donald Lichtwardt 10/15/79 □ Robert Merwin Light 8/26/63 □ Murray Danforth Lincoln 7/12/54 □ Carl Lindemann Jr. 2/24/64 □ George Edward Lindman 1/10/77 □ Lester William Lindow 3/24/41 □ Frank Merrill Lindsay Jr. 5/7/56 □ Arthur Gordon Linkletter 10/2/67 □ Jack Kessler Lipson 5/16/60 □ C. (Charles) Edward Little 2/21/72 □ Lee Allen Little 3/7/49 □ Fanny Neyman Litvin 1/31/44 □ James Ray Livesay 2/10/69 □ Alan Wendell Livingston 10/8/56 □ William Brewster Lodge 7/22/57 □ Lee Loevinger 1/10/66 □ Mortimer Warren Loewi 6/20/49 □ Lenox Riley Lohr 11/1/36 □ George H. Lois 6/12/72 □ Philip Joseph Lombardo 9/1/75 □ Dewey Harold Long 9/15/41 □ George Irving Long Jr. 1/18/60 □ Joseph Harvey Long 9/31/53 □ Henry Loomis 10/30/72 □ Nathan Lord 11/24/58 □ William E. Lord 5/24/76 □ Wilnot Losee 6/4/51 □ Philip Geiselman Loucks 11/1/32 □ John Jeffrey Louis 12/29/41 □ Isaac Rhodes Lounsberry III 11/18/46 □ Norman Louvau 10/23/61 □ Bruce Emory Lovett 4/14/75 □ Richard H. Low 11/6/78 □ Elmer Wilson Lower 8/1/66 □ Lawrence Wise Lowman 8/19/46 □ Paul Loyet 2/10/64 □ Thomas David Luckenbill 2/3/44 □ Calvin Tompkins Lucy 11/15/35 □ Earle Ludgin 10/26/53



□ Ben Ludy 2/23/53 □ Stephen Joseph Lukasik 7/7/80 □ Arthur Harold Lund 8/17/53 □ David Elwyn Lundy 8/3/64 □ Howard Charles Luttgens 12/15/47 □ Frederick Archibald Lynds 5/21/56 □

