June required all employes 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 advertising 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."

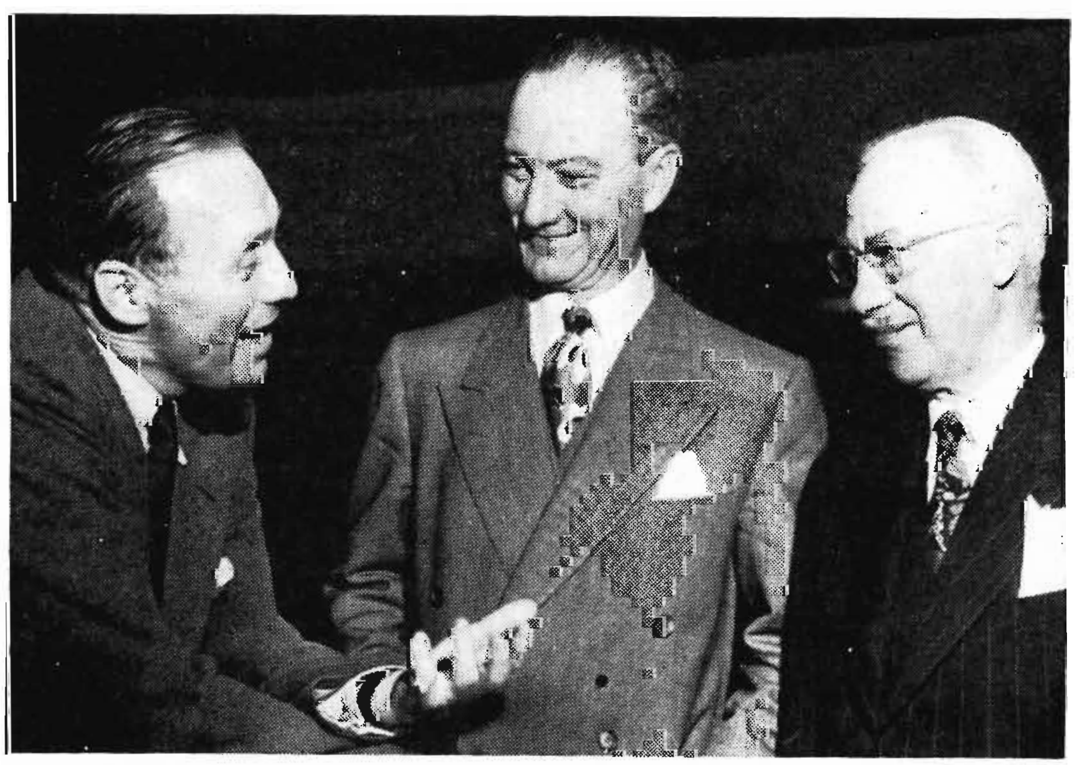
There were elements in broadcasting that deplored the use of outside groups for political references. "What is desperately needed at once," editorialized BROADCASTING, "is machinery to sort the loyal from the disloyal in radio and television. This machinery must be built by broadcasters unless they wish 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 employes to disclose any Communist affiliation. Since 1944 NBC had required all employes to answer the question: "Are you a member of the Communist party?" CBS now demanded that employes sign loyalty oaths similar to those required of government employes.

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 counterprograming 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.

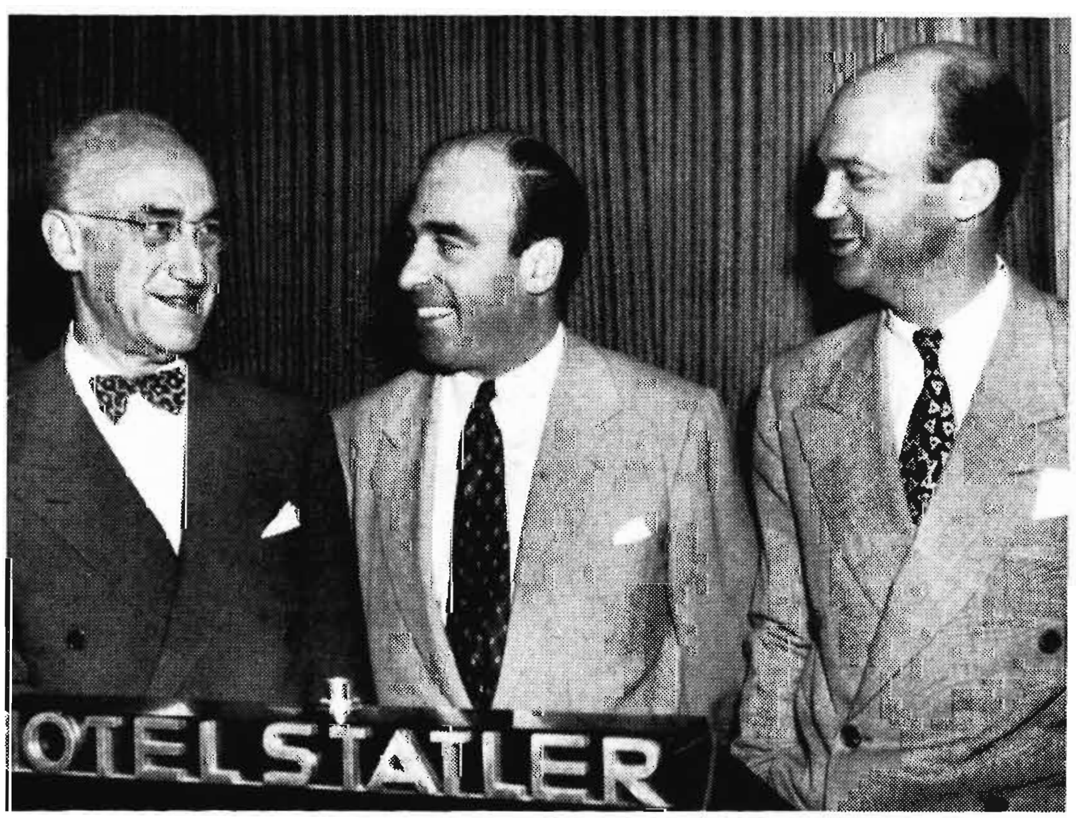
Ethel Waters, in the title role, complicated the lives of a Henderson family on ABC's *Beulah* which premiered in October. It also featured Butterfly McQueen as Oriole and Percy Harris as Bill Jackson, the boyfriend with the fix-it shop. George Burns and Gracie Allen first came to television in their 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.

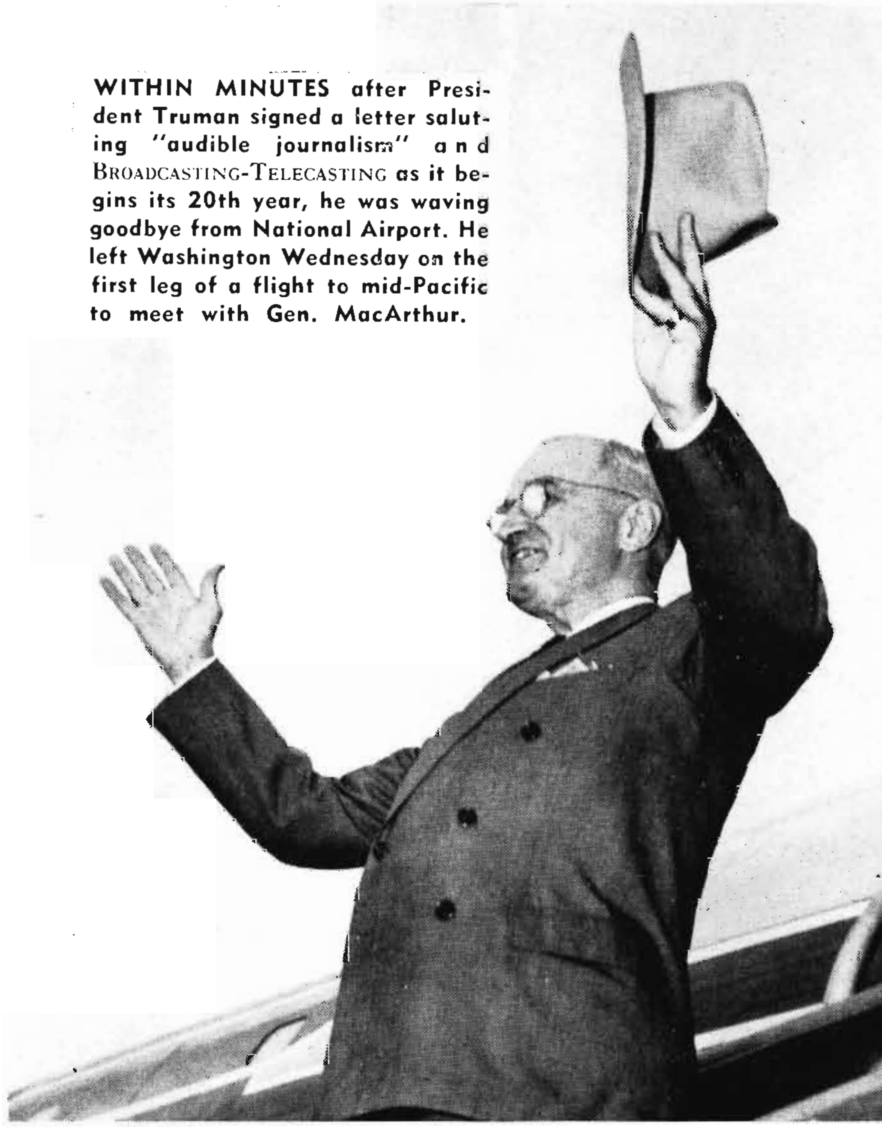
In a letter to BROADCASTING-TELECASTING on the occasion of the beginning of its 20th year of publication, the Chief Executive described both radio and television as the media that constitute "audible journalism." The letter, to Sol Taishoff, editor and publisher, urged the continued espousal of "free, 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 ca

—Broadcasting, Oct. 16

Besides the skirmishing over pay TV, broadcasters were exploring the unmapped television terrain of UHF. In January NBC opened an experimental UHF TV satellite station in Bridgeport, Conn., to rebroadcast WNBT(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

1951

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 . . .

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. 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.

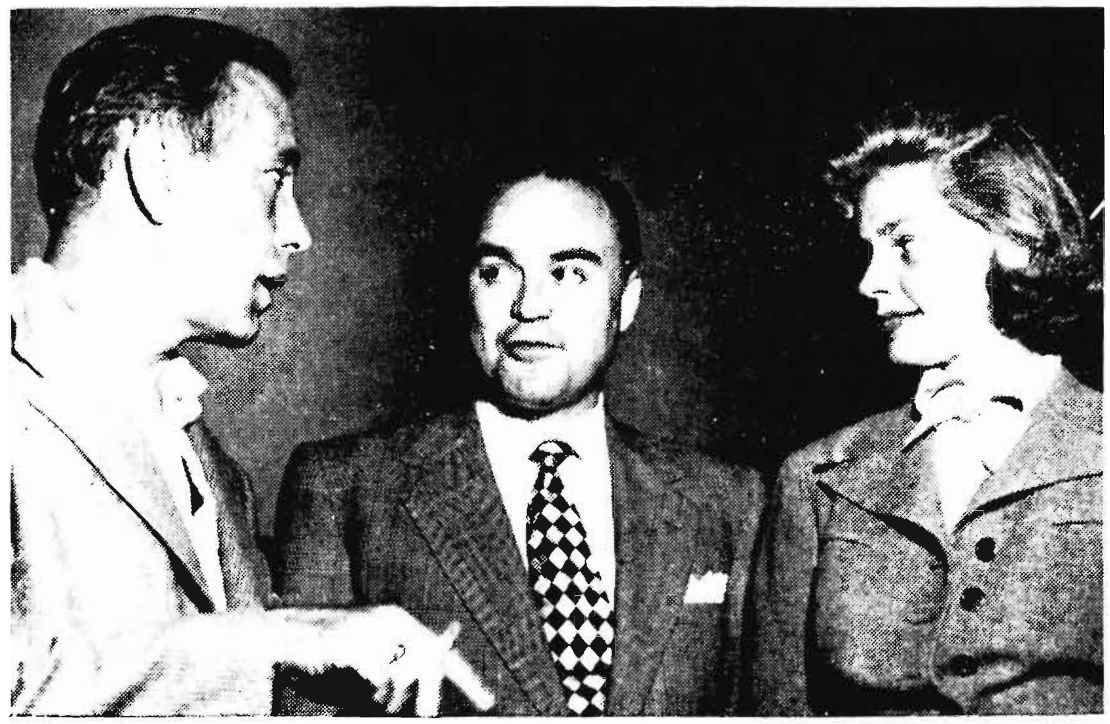
To conserve raw materials for war needs, the National Production Authority in October said broadcasters could obtain raw materials such as steel and aluminum for building purposes, but prohibited the production of color television sets as "nonessential" to the Korean war effort. Broadcasters hailed the 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 from the FCC to commercialize its system. Other pay-television ventures included Skiatron Corp.'s Subscriber-Vision, and Paramount Picture Corp.'s Telemeter.