M

□ Ernest Finlay MacDonald 8/9/54 □ John Haskell MacDonald 1/11/43 □ Torbert Hart Macdonald 9/20/71 □ Archibald MacLeish 5/11/42 □ William Curtis MacPhail 5/27/68 □ Edward Douglas Madden 8/13/51 □ Arch Leonard Madsen 9/19/66 □ Warren Grant Magnuson 8/7/61 □ Robert Otto Mahlman 10/6/69 □ William Barling Maillefert 11/24/47 □ Guy Fred Main 1/19/70 □ Harry Maizlish 3/7/55 □ James Francis Major 3/6/78 □ Joseph Oscar Maland 9/15/38 □ Martin Francis Malarkey 6/15/64 □ Michael Patrick Mallardi 5/5/69 □ John Charles Malone 11/3/80 □ Milton Selwyn Maltz 2/4/80 □ Abraham Mandell 6/22/64 □ Herbert D. Maneloveg 8/9/71 □ Frank Fabian Mankiewicz 4/30/79 □ Mary Jo Manning 8/15/77 □ Douglas Lewis Manship 2/13/61 □ Donald Manson 9/10/45 □ Kenneth Glenn Manuel 4/10/61 □ Robert Gordon Marbut 7/27/81 □ Guglielmo Marconi 12/15/31 □ Gustav Bernhard Margraf 5/16/49 □ Robert Margulies 11/27/61 □ Hazel Kenyon Markel 7/9/45 □ George Emerson Markham 4/7/47 □ Leonard Harold Marks 12/17/45 □ Alfred Warrington Marriner 11/16/42 □ Howard Herbst March 10/27/69 □ Garry Kent Marshall 3/14/77 □ Glenn Marshall Jr. 8/27/56 □ Thomas Sherman Marshall 6/14/54 □ Donald Neil Martin 4/28/58 □ Dwight Wesley Martin 1/6/64 □ Francis Martin Jr. 1/30/67 □ John Albert Martin 10/9/44 □ Quinn Martin 3/21/66 □ Roland Martini 1/19/42 □ Richard Marvin 5/26/41 □ Frank Louis Marx 5/26/69 □ Alfred M. Masini 5/10/71 □ Leonard Sarver Matthews 10/28/57 □ Kenneth Marcenus Mason 11/13/78 □ Richard Haywood Mason 8/1/37 □ Robert Tussing Mason 11/29/65 □ John Anthony Masterson 3/1/65 □ David Mathews 12/12/60 □ Francis Patrick Matthews 7/11/49 □ William Ewart Matthews 12/19/60 □ Leslie F. Mawhinney 12/6/54 □ Edward Welch May 8/11/58 □ Herbert Mayer 11/6/52 □ William Robert McAndrew 5/29/50 □ Robert Joseph McAndrews 10/10/49 □ John Edward McArdle 2/18/63 □ Thomas Adams McAvity 7/11/55 □ James John McCaffrey 9/4/72 □ David Bruce McCall 10/17/77 □ Charles Lynden McCarthy 8/21/44 □ Glenn McCarthy 1/31/49 □ John Elroy McCaw 7/9/56 □ George Ford McClelland 12/15/33 □ Harold Mark McClelland 4/24/44 □ Thomas Alfred McClelland 11/29/43 □ Miller McClintock 1/4/43 □ Harold Leigh McClinton 4/14/41 □ Peter Francis McCloskey 10/10/77 □ Paul McCluer 7/10/44 □ Ruth McCall McClung 12/8/58 □ Clair Reuben McCollough 12/31/45 □ George C. McCounghey 5/16/55 □ Charles Bruce McConnell 5/6/46 □ James Vernon McConnell 3/1/40 □ Joseph Howard McConnell 10/17/49 □ Robert Bruce McConnell 3/10/58 □ John Caston McCormack 2/1/39 □ Michael McCormick 5/7/73 □ William Martin McCormick 10/28/74 □ Alfred J. McCosker 4/15/32 □ Arthur Hatcher McCoy 1/9/61 □ Thomas Chapman McCray 3/17/52 □ John Joseph McCrory 6/23/80 □ James McCulla 11/16/70 □ Glen McDaniel 2/19/51 □ William Kirkwood McDaniel 7/11/60 □ Thomas Joseph McDermott 1/1/62 □ Thomas Joseph McDermott 4/4/55 □ Arch Linn McDonald 7/29/46 □ Joseph Albert McDonald 3/13/50 □ Neil Hosler McElroy 1/24/49 □ Thomas Bernard McFadden 10/30/50 □ Ernest W. McFarland 8/11/52 □ Donald Henry McGannon 11/21/55 □ Emmett Connell McGaughey 5/14/56 □ Norman Schoonmaker McGee 2/7/66 □ William Byron McGill 5/31/43 □ John Peter McGoff 5/16/66 □ Edward Francis McGrady 12/15/40 □ William Bashford McGrath 11/7/49 □ Robert Minier McGredy 2/27/67 □ Charles Donald McGregor Jr. 1/25/71 □ William Alexander McGuineas 2/24/47 □ Philip Lincoln McHugh 8/23/54 □ Frank Holmes McIntosh 7/19/54 □ Thomas Earl McKinney 12/22/80 □ Clinton Dan McKinnon 9/21/70 □ Edward F. McLaughlin 9/15/75 □ John McLaughlin 4/30/51 □ Barton Robert McLendon 7/2/51 □ Gordon Barton McLendon 8/29/60 □ Renville Hupfel McMann Jr. 5/24/71 □ John Edward McMillan 6/23/41 □ Neal Kyser McNaughten 4/10/50 □ Sherman John McQueen 9/23/63 □ John Ford Meagher 5/31/54 □ Charles Stanley Mechem Jr. 1/24/77 □ Robert Charles Meeker 1/29/52 □ Robert Dewitt Clinton Meeker 11/19/51 □ Howard Sidney Meighan 3/22/48 □ Donald Menchel 7/12/76 □ Herbert Joseph Mendelsohn 10/18/65 □ Clarence