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

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 Hennock argued for the educators. As part of its data, the National Association of Educational Broadcasters surveyed a week of TV programing 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. Hennock. 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 Hennock-educator alliance worked.

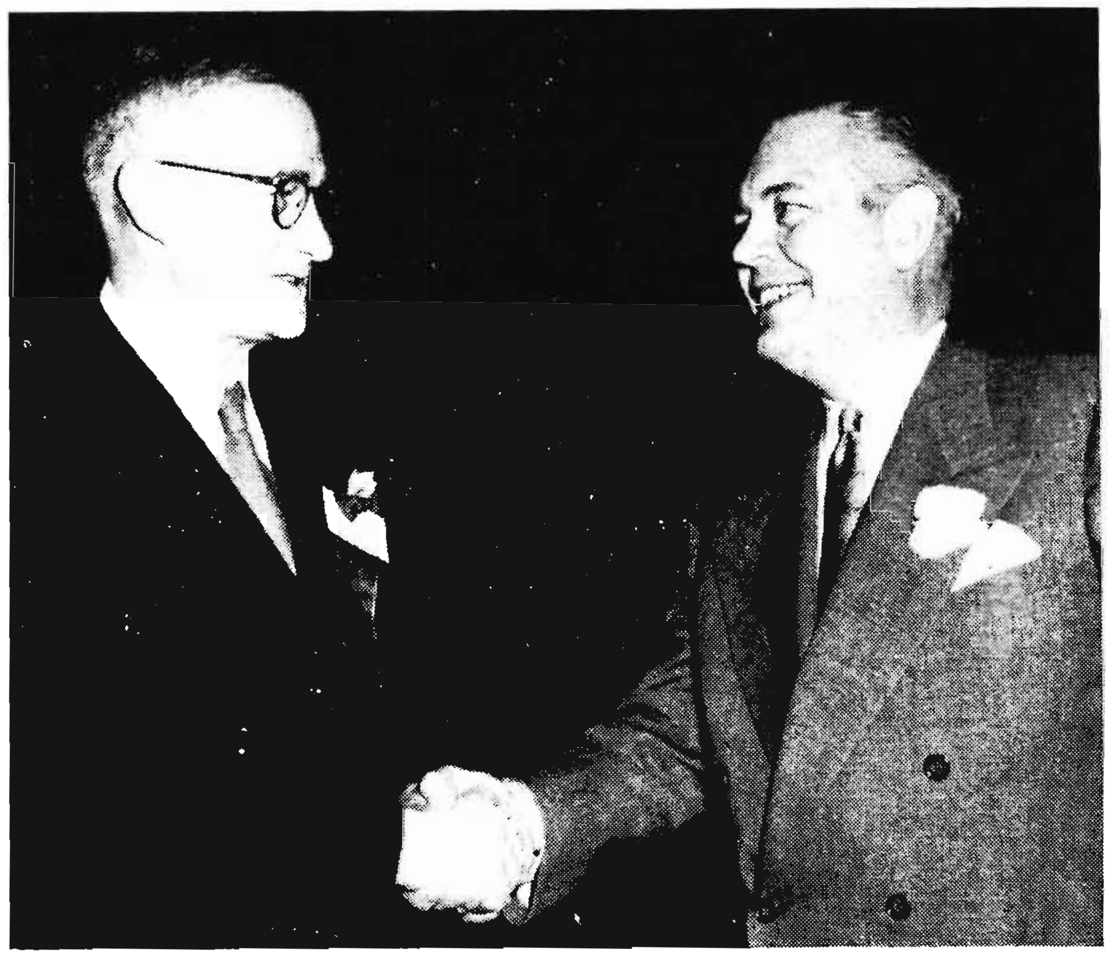
ABC's alliance with United Paramount Theaters proved to be another merger of influence and power. From the initial agreement in May through a set of hearings, the FCC weighed issues of media concentration, antitrust and ethics. The FCC wanted to distinguish between UPT and Paramount Pictures' role in 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 divorcement 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 'predatory.' "

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 alloted 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 programing 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 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."



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

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 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. 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.

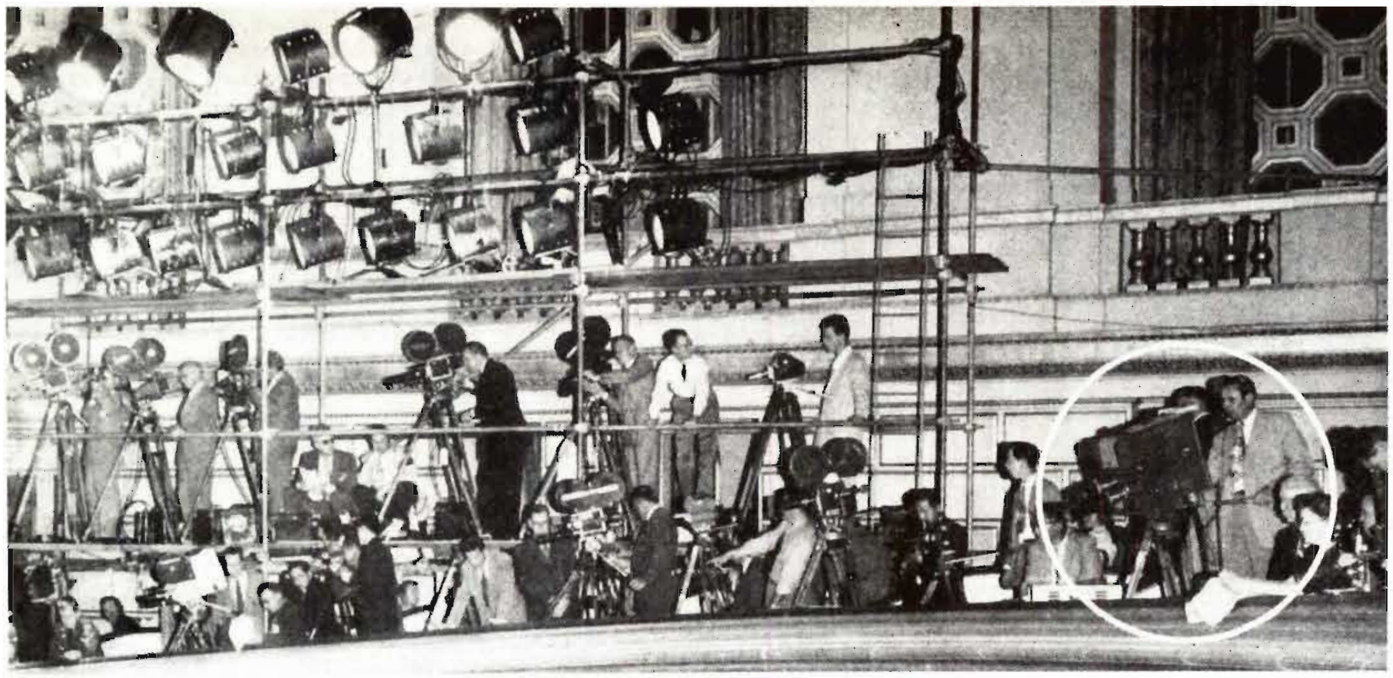
To compete with television programing, the radio networks resorted to big-name stars. NBC had Hollywood actor Cary Grant and his real-life wife, Betsy Drake, in *Mr. and Mrs. Blandings,* a comedy show with Gale Gordon and Sheldon Leonard in supporting roles. Humphrey Bogart and Lauren Bacall starred 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 Duvall, 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 WWDC(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 transitcasters 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 helter 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.

COAST-TO-COAST TV

Truman Inaugurates

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 . . .

. . . 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 in wh

tion as a public service and dispatched combined staffs of more than 100 people to the West Coast to announce, handle technical details and arr special

troduced 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 offstage, 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 Mathiesen, 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

—Broadcasting, Sept. 10

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 lifting 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

1952

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 ...

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 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

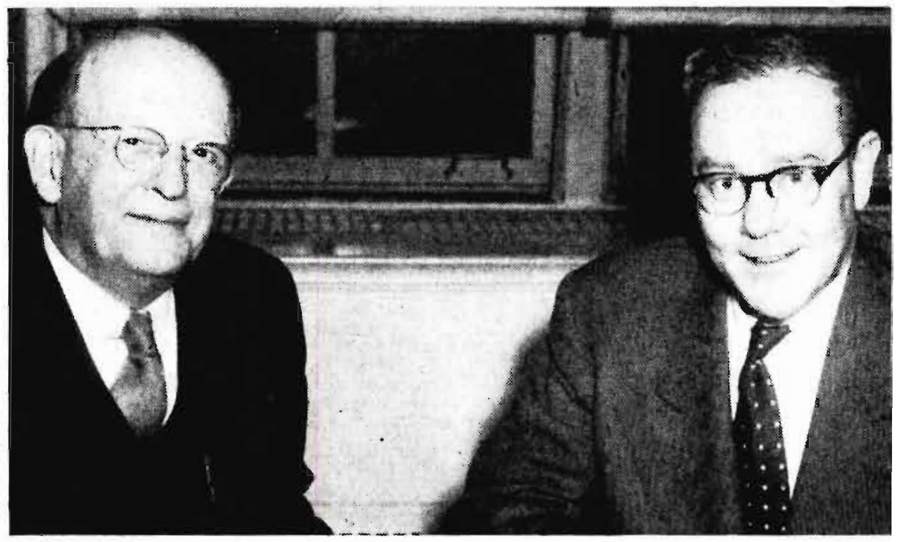
And Comr. Bartley, as Advertised (B • T, Feb. 25)

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, ...



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 programing 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 programing, 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 Pictures 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-

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 individual 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

MEETING THE CRISIS

NBC Reinforces; CBS Stations Buck Cuts

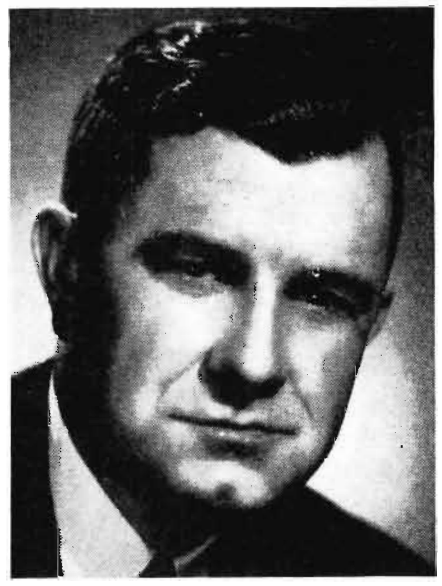
THE biggest problem facing network radio—how to re-stabilize it—was approached in separate but significant moves last week by the management of NBC and a group of affiliates of CBS Radio.

● 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-

homes a more exciting supplementary program schedule on radio. We expect the result to be more use of radio in both radio-only

ordinated use of both radio 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 programing 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 chantreuse 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 programing, 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 programing on street cars and buses. The high court's decision set aside an earlier appeals court ruling that transitcasting 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 commercial 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 Education, 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 petition, the FCC continued the hearings to January 1953.

Nixon: the Checkers speech

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 programing consisted of variety shows. The networks devoted 249 quarter-hours of programing, 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 programing.

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 programing, 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 Keynoter Award?

The answers in "1953."

The First 50 Years of Broadcasting

1953

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 ...

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 . . ."

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 programing 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 employes 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

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, 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.

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

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, Terry 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

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 succe... Comr. Paul A. Walker, ... left th... last Jun... 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 ... familiar ... the ...

Broadcasting, Oct. 12

Steiger to fame.

Special programing 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 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.

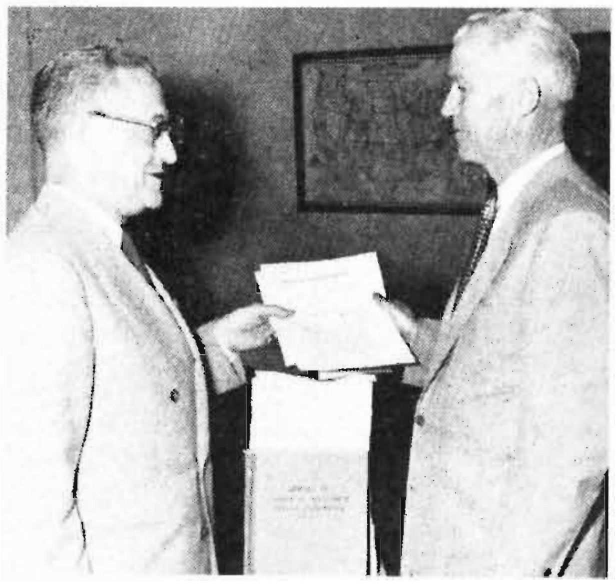
In the midst of general prosperity for television, UHF was struggling. With less signal range than VHF's and fewer sets with UHF reception capacity, the U's found the going tough, especially against VHF competition. In search of a solution, four UHF permittees—WDHN(TV) New Brunswick, N.J.; WIP-TV Philadelphia; 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-waters."

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 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 programers, 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

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

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 disolution of NARTB and divorcement of BMI from its broadcast ownership, charging that NARTB and BMI conspired to keep all but BMI music off the 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

The First 50 Years of Broadcasting

1954

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 . . .

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 tranformation 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 programing, 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 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 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.

"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 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.

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

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. Loeb & Assoc.

—Broadcasting, Aug. 16

are within the law. . . . It must be decided whether they are in good taste, whether they advance or retard the art of programing, whether they are economically sound. Some, we admit, could not survive investigation on those grounds."

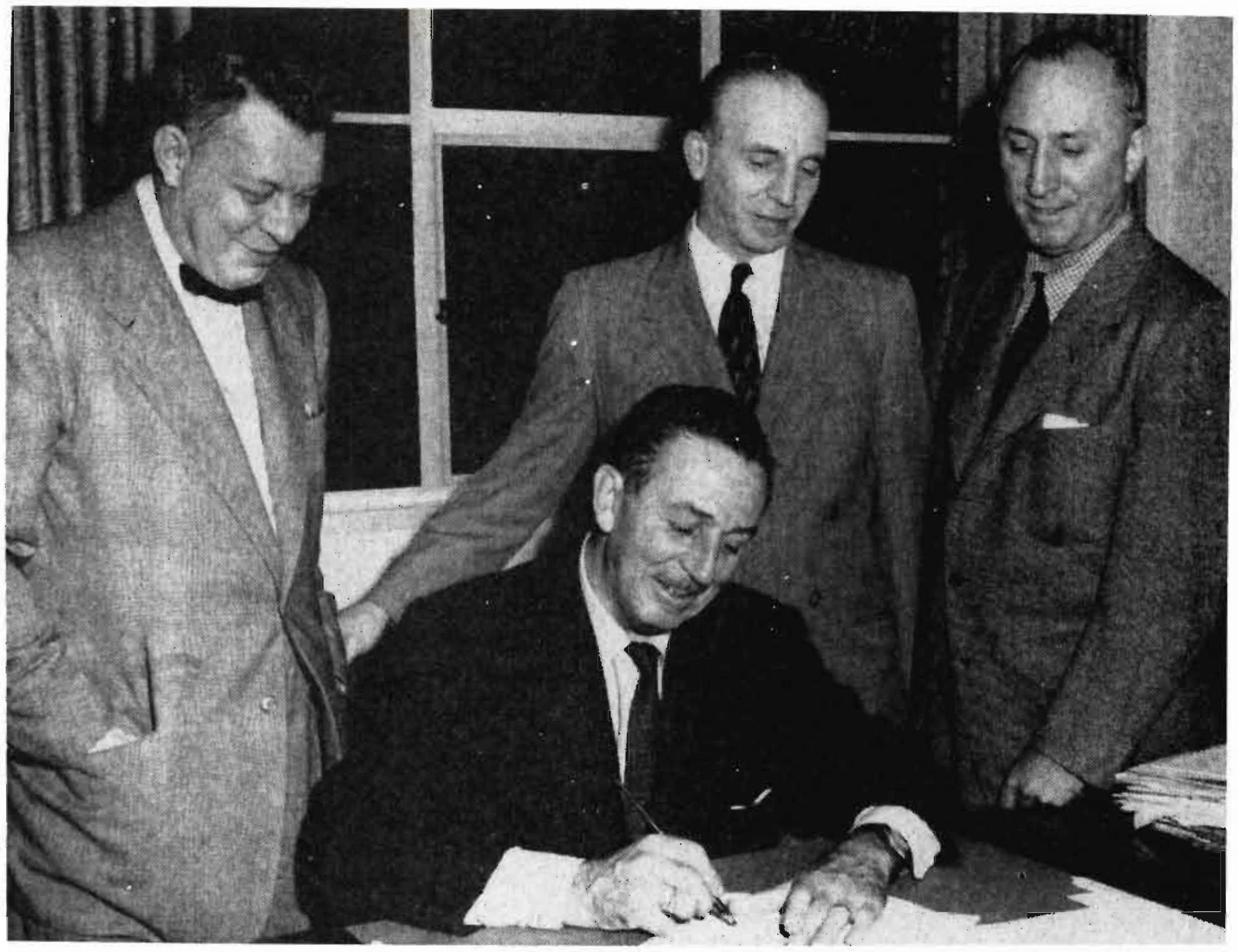
Critics of giveaway shows often pointed to *Strike It Rich,*(CBS-TV, NBC Radio), a game show that awarded cash, including money donated by listeners, to contestants with stories of misfortune, as a prime example of poor taste in programing. Contending that *Strike It Rich* solicited money from listeners, 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 programing. 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 Sothern, 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 by only 10%.



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

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 programing 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 programing 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

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 programing—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. [B•T, Dec. 6] 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

proof that Hollywood's hackneyed press agentry 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. McConnaughey 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 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 programing, 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 programing. 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."

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

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."

THE FIRST 50 YEARS OF BROADCASTING

1955

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 ...

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. McConnaughey 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 programing 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 advantage 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 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. [illegible]nsition to UHF would mean the [illegible] even fringe service to those who [illegible] most—the remote dwellers."

However, [illegible]C did not suggest a freeze when, in [illegible]e 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 homely. 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," Ju[illegible] 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 offici[illegible] action suggests that the commission regards VHF as more desireable 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

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 programing. 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 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."

MARIE NATVIG

—Broadcasting, Feb. 14

WITNESS LAMB

—Broadcasting, April 11

As film became an ever-increasing need for TV programing, 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 programing 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 noninterconnected 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 programing, 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 programing 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 programing. 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

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 m king KDKA Pittsburg a "his toric si 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 po rful medium of commu ation," Mr. Clay ted 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 programers. 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 programing on children, that the President appoint a commission to study the effect of mass media on children and that citizens form local listening councils to keep a close watch over children's programs.

Not all TV programing 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 programing 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 programing. 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 programing for the public, and by the use of special equipment, gain added revenue through the multiplexed services which included special programing 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,

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 newreel 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 televiewers 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.

—Broadcasting, Jan. 24

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 highjack 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."

The First 50 Years of Broadcasting

1956

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 ...

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 programing. 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 programing.

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 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' programing 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 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 industry 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, KWTV (TV) Oklahoma City, second vice president; Charles Wilson, WGN-AM-TV Chicago, first vice president; Bruce Wallace, WTMJ-AM-TV Milwaukee; and standing: Roy Pedersen, WDAY-AM-TV Fargo, N. D.; Marion Annenberg, WDSU-AM-TV New Orleans; Joe Hudgens, KRNT-AM-TV Des Moines; Foster Brown, KMOX St. Louis; Paul Woodland, WGAL-AM-FM-TV Lancaster, Pa. Not present were board members Gene Godt, WCCO-AM-TV Minneapolis; Joe Zimmerman, WFIL-AM-FM-TV Philadelphia; John Keyes, WMAQ-AM-FM, WNBQ (TV) Chicago, and Howard Meagle, WWVA-AM-FM Wheeling, W. Va.

—Broadcasting, Nov. 26

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 programing. 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 Hurley, 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 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.

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 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 Monocan 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 programing 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

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 nonoperating UHF's that have been given an ultimatum by the FCC . . . will reactivate, and that new applications will be filed in increasing numbers."

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

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 programing 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

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*

The First 50 Years of Broadcasting

1957

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 . . .

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. 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 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.

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

Television in 1957 continued its tradition of special programing. One event attracting particular attention was Nikita Khruschev'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 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 Harris; 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 programing. 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.

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), *Racket 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 Wayde 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 1957-58 season, nine were westerns, four were quiz shows, and two, mysteries.

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

The late 1950's also saw the beginning of a decline in sponsor-created programing. 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 programing, 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 programing 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

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 antitrust 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 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 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.

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."

—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 cou... eat in ...tern Okl...a.

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.

The First 50 Years of Broadcasting

1958

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.

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 pasttime as the New York Giants headed West to San Francisco and the Dodgers deserted Brooklyn for Los Angeles. And in BROADCASTING ...

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.