Lester Menser 7/13/42 □ Donald John Mercer 7/13/67 □ Bruce Merrill 9/20/65 □ Eugene Hyde Merrill 10/13/52 □ Philip Merryman 1/23/56 □ Douglas Wyman Meservey 2/15/48 □ Goar Mestre 10/1/48 □ Roswell William Metzger 6/15/39 □ August Christopher Meyer 5/5/58 □ Frederick William Meyer 10/1/39 □ Lynn Leslie Meyer 3/19/62 □ Arthur Edward Meyerhoff 11/7/66 □ Carl Joseph Meyers 10/15/62 □ Reed Meyers 8/2/43 □ Willard Arthur Michaels 1/4/65 □ Werner Michel 4/19/76 □ Charles Michael Michelson 8/15/49 □ Siegfried Mickelson 1/10/55 □ James Lewis Middlebrooks 8/12/46 □ Charles Edward Midgley Jr. 10/1/40 □ Lewis Waters Milbourne 7/16/51 □ D. Thomas Miller 10/29/73 □ Joseph Leonard Miller 7/1/46 □ Justin Miller 10/1/45 □ Louis Reed Miller 10/6/75 □ Paul John Miller 12/10/56 □ Robert Oscar Miller 10/4/54 □ William Edward Miller 5/31/76 □ Kenneth Adolfo Mills 6/9/75 □ Jack Webb Minor 9/17/56 □ Newton Norman Minow 1/1/79 □ Frederick Marlin Mitchell Jr. 8/16/65 □ George Mitchell 10/14/68 □ John H. Mitchell 6/5/72 □ Maurice Bernard Mitchell 3/1/48 □ Raymond Oscar Mithun 1/25/54 □ Stanley Howard Moger 12/12/77 □ Norton William Mogge 4/27/59 □ Emil Solomon Mogul 10/2/61 □ Paul Monash 5/20/68 □ William B. Monroe 4/23/73 □ John Monsarrat 8/30/65 □ Dale Grant Moore 9/14/70 □ David Channing Moore 6/9/58 □ Ellis O. Moore 12/15/75 □ Everett Lloyd (Tod) Moore Jr. 1/28/74 □ Kyle D. Moore 10/27/75 □ Michael Moore 8/27/79 □ Richard Anthony Moore 12/28/53 □ Thomas Waldrop Moore 1/25/60 □ John Robert Moran 11/14/55 □ Paul W. Morency 1/1/33 □ James Calvin Morgan 3/3/52 □ Raymond Ritchie Morgan 6/15/37 □ Masahiko Morizono 8/8/77 □ David Hargett Morris 1/28/52 □ Robert Mills Morris 3/27/67 □ Arthur Marion Mortensen 8/9/76 □ Charles Greenough Mortimer 6/23/47 □ Thruston Ballard Morton Jr. 7/8/68 □ Michael A. Moscarello 7/2/73 □ John Arbuckle Moseley 4/3/78 □ John Edward Mosman 2/23/59 □ Charles Moss 11/20/72 □ Jerome S. Moss 1/10/72 □ Harold Edward Mott 4/30/62 □ Robert Perry Patrick Mountain 1/14/57 □ Robert Mouny 9/20/76 □ Stanley Garrison Mouse 3/8/71 □ Paul Burnham Mowrey 10/3/49 □ William Joseph Moyer 6/2/58 □ Arno William Mueller 4/28/80 □ Robert Edge Mulholland 1/19/81 □ Frank Ernest Mullen 12/1/34 □ Vernon Mullen Jr. 2/8/54 □ John Christopher Mullins 12/7/64 □ Leslie Dennis Mullins 9/13/65 □ Soren Harold Munkhof 4/13/59 □ Adrian Massey Murphy 3/31/52 □ John Thomas Murphy 2/4/63 □ Kiernan Thomas Murphy 7/5/54 □ Thomas Sawyer Murphy 10/12/64 □ James Francis Francis Murray 10/12/53 □ William Ewart Gladstone Murray 3/15/38 □ Edward Roscoe Murrow 1/25/43 □ Charles William Myers 7/15/36 □

N

□ Gary Nardino 5/14/79 □ Cyrus Harris Nathan 1/9/56 □ Don Paul Nathanson 9/17/51 □ Harold Neal Jr. 9/2/63 □ Patricia Loretto Nealin 5/13/74 □ Donald Malcolm Neill 5/14/51 □ Alvin Enus Nelson 11/1/37 □ Linnea Nelson 9/15/47 □ Louis James Nelson Jr. 12/13/65 □ Allen Harold Neuharth 7/23/79 □ Richard Mitchells Neustadt 3/27/78 □ Arthur Wesley Newby 9/2/46 □ Harold Jefferson Newcomb 9/20/48 □ Edward Noonan Ney 7/4/77 □ Nicholas John Nicholas Jr. 8/18/80 □ Carl Wheeler Nichols Jr. 11/21/66 □ Arthur Charles Nielsen 12/19/49 □ Arthur Charles Nielsen Jr. 7/14/69 □ Martin Leonard Nierman 3/21/60 □ Frederick A. Niles 2/7/55 □ Harold Franklin Niven 3/26/73 □ Edward John Noble 8/9/43 □ Vernon August Nolte 9/14/64 □ Donald Aimers Norman 8/18/52 □ Harper Qua North 8/31/64 □ Edward Lee Norton 5/21/51 □ John Hughes Norton Jr. 9/13/48 □ Victor Thane Norton 5/8/50 □ Raymond Henry Norweb 2/28/49 □ Harry Novik 5/22/67 □ Morris S. Novik 11/12/62 □ Burns Quarton Nugent 9/3/73 □ Wesley Irvin Nunn 3/5/51 □