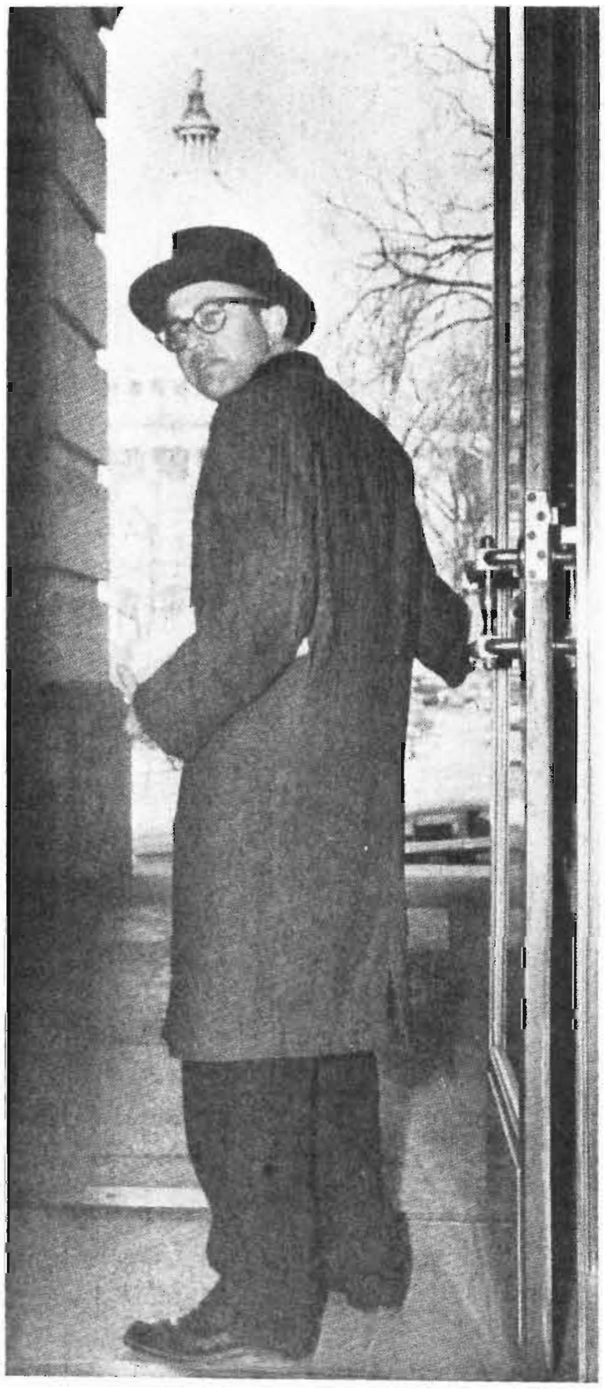
Broadcasters responded quickly and vehemently. Westinghouse Broadcasting Corp. President Donald H. McGannon called the FCC's Barrow Report "a quantum step" toward the destruction of television, and argued that "if the Barrow Report is adopted ... the industry would be set back a decade or more, and there 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 number 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



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 antitrust 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 addition, 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-

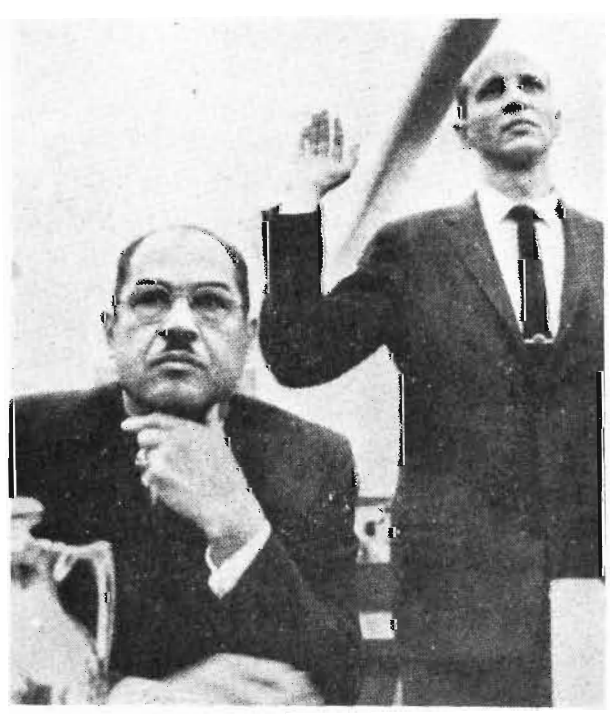
WHITESIDE **SOME OF THE $11,360 IN CHECKS HE WROTE TO HIS FRIEND** **MACK**

—Broadcasting, Sept. 29

celed.

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.



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

Mystery and western shows also continued to abound. *77 Sunset Strip* (ABC), an attempt at "crime with sophistication," with Efrem 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 programing 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 programing 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

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 applications 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.

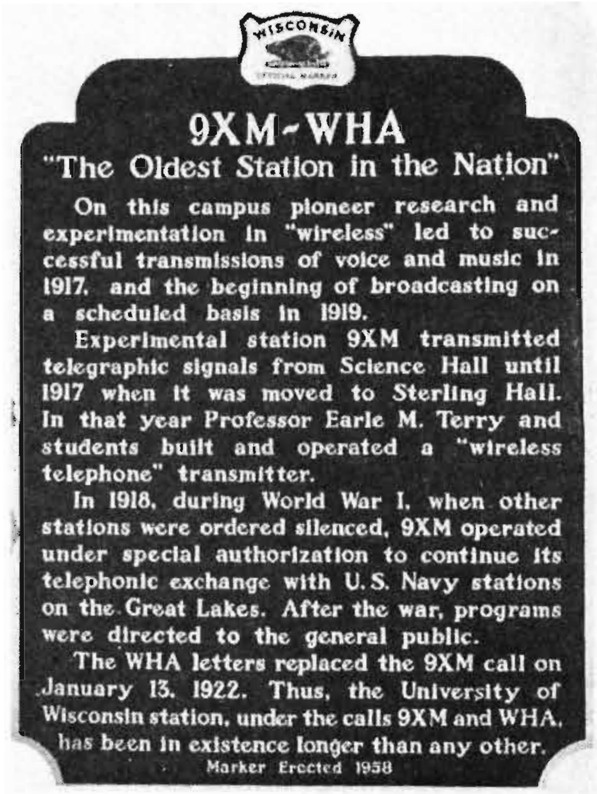
The FCC worded its dilemma this way: "If the CATV system . . . is obliged to discontinue, the local residents would be deprived of two, three, four, or five services which these facilities provided. As against this, the continued operation of CATV systems . . . is charged by some as threatening and in 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



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 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."

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

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."

The First 50 Years of Broadcasting

1959

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...

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 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

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 station, unlike in sponsorship, received no remuneration. The FCC questionnaire, which attempted to cull information about payola, was also designed to uncover plugola.

THE CELEBRATED DEBATE AS RECORDED ON TAPE
They talk on as tapes and cameras turn

Broadcasting, Aug. 3

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

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 *Hennesey* 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 programing and advertising, and FCC Chairman John Doerfer asked the networks, in partial expiation of their sins, to expand their public service programing 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 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.

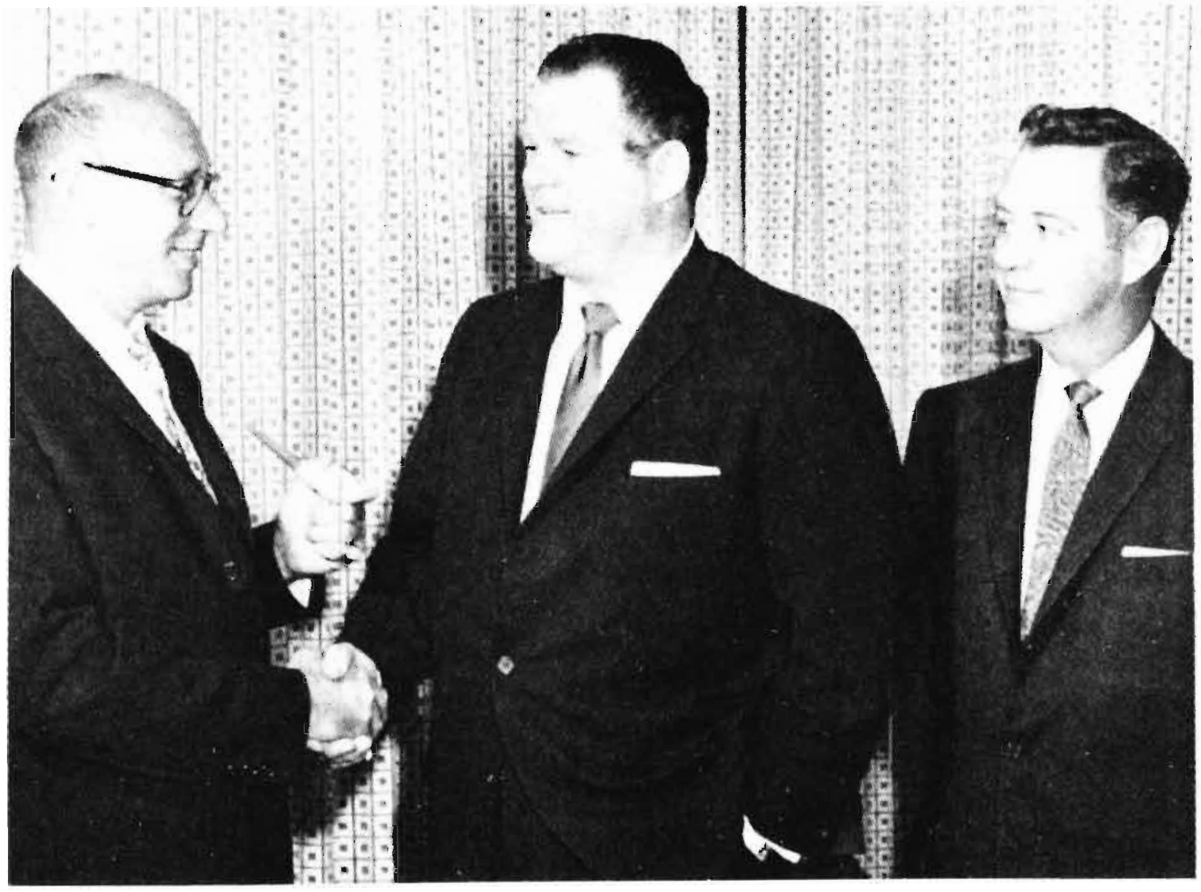
BROADCASTING summarized the situation this way: "There's no relief in sight for the small-market telecaster who is fighting for survival against the community antenna operators. The outlook for legislation to place cable stations under FCC licensing is bleak indeed. While a Senate Commerce subcommittee 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.

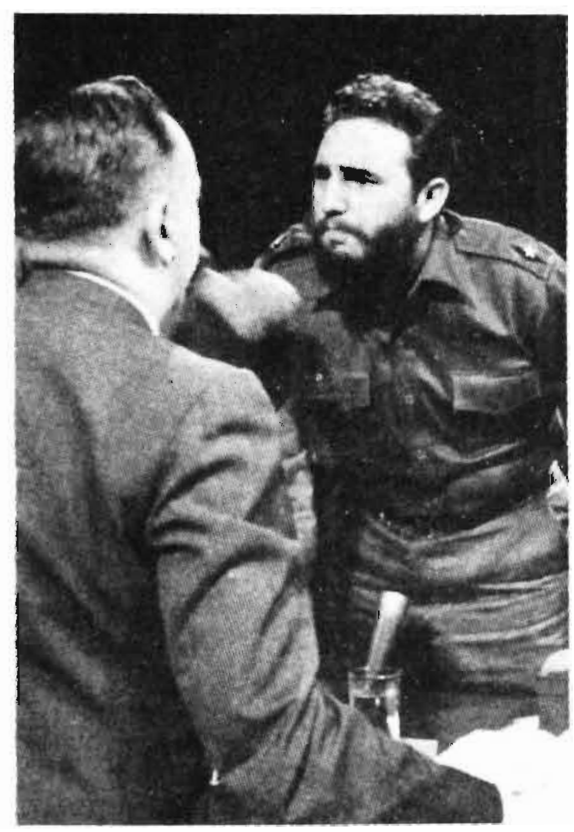
The Supreme Court in July 1959 ruled in a 5-4 decision that broadcasters were immune from libel actions arising from the appearances of political candidates. With this for momentum, broadcasters pushed for a revision of Section 315.

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 first-hand 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

Face the Nation.

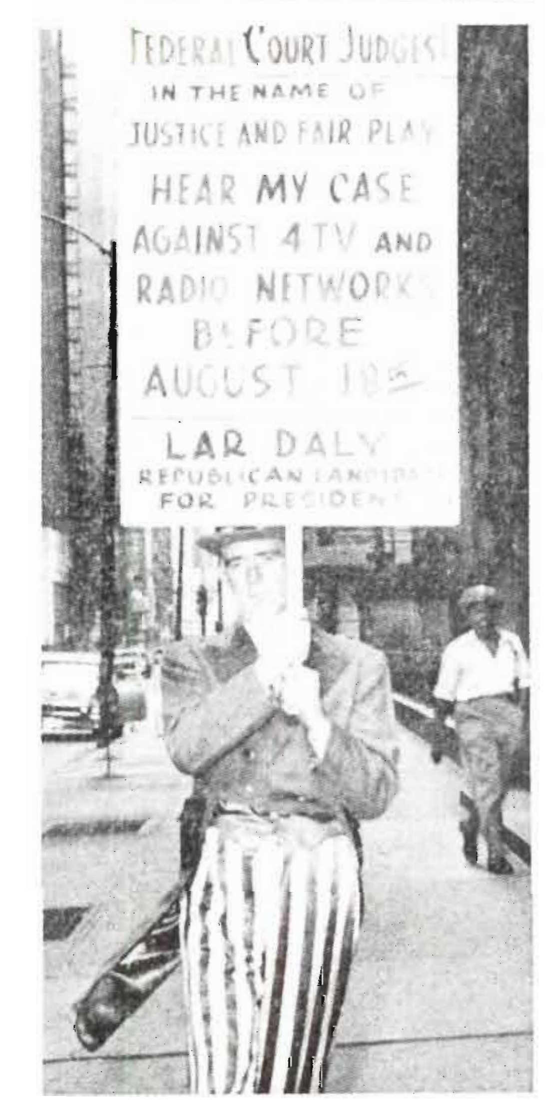
Concerns about the former Section 315's rigid requirements had been fueled earlier in 1959, when Chicago's Lar Daly won equal time, under an FCC 4-3 decision, after the mayor of Chicago had appeared on regularly scheduled newscasts. Daly, a perennial candidate for mayor and other offices who became known 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, "counterprograming—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 programing, planned to broadcast a minimal amount of special programing, 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 *Dennis 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 programing 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."

The First 50 Years 1960 of Broadcasting

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 . . .

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.

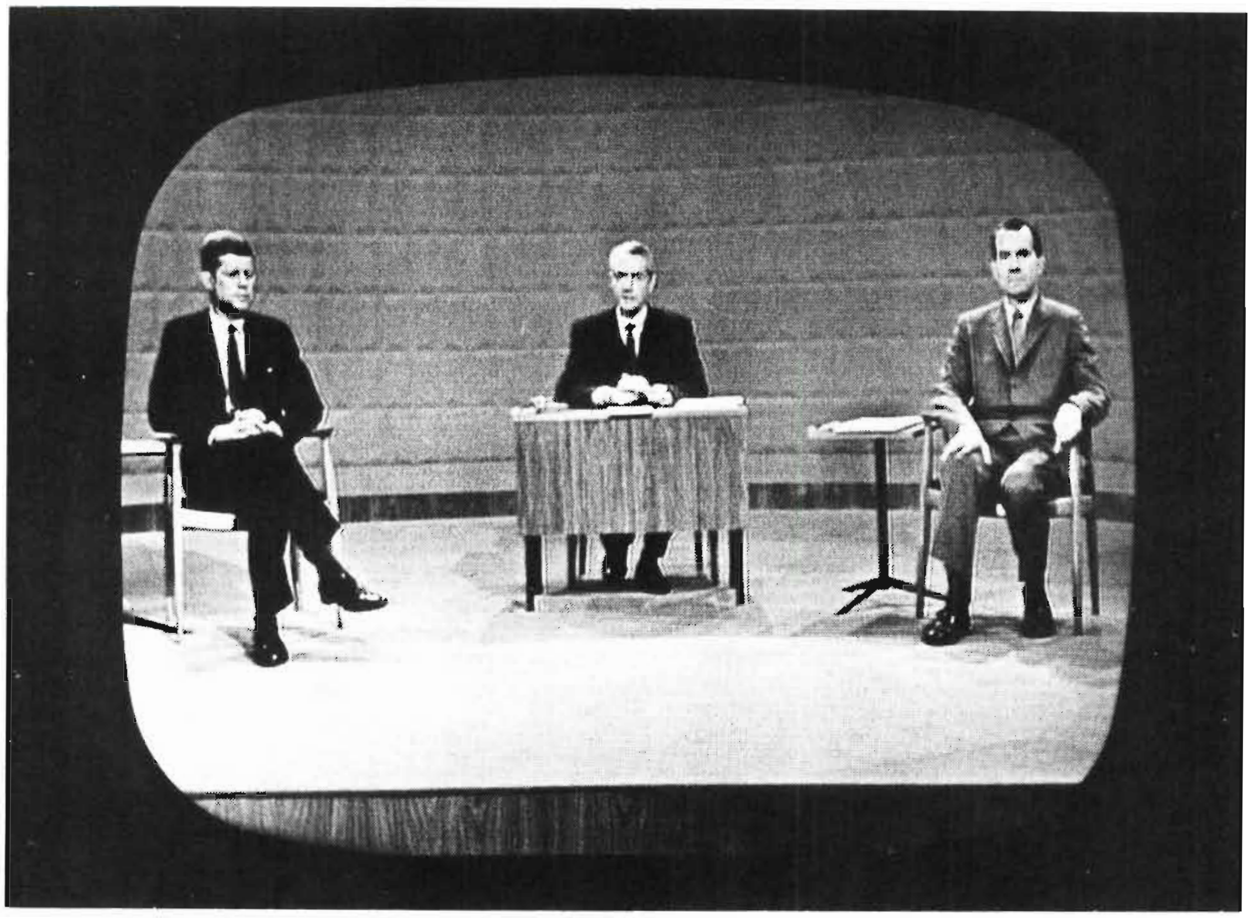
"By political accident broadcasters have been given a chance," BROADCASTING editorialized, "and a good one, to cover the 1960 election campaigns with the same freedom accorded the press. This is an opportunity that cannot be ignored by any broadcaster who aspires to a status superior to that of jukebox 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 haggard. 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



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 programing in 1960, there was a pronounced trend toward network control of their programing. 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

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 McCollough (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. McCollough'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

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 Lindstron 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 ...use A... Ma's ...d-

Ma Perkins
Her last cup of tea

court case has come to a satisfactory close, even though the missing w... had...

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 ...r place, Terry gets ...th-

—*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 submission 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 Guterma, 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 programing, 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, 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 world-wide 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 expedite 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 spectaculars 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 members 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 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."


Updates opinion

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."

—Broadcasting, March 14

The First 50 Years of Broadcasting

1961

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 ...

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 programing.

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 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 conventioneers 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

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*

Jersey Governor Robert B. Meyner. Meyner, concerned that his state was losing its only VHF allocation and that his state's programing needs were being neglected, charged the FCC with bias in the proceedings. The sale to ETMA was completed after ETMA made programing 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 1-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, "dramatically 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.' "

Gov. Collins

Broadcasting, May 15

Outside programers 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."

Counseling with subcommittee chairman Thomas Dodd (D-Conn.) (second from right) is Carl Perian, staff director. Sen. Estes Kefauver (D-Tenn.) is at right. Dr. Ralph J. Garry, consultant to the subcomittee, is at left.

Broadcasting, June 19

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 programing, 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 programing, 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 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 programing. 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 programing 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

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

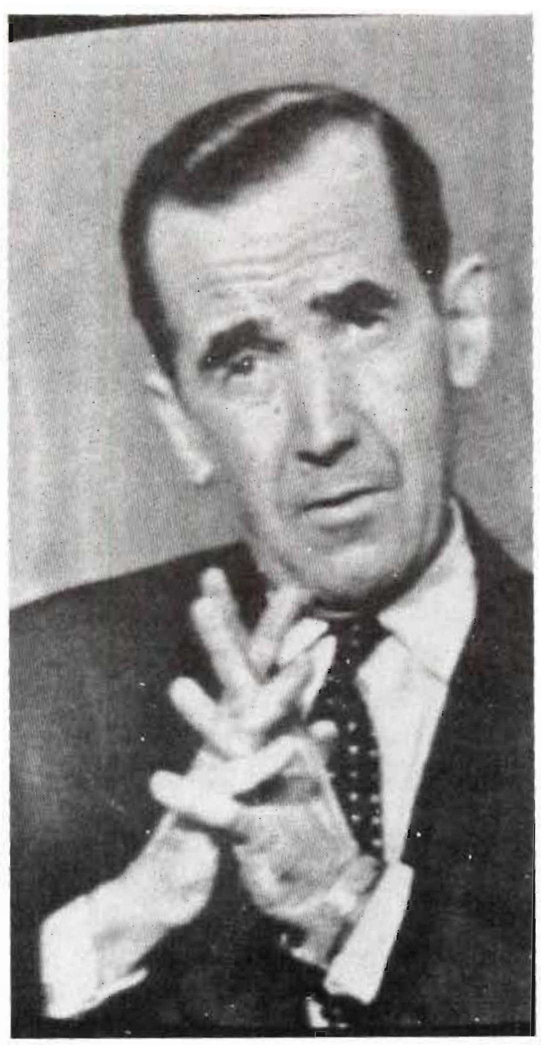
Edward R. Murrow bade goodbye Jan. 31 to CBS Inc. and the network's affiliates via closed circuit. His selection to become director of U. S. Information Agency becomes official upon Senate confirmation, but already he is getting acquainted with one of Washington's tougher jobs.

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 already, 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



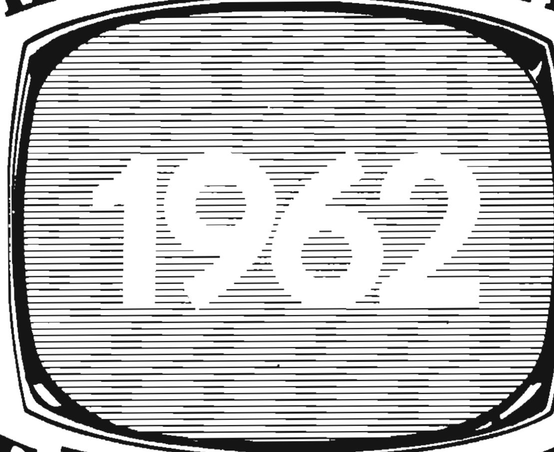
Mr. Murrow will be asked to testify on the Sec. 315 equal-time legislation in March when permanent suspension of the clause will be discussed by a Commerce subcommittee. It was indicated a Murrow criticism of the presidential campaign debates might be reviewed at that time. The full Commerce committee hasn't set a date for his confirmation hearing.

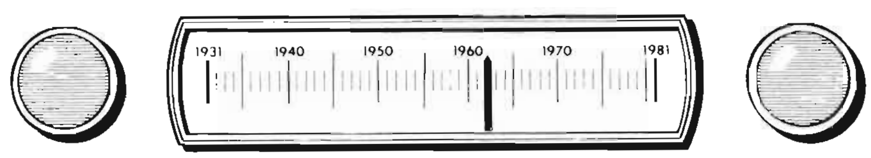
Mr. Murrow's selection for the important USIA directorship was announced at the White House last week (CLOSED CIRCUIT, Jan. 30), but formal nomination had not reached Capitol Hill late in the week. However, he worked at the USIA office last week. In an unusual step President Kennedy included Mr. Murrow 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

The First 50 Years of Broadcasting





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 deja vu among oldtimers at the FCC, the commission went house hunting for larger quarters. And in BROADCASTING ...

Comsat, 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 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 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 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, KAAY Little Rock; Ralf Brent, WRUL New York (shortwave); 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.

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... ical c... remai...

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 rep... had ignored the advice of ... ast br... 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's statement on tobacco advertising. This is a code matter and the established code organization is the proper forum for it."

A week before Willi... B. Lodge, CBS-TV ... reside... liate...

Broadcasting, Dec. 3

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 advertiser'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.