O

□ Theodore Irving Oberfelder 1/8/51 □ Robert Hector O'Brien 4/27/53 □ Andrew M. Ockershausen 7/12/71 □ James Dunne O'Connell 9/11/67 □ Theodore William O'Connell Jr. 7/26/65 □ Harry O'Connor 9/4/78 □ Neal William O'Connor 1/21/74 □ Kenneth Robert Oelschlander 9/28/70 □ Herbert



Raymond Ohrt 3/7/60 □ Irwin Alois Olian 8/10/42 □ Richard Allen O'Leary 5/25/70 □ Clinton Burt Oliver 5/4/53 □ Thomas Francis O'Neil 2/12/51 □ William Michael O'Neil 12/29/47 □ John Edward O'Neill 12/21/53 □ Jessurun James Oppenheimer 1/20/58 □ William Turney Orr 7/3/61 □ William Wallace Orr 11/27/44 □ William Frederick O'Shaughnessy 6/23/69 □ Joseph W. Ostrow 5/22/72 □ Kevin Patrick O'Sullivan 6/21/71 □ Roger Hillary O'Sullivan 5/3/65 □ John Edwin O'Toole 9/1/69 □ Roger Christian Ottenbach 6/5/78 □ John Martin Otter 6/6/77 □ Joseph A. Ouimet 2/2/53 □ Daniel Harrison Overmyer 5/30/66 □ Forrest Flagg Owen Jr. 2/3/58 □