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

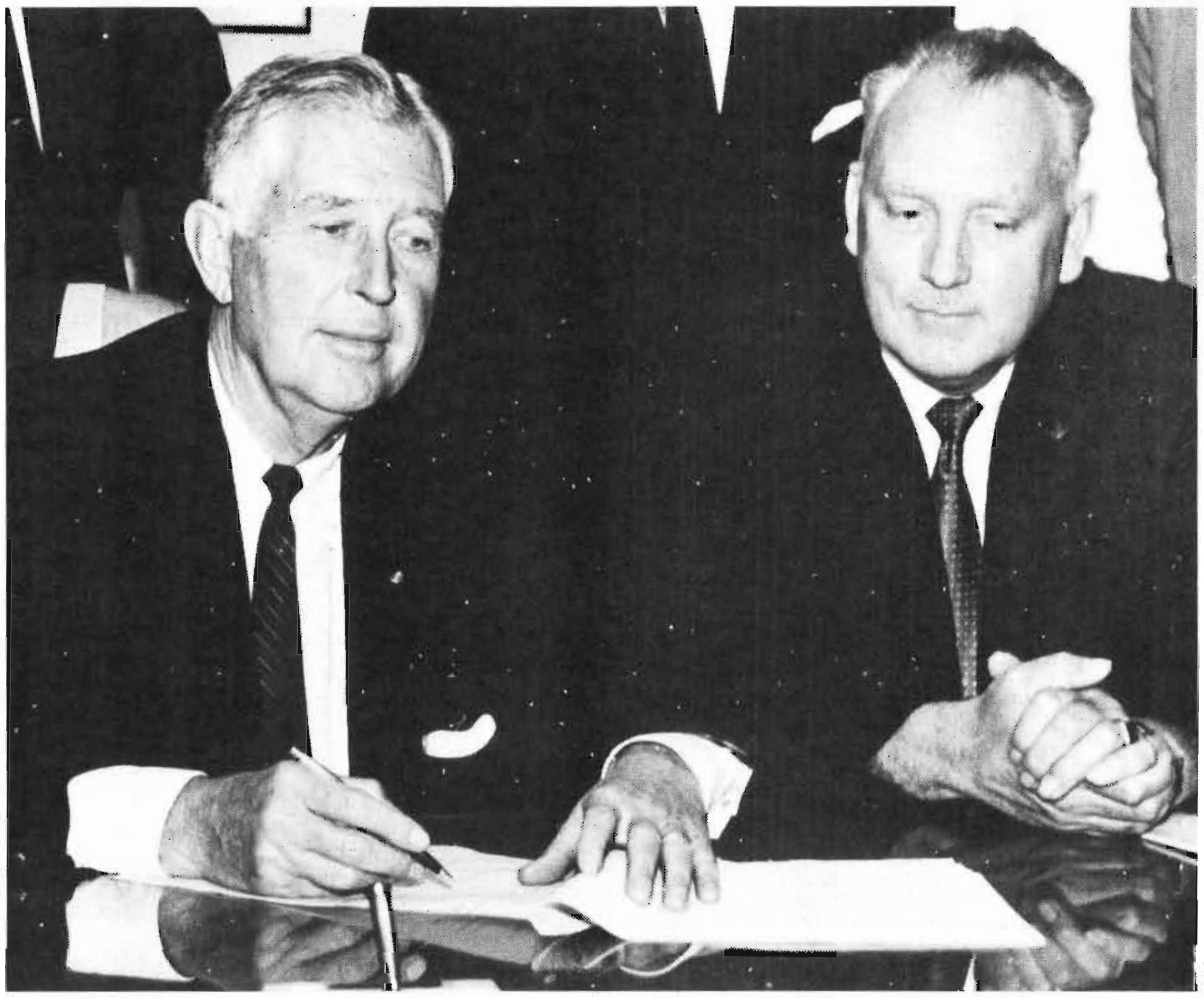
In a victory for educational television, Congress voted $32 million for educational television stations with the proviso that they raise matching funds. President Kennedy felt the legislation "marks a new chapter in the expression of federal interest in education. ... This act gives equal promise of 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



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, president 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 programing. 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 programing 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 obligations." 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 programing 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 programing 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."

THE FIRST 50 YEARS OF BROADCASTING

1963

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 Dihn 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 . . .

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 programing 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 programing. "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 Brittanica.

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 programing 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 comfort. . . . 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 influence 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 programing 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

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 programing 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.

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.

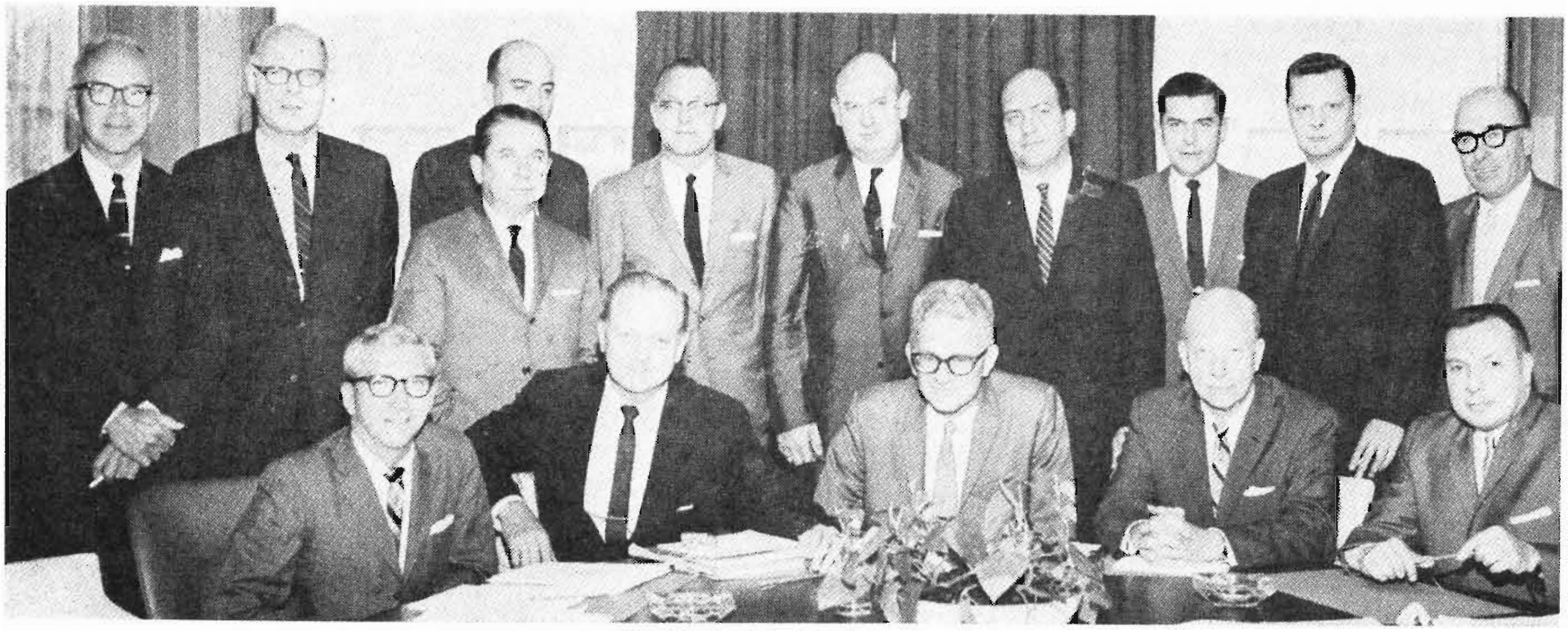
—Broadcasting, April 8

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 programing. 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 programing), 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 programing 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



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.

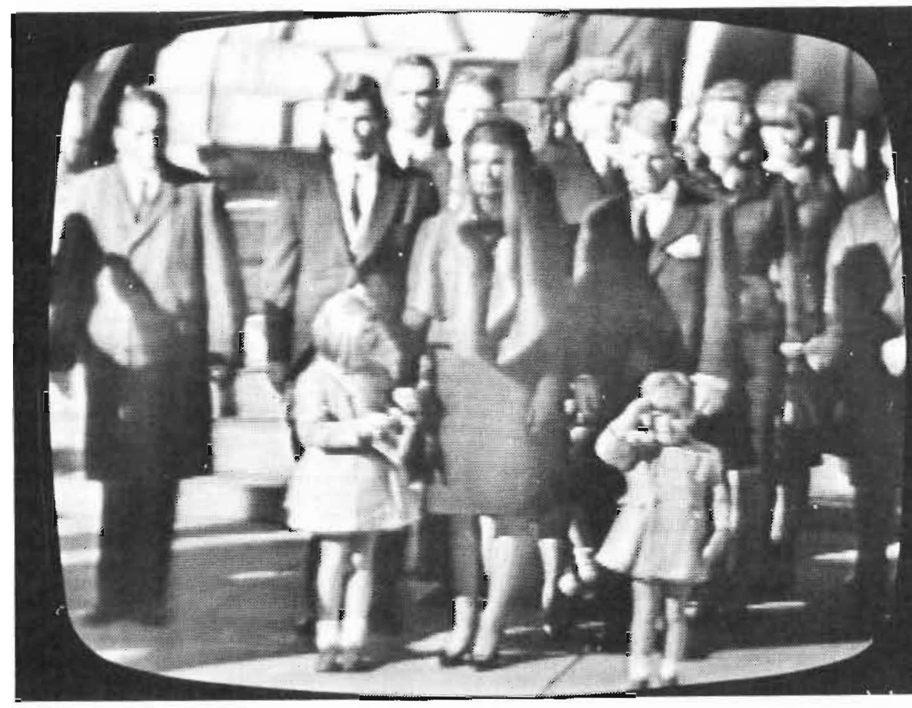
Despite the testimony of network executives that ratings were just one measure of a program's worth, ratings continued to be a powerful factor in programing decisions. As BROADCASTING reported, "With more money than ever before riding on the outcome, advertisers and agencies this fall will be watching 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 Conners; *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



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 Hailie 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 programing 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 programing. 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."

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

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 programing, 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

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*

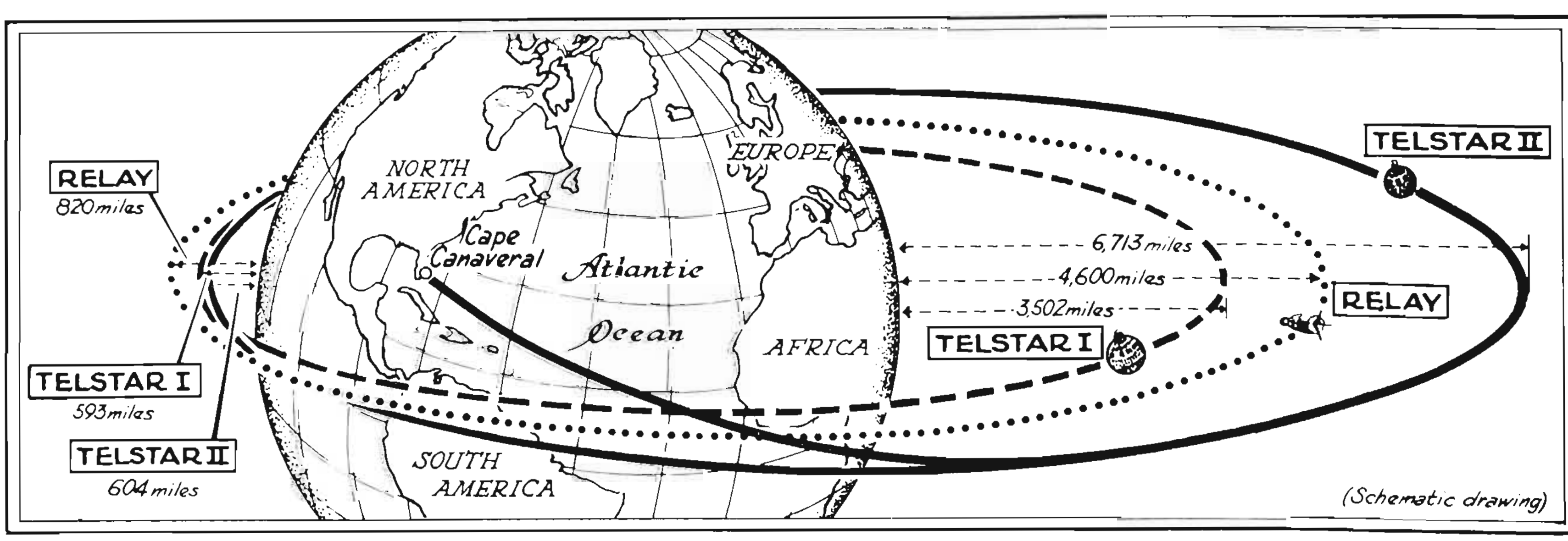
The first live telecast of an astronaut in orbit flashed through space in May, but the resulting pictures were not too good for regular broadcasting (see photo left).