P & Q

□ William Dorsey Pabst 6/8/59 □ Richard Morris Pack 9/11/61 □ Robert William Packwood 1/5/81 □ Alfred Cornwallis Paddison 6/10/46 □ Max Paglin 4/24/61 □ Lawrence Bruce Paisner 5/5/75 □ William S. Paley 4/1/32 □ Daniel David Palmer 7/24/61 □ Arden X. Pangborn 3/30/42 □ Carter Marcellus Parham 12/22/52 □ Eldon Arthur Park 9/9/46 □ Roy Hampton Park 2/3/64 □ James DeBlois Parker 4/7/80 □ Bert Parks 5/5/80 □ Floyd Lavinus Parks 10/11/48 □ James Fay Parks 10/26/64 □ Tom E. Paro 8/7/78 □ James Otis Parsons Jr. 8/22/60 □ John Orlando Pastore 1/30/61 □ Virginia F. Pate 7/20/70 □ Leonard Joseph Patricelli 1/29/68 □ Duke Moyer Patrick 1/15/33 □ James Patt 11/20/50 □ John Patt 11/20/50 □ John Francis Patt 2/1/33 □ Ralph Patt 11/20/50 □ Robert Patt 11/20/50 □ John Anthony Patterson 9/22/52 □ Richard Cunningham Patterson Jr. 5/1/34 □ Walter Scott Patterson 1/4/60 □ Robert Reinhold Pauley 10/16/61 □ William Colin Payette 6/27/60 □ Ancil H. Payne 4/24/72 □ Stuart Peabody 7/15/35 □ Roger Craft Peace 8/11/41 □ Ian Michael Peacock 2/3/75 □ Robert Swain Peare 10/29/45 □ Daniel Thomas Pecaro 7/29/74 □ Frank Elias Pellegrin 12/30/57 □ Donald Arthur Pels 5/28/73 □ Marshall Hylon Pengra 11/1/43 □ William Dean Pennington 12/15/58 □ Andrew Jerrold Perenchio 8/6/79 □ John Lawrence Perry 5/8/61 □ H. Preston Peters 8/1/36 □ Harvic Hecht Petersen 1/1/34 □ Charles Wrede Petersmeyer 8/26/57 □ Curt Peterson 11/24/41 □ Harry Austin Peterson 12/8/47 □ Edward Petry 10/16/50 □ Herbert L. Pettey 11/10/41 □ John Whitney Pettit 7/17/72 □ Don Edward Petty 2/11/46 □ Edwin William Pfeiffer 10/22/73 □ Jane Cahill Pfeiffer 10/23/78 □ Irna Phillips 11/6/72 □ Paul R. Picard 10/11/71 □ Sam Pickard 6/15/33 □ Arthur Edward Pickens Jr. 1/8/68 □ Frederick Stanley Pierce 1/20/75 □ Robert Morris Pierce 11/6/44 □ Samuel Pierce 9/1/47 □ Timatha Stone Pierce 6/2/80 □ Robert Charles Pierpoint 7/14/80 □ William Theodore Pierson 4/6/81 □ John Raymond Pike 10/13/69 □ John S. Pingel 6/19/78 □ Richard Alden Ray Pinkham 9/29/58 □ Frank Alexander Pittman 2/23/48 □ John Frank Pival 5/15/61 □ Lloyd Adolphus Pixley 1/7/46 □ Lionel Cecil Place 7/5/48 □ Raymond Alonzo Plank 9/5/66 □ Alfred Lewis (Fred) Plant 3/29/65 □ John H. Platt 12/13/54 □ Harry Morris Plotkin 5/31/71 □ Abe Plough 7/21/58 □ Curtis Blood Plummer 3/27/50 □ George John Podeyn 6/21/54 □ George Polk 8/9/65 □ John Clark Pomeroy 8/24/59 □ Irving Martin Pompadur 12/29/69 □ Alexander Mathew Poniatoff 12/15/69 □ John Hudson Poole 4/21/52 □ John Barton Poor 1/16/56 □ Leavitt Joseph Pope 3/17/75 □ Jacob Robert Poppele 11/15/39 □ Paul Aldemont Porter 3/6/44 □ William Arnold Porter 10/19/53 □ Carl Malcolm Post 12/17/62 □ Charles Edward Potter 3/22/54 □ Jean A. Pouliot 7/12/65 □ Joseph Lester (Jody) Powell Jr. 5/30/77 □ Alice Joan Heinecke Prager 9/11/72 □ Anning Smith Prall 2/1/35 □ Charles Anderson Pratt 8/5/63 □ Elmer William Pratt 6/1/33 □ Stanley Randall Pratt 9/1/52 □ Biagio Salvatore Presti 12/8/69 □ Byron Price 12/22/41 □ William Francis Price Jr. 8/30/71 □ Bernard Jay Prockter 5/10/54 □ Quentin S. Proctor 6/16/75 □ D. L. (Tony) Provost 6/9/52 □ Arthur Pryor Jr. 8/15/33 □ Roger Pryor 8/6/56 □ Weston Carpenter Pullen Jr. 4/29/57 □ Eugene Collins Pulliam 7/28/41 □ Nathaniel Henry Pumpian 8/1/35 □ Robert Mumford Purcell 9/14/59 □ William Lowell Putnam 1/19/76 □ Ward Louis Quaal 8/10/53 □ William Barlow Quarton 4/23/45 □ James Henry Quello 10/27/58 □ Harold James Quilliam 6/30/41 □ Sterling Quinlan 6/29/53 □