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.



—*Broadcasting, May 13*

The First 50 Years of Broadcasting

1964

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 ...

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 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, announced 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

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' programing. 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 programing 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 programing. 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* reduction in the objectionable content of prime-time programing. 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 programing, the establishment of new program standards, the mandatory enforcement of NAB's TV code, the ascertainment of the community's views of good programing 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 programing, but it rejected Dodd's recommendations as beyond the legitimate realm of government concern. "The basic responsibility for programing 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 programing . . . to the area of advocating with favor or disfavor specific categories of programing, 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 abridgement."

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 of a beautiful robot played by Julie Newmar.

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

As a disseminator of public information and a chronicler of events, broadcasting received accolades for such special programing 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 programing.

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

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 programing. 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."

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

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.

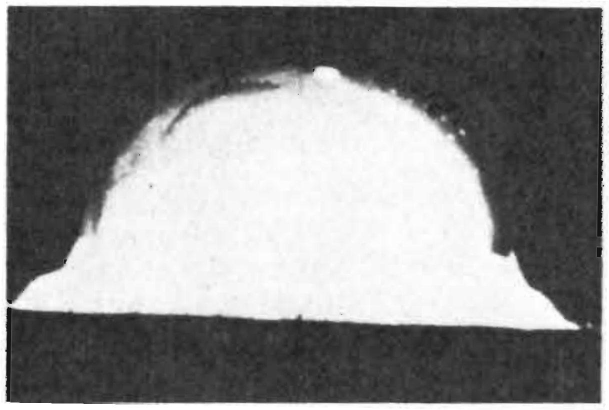
The specter of pay television catalyzed opponents into a coalition that drafted a California state referendum that was to outlaw all forms of pay TV as contrary to "public policy." BROADCASTING analyzed the situation as "Whatever the outcome of the California vote on Nov. 3 ..., the theater owners who 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



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 ostensible 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

THE FIRST 50 YEARS OF BROADCASTING

1965

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 . . .

The FCC in 1965 made moves to regulate cable television and to restrain the TV networks' so-called domination of programing 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 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

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 hardline 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' programing. NAB General

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 programing 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 programing, 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 programing 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 consequences 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, programing 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 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

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 programing 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 programing 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.

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.

Broadcasting, Oct. 11

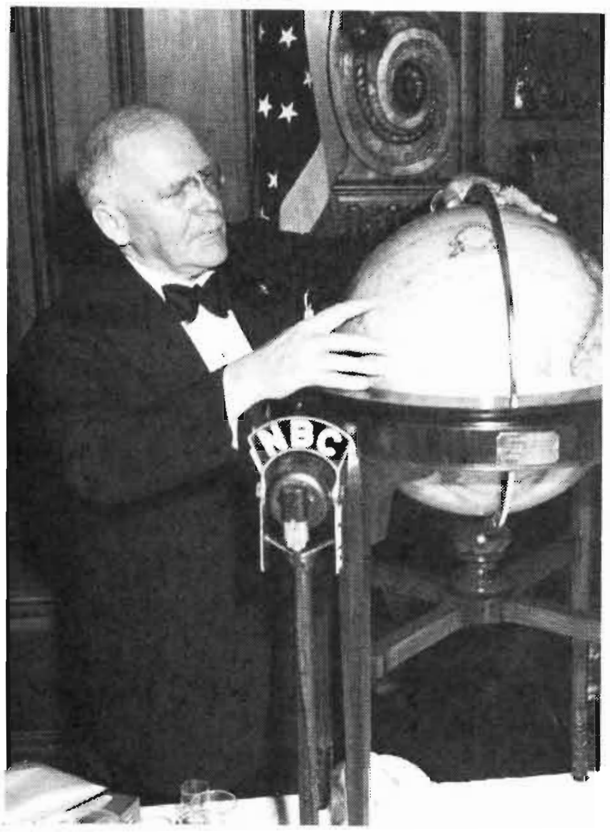
A standard for realism in advertising was set when the Supreme Court in April affirmed a Federal Trade Commission ruling that Colgate-Palmolive and the Ted Bates agency engaged in deceptive practices when they showed a TV mock-up of what they purported to be sandpaper being shaved clean by the single 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.

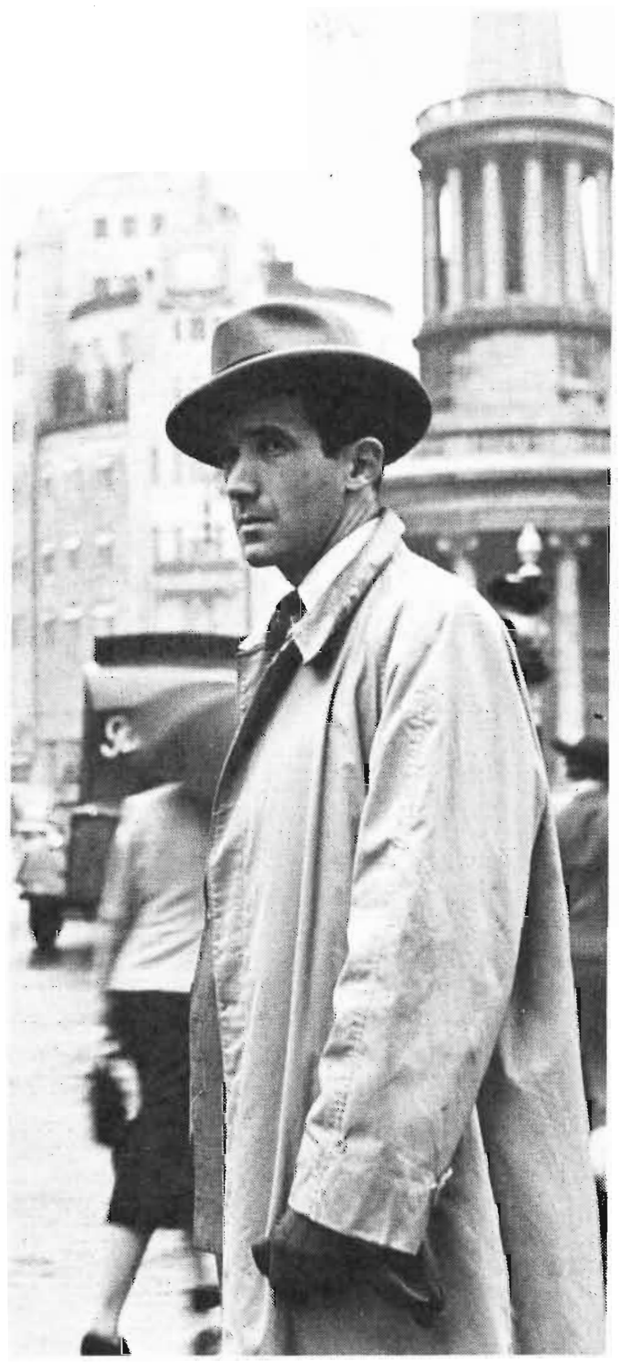
To cover the Gemini 4 June flight that included dramatic pictures of Major Edward White's space walk, the networks spent over $4 million. Throughout the eight-day flight of Gemini 5 in August, the networks provided updates and programing, much of it in color. For the splashdown of Gemini 6 in December, 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-



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.



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.

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 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."

THE FIRST 50 YEARS OF BROADCASTING

1966

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 . . .

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 programing.

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.

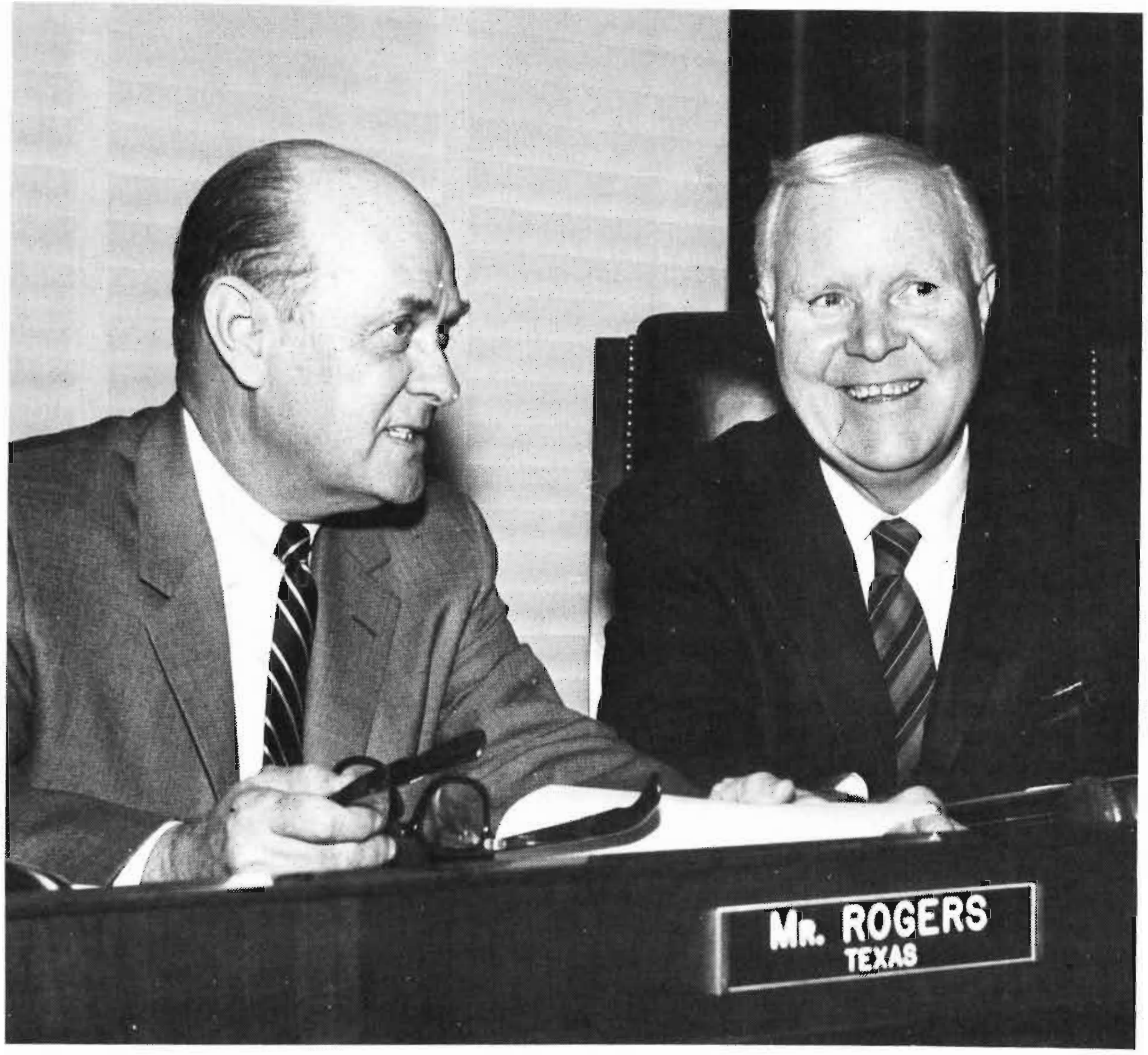
FCC Chairman Henry defended the commission's proposed rules as "a fair accommodation of the needs of both broadcast and CATV interests in bringing service to the public." Representative Rogers disagreed, claiming that the FCC, in asserting jurisdiction over the "reception" of radio signals, had strayed into the area of censorship of broadcasts, jeopardizing ". . . 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 programing 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



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 programing. "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 battlefront 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."