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Charles Frederic Rabell 5/30/60 Radio's Liberation Forces 6/12/44 James Thomas Ragan 6/29/81 William McCreary Ramsey II 6/4/45 Odin Sayles Ramsland 11/9/59 Clem John Randau 6/16/52 Forney Anderson Rankin 9/6/48 Martin Ransohoff 11/16/59 Bryson Brennan Rash 1/8/73 Dan Irvin Rather 12/10/73 Victor Michael Ratner 2/2/42 Lester Richard Rawlins 11/14/60 Richard Birrell Rawls 12/21/59 William Bell Ray 12/8/75 Paul Hutcheson Raymer 11/1/39 Alexander Louis Read 5/2/60 Roger Burkham Read 12/17/73 John Neil Reagan 1/17/49 Ronald Wilson Reagan 4/28/75 Joseph Harold Ream 1/13/58 Harry Reasoner 5/21/73 John Hutchins Reber 9/16/57 Robert Leigh Redd 2/9/59 Hugh McCulloch Redhead 12/21/70 Abram Kline Redmond 8/22/49 Dwight Spencer Reed 3/23/53 Pinckney Brewer Reed 7/18/60 Seymour Reed 8/14/61 A. Frank Reel 11/15/71 George Curtis Reeves 12/5/60 Hazard Earle Reeves 7/7/69 Jerome Robert Reeves 5/13/63 Walter Emil Reichel 2/12/79 Charlotte Leota Thompson Reid 1/29/73 Earl Charles Reineke 6/1/37 Manny Reiner 4/25/66 John Edward Reinhardt 7/10/78 James Leonard Reinsch 6/9/41 Sanford E. Reisenbach 4/17/78 Jeffrey Charles Reiss 5/7/79 Clyde Wallace Rembert 4/2/62 Harry Keeton Renfro 9/4/61 Ralph A. Renick 1/5/76 Leo Resnick 9/8/52 H. Earl Rettig 3/9/53 Everett Eugene Revercomb 4/4/60 John Bernard Reynolds 5/5/41 John Taylor Reynolds 7/27/59 Robert O'Dell Reynolds 6/30/47 George Richard Agar Rice 2/12/45 Roger Douglass Rice 3/9/70 Lee Morse Rich 7/17/61 William Robert Rich 9/27/65 George Arthur Richards 6/18/45 Robert Kenneth Richards 11/22/48 Laurence Edgar Richardson 11/28/66 James Cheatle Richdale Jr. 8/19/68 James Gilmour Riddell 3/17/58 Robert Blair Ridder 6/24/63 Stephen C. Riddleberger 10/8/62 Edney Ridge 4/15/38 Maurice Joseph (Bud) Rifkin 2/1/65 Volney Foster Righter 8/22/60 Andrew Donald Ring 10/1/36 Stephen Rich Rintoul 9/1/36 Fred Ramig Ripley 7/3/44 Daniel Lee Ritchie 11/27/78 Samuel Campbell Ritchie 10/10/66 Morris Rittenberg 8/15/66 E. D. Rivers 2/16/53 John Minott Rivers 9/28/64 Hal E. Roach Jr. 5/9/55 Peter M. Robeck 5/29/72 William Riley Roberson Jr. 12/30/63 Harlow Pliny Roberts 9/1/35 John David (Jack) Roberts 10/17/66 Walter Donald Roberts 5/20/46 Charles Maxwell Robertson Jr. 8/24/42 Stanley G. Robertson 5/17/71 Hubbell Robinson Jr. 6/5/44 Ira E. Robinson 1/15/32 William Peirce Robinson 8/9/48 William Northrop Robson 3/17/41 Keith Sinclair Rogers 11/11/46 Irving Emerson Rogers 9/17/45 Lawrence Harrison Rogers II 11/8/54 Walter Edward Rogers 4/6/64 Wesley DeWilde Rogers Jr. 1/17/55 Orville Wayne Rollins 8/12/57 Franklin Delano Roosevelt 11/2/70 Burton A. Rosen 9/27/71 Marcella Jung Rosen 7/21/80 Samuel Rawlins Rosenbaum 5/15/38 Robert Morris Rosencrans 7/3/78 Marvin Leroy Rosene 5/6/63 James H. Rosenfield 5/8/78 Sydney Roslow 5/22/50 Walter James Rothschild 11/19/62 Thomas Emerson Rounds III 10/6/80 John Francis Royal 6/15/38 Kenneth Clairborne Royall 7/28/47 Alvin Ray (Pete) Rozelle 8/7/67 Martin Rubenstein 11/19/79 Aaron Rubin 3/16/70 Richard Rudolph 9/3/51 Frederick Fernando Ruegg 11/7/60 William Ruess 7/15/39 Edmund Birch Ruffner 6/1/38 Meryle Stanley (Bud) Rukeyser Jr. 1/6/75 Elton Hoerl Rule 9/19/60 John West Runyon 9/15/39 Mefford Ross Runyon 7/2/45 Alvin Rush 5/19/75 Herman Eugene Rush 2/6/67 Francis Marion (Scoop) Russell 10/21/46 Frank Bourne Ruthrauff 2/18/46 Lee Ruwitch 11/16/53 John Harold Ryan 9/1/39 Quin Augustus Ryan 9/1/33 Richard Ellis Ryan 4/11/60 William Bernard Ryan 3/1/43

S

Ellen Berland Sachar 9/15/80 David Michael Sacks 7/30/62 Emanuel Sacks 1/24/55 Owen Leslie Saddler 3/19/56 John Victor Saeman 2/16/81 Harold Arthur Safford 5/2/49 Solomon Sagall 7/2/79 Richard S. Salant 10/24/55 Lucille Susan Salhany 3/16/81 John A.

HONOR ROLL

Salisbury 11/24/75 □ Nancy Mazur Salkin 1/3/66 □ John Salt 2/5/45 □ Russell Gerald Salter 11/8/65 □ David Elliot Salzman 6/20/77 □ Alfred Burgess Sambrook 10/11/54 □ Perry Sylvan Samuels 4/21/69 □ Hildred Evelyn Sanders 5/21/62 □ Marlene Sanders 11/8/76 □ Thaddeus Martin Sandstrom 10/9/61 □ Elliott Maxwell Sanger 3/3/47 □ George J. Santoro 1/17/72 □ Don Saraceno 1/12/76 □ David Sarnoff 10/1/32 □ Robert William Sarnoff 7/13/53 □ Thomas Warren Sarnoff 3/11/57 □ Robert Saudek 5/24/48 □ Van Gordon Sauter 5/23/77 □ Richard Nelson Savage 9/13/71 □ William Myron Savitt 4/25/80 □ Donald David Sbarra 3/4/68 □ Alfred James Scalpone 8/29/55 □ Henry Miner Schachte 1/5/59 □ Philip Haynes Schaff 11/20/67 □ Otto Sorg Schairer 7/7/41 □ Arthur William Scharfeld 6/30/52 □ Abel Alan Schechter 6/5/50 □ Rex Butler Schepp 8/2/48 □ Raymond Lewis Scherer 1/26/76 □ Edgar Jay Scherick 7/8/63 □ James Schiavone 6/11/62 □ Dorothy Schiff 7/22/46 □ Sol Schildhause 5/15/72 □ Sylvester John Schile 6/4/56 □ John Thomas Schilling 1/30/56 □ George Schlatter 7/15/68 □ Herbert Samuel Schlosser 8/12/68 □ Herbert Schmertz 7/31/78 □ Gert Schmidt 9/1/80 □ Richard Marten Schmidt Jr. 10/1/79 □ Robert L. Schmidt 6/7/76 □ Dominic Frank Schmit 2/25/46 □ Harrison Hagan (Jack) Schmitt 7/13/81 □ Kenneth Frederick Schmitt 3/26/51 □ Alfred R. Schneider 8/24/64 □ Cyril Schneider 3/17/69 □ Gene W. Schneider 6/22/81 □ John Arnold Schneider 6/29/59 □ Reese Wolfe Schonfeld 9/8/80 □ Willard Schroeder 10/12/59 □ Frank Phillip Schreiber 6/17/44 □ William Arthur Schudt Jr. 10/1/37 □ Regina Schuebel 10/15/37 □ Oswald Francis Schuette 5/15/32 □ James Allen Schulke 11/2/59 □ Ernest John Schultz 9/12/77 □ Walter A. Schwartz 11/6/67 □ Richard Schultz Schweiker 8/21/72 □ Walter Schwimmer 1/15/40 □ Robert John Scott 2/7/44 □ Walter Decker Scott 2/16/59 □ David G. Scribner 11/8/71 □ William John Scripps 10/15/39 □ Don Searle 2/1/38 □ Frederick Andrew Seaton 6/11/56 □ James Dixon Secrest 7/31/50 □ Harry Sedgwick 2/15/39 □ Harold Phillip See 12/12/55 □ James Robert Sefert 11/1/76 □ David M. Segal 6/8/53 □ Joel Michael Segal 3/30/81 □ Irwin Bernard Segelstein 6/21/76 □ Edward B. Seghers 12/6/71 □ James William Seiler 11/30/53 □ William Edwin Self 12/28/64 □ Selig Jacob Seligman 2/11/57 □ Eric Severeid 12/23/46 □ John Clement Severino 7/15/74 □ James Morgan Seward 12/2/63 □ Dan Seymour 2/17/64 □ Stephen Dana Seymour 7/8/74 □ SHAEF (Supreme Headquarters Allied Expeditionary Forces) 5/14/45 □ Raymond P. Shafer 7/10/72 □ Godfrey Richard Shaffo 12/15/38 □ Theodore F. Shaker 1/22/62 □ Frank Joseph Shakespeare Jr. 3/5/62 □ Marvin Lincoln Shapiro 12/18/67 □ Myron Frederick (Mike) Shapiro 9/18/61 □ Ivor Sharp 2/28/44 □ Thomas Edward Sharp 6/18/51 □ Allen Bennett Shaw 2/4/74 □ Donald Scholefield Shaw 10/15/36 □ Harry Shaw 11/15/32 □ James Thompson Shaw 5/9/77 □ Reid Lonsdale Shaw 3/20/67 □ William Dwight Shaw 12/17/51 □ Ralph Fleming (Casey) Shawhan 11/27/67 □ Hamilton Shea 9/2/57 □ Shaun McGill Sheehan 7/28/80 □ William Edward Sheehan Jr. 8/9/74 □ Alice Louise Shein 7/27/53 □ Sidney Sheinberg 8/25/69 □ Robert Evart Shelby 7/26/54 □ John Shepard III 8/15/32 □ Robert B. Sherman 4/15/74 □ Stuart Sherman 5/15/36 □ Richard J. Shiben 12/16/74 □ Victor Adam Sholis 7/14/47 □ Erwin Henry Shomo 5/14/62 □ Harry Manuel (Chip) Shooshan III 1/31/77 □ James Ditto Shouse 1/1/40 □ Irving Edward (Chick) Showerman 4/1/46 □ George Thomas Shupert 3/23/59 □ Perry LeRoy Shupert 4/14/58 □ Edward Palmes Shurick 11/18/57 □ John Barnes Sias 6/30/70 □ Simon Bernard Siegel 11/30/59 □ Richard W. Sierk 3/2/53 □ Loyd Claunts Sigmon 12/3/56 □ Jerome Sill 1/23/50 □ John Daniel Silva 3/31/75 □ Roy Silver 10/7/68 □ Alan M. Silverbach 3/1/76 □ Fred Silverman 11/9/70 □ Frank Silvernail 3/31/58 □ Chester Robert Simmons 2/2/81 □ Al Simon 4/18/66 □ Arthur Simon 3/13/44 □ Louis Sherwin Simon 9/21/64 □ John Bell Simpson 11/10/58 □ William Pierce Sims 9/28/81 □ Joseph Samuels (Dody) Sinclair 11/25/63 □ Donald Sipes 1/29/79 □ Kenneth Leonard Skillin 10/10/55 □ Richard Jerome Sklar 5/26/75 □ Sherman Richard Slade 6/23/58 □ Samuel Jordan Slate 6/15/59 □ Henry William Slavick 4/21/41 □ Thomas James Slowie 3/19/45 □ William Jack Small 11/25/74 □ Calvin James Smith 5/17/48 □ Carleton Dabney Smith 4/7/58 □ Frank MacGregor Smith Jr. 8/20/79 □ George Severn Smith 2/25/57 □ Harold Everett Smith 12/1/37 □ Harry Mason Smith 9/20/54 □ Hassell Wendell Smith 2/8/43 □ Howard Kingsbury Smith 5/21/73 □ John Kelly Smith 1/15/37 □ Joseph Luther Smith Jr. 12/25/50 □ Louis Archer Smith 12/9/63 □ Robert S. Smith 4/4/66 □ Theodore Ainslie Smith 2/24/58 □ Charles Augustus Smithgall Jr. 12/28/42 □ Jack



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Abbreviations Used in Index

AFM	American Federation of Musicians	MBS	Mutual Broadcasting System
AFRA	American Federation of Radio Artists	MPAA	Motion Picture Association of America
AFTRA	American Federation of Television and Radio Artists	NAB	National Association of Broadcasters
AGMA	American Guild of Musical Artists	NAITP	National Association of Independent Television Producers and Distributors
AMP	Associated Music Publishers	NARTB	National Association of Radio & Television Broadcasters
AMST	Association of Maximum Service Telecasters	NCTA	National Cable Television Association
APR	Associated Press Radio	NRA	National Recovery Administration
ASCAP	American Society of Composers, Authors and Publishers	NTIA	National Telecommunications & Information Administration
ASRA	American Society of Recording Artists	OTP	Office of Telecommunications Policy
ATC	American Television & Communications Corp.	OWI	Office of War Information
BMI	Broadcast Music Inc.	RCTV	Rockefeller Center Television
FCC	Federal Communications Commission	RTNDA	Radio-Television News Directors Association
FDA	Food and Drug Administration	TBA	Television Broadcasters Association
FRC	Federal Radio Commission	TVB	Television Bureau of Advertising
FTC	Federal Trade Commission	UPI	United Press International
HBO	Home Box Office	UPT	United Paramount Theaters
INTV	Association of Independent Television Stations	USIA	United States Information Agency
ITT	International Telephone & Telegraph Corp.	WARC	World Administrative Radio Conference
ITU	International Telecommunication Union		