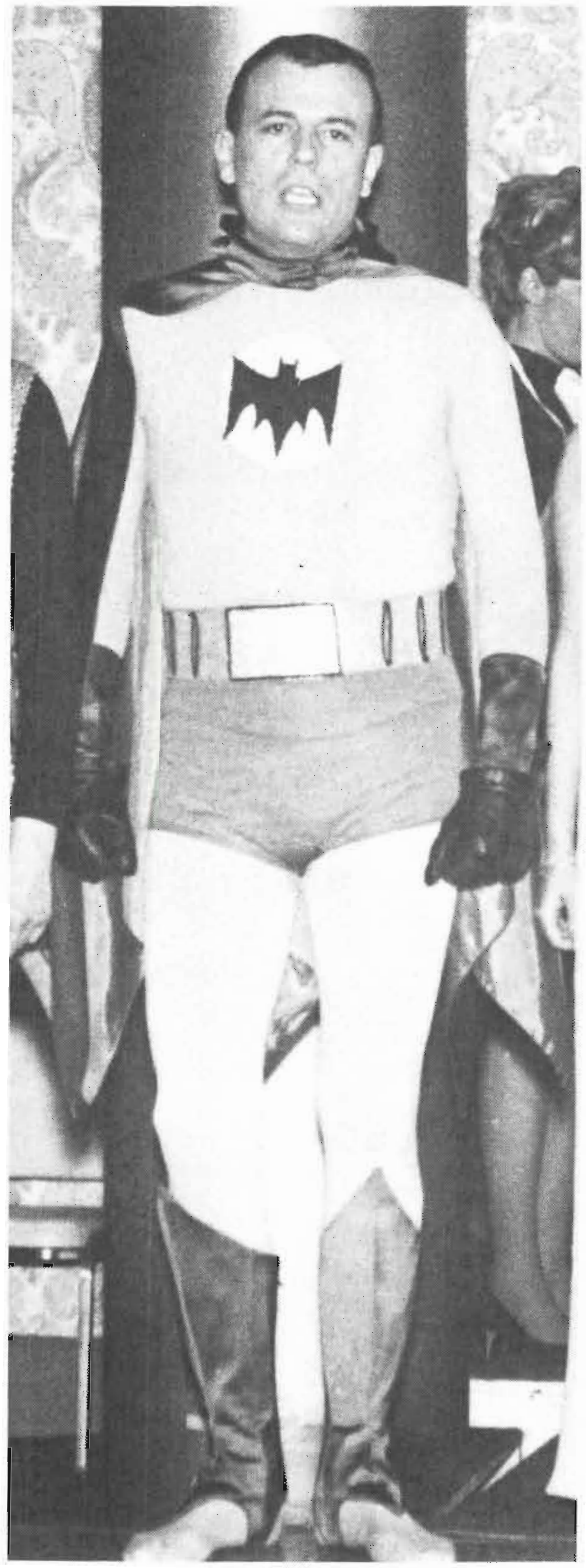
CBS ran into internal problems in February when John A. Schneider, who had just taken over as CBS Inc. group vice president in charge of all broadcasting divisions, refused to clear the CBS-TV network for live, daytime coverage of a Senate committee hearing on Vietnam. Schneider contended that much of 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 WGCB(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 explanation that the health issue had been thoroughly covered in news and other programs, Banzhaf went to the FCC.



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.

[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."

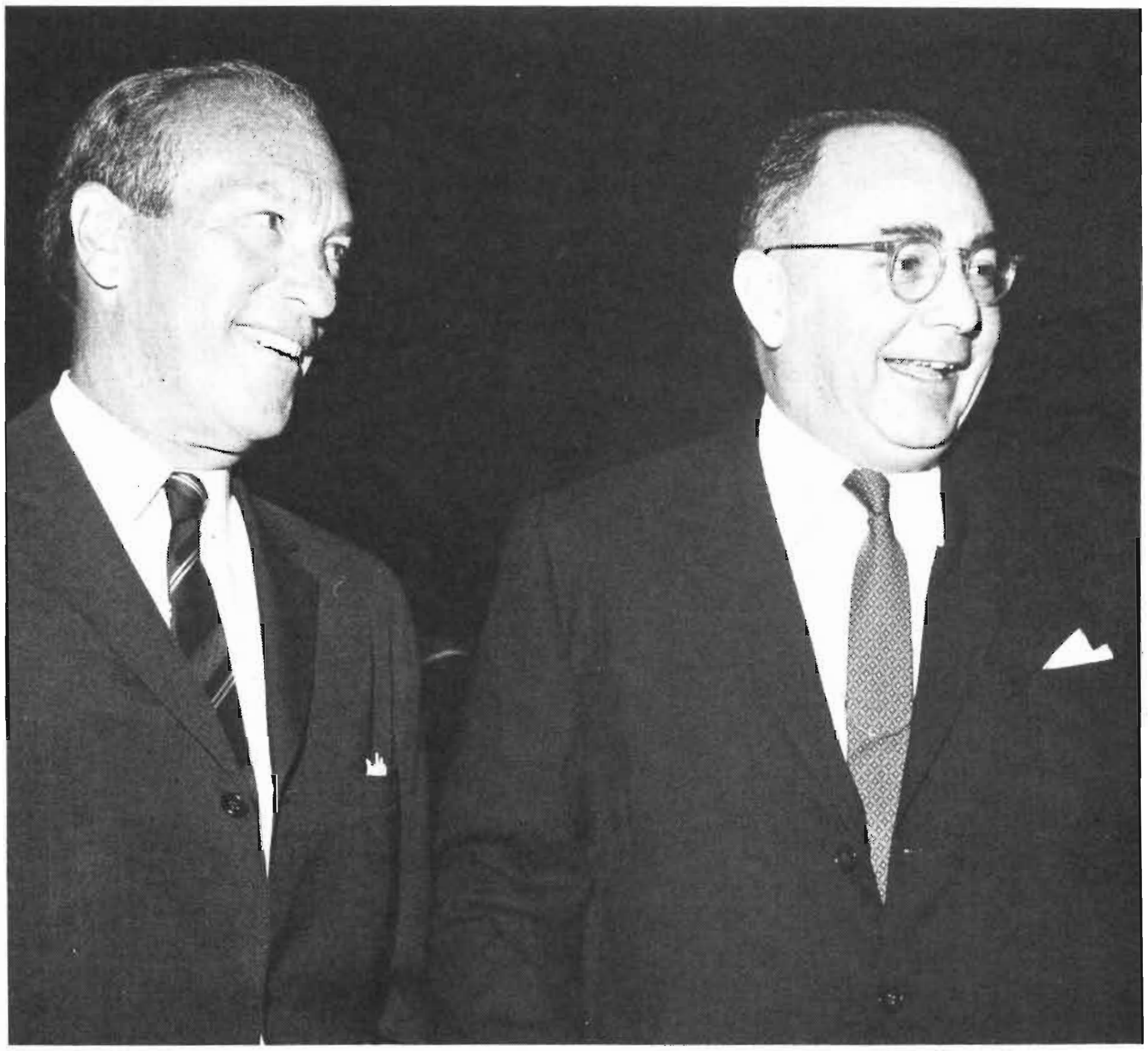
On the copyright issue, BROADCASTING urged "stations ... to argue for the retention of the present copyright law. No doubt the CATV interests will be doing all they can to get Congress to adopt legislation giving them relief from the decision of the federal court [which held CATV's liable for copyright payments]. They are no more entitled to that legislation than they are to the free ride they have been taking on the programing they snatch from the air." And the battle continued.

To lessen network control of TV programing and to help independent producers, the FCC continued to push its "50-50" proposal for network programing. That rule would limit to no more than 50% the amount of nonnews programing 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 programing, 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



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 programing 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 programing.

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.

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.

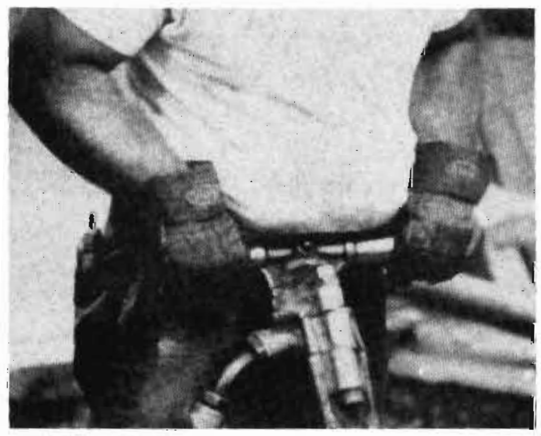
"Man's accomplishments in space," BROADCASTING commented, "leave us speechless, and we find that we are also running out of words to describe television's coverage of those events. The Surveyor spacecraft's pictures from the moon and the Gemini 9 flight, especially the on-camera splashdown, are the most 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.

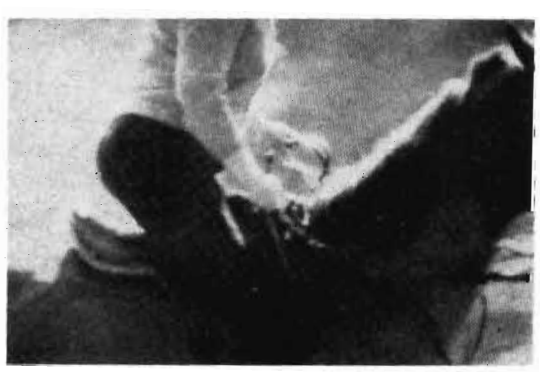
It all started last winter when Liberty producer Joe Saraceno decided the Alka-Seltzer music had all the elements of being a hit single record. He contacted Miles Labs in Elkhart, Ind., and received full rights to go ahead with the project.

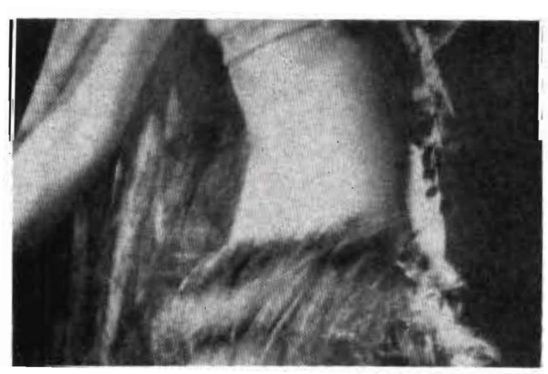
Perry Botkin Jr. was called in to arrange the instrumental and he gave it a rock-'n'-roll top-40 type sound. Then a pick-up group of musicians —lead, rhythm and bass guitarists, drummer and organist—were thrown together to record the music. The record was called "No Matter What Shape (Your Stomach's In)" and the recording group was named the T-Bones.

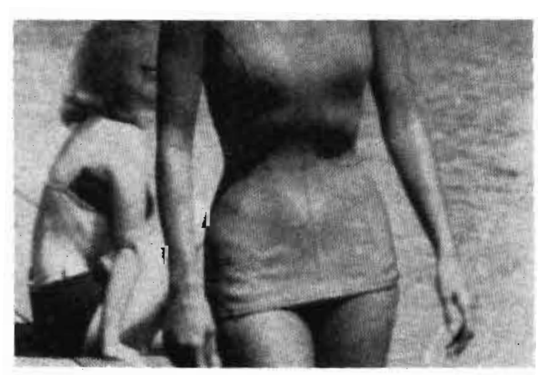
The combination had instant success. In less than two months on the market, the record is already number three on most national popularity lists. Liberty officials feel it's well on its way to chalking up that recording business millennium: a 1-million record seller.

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

THE FIRST 50 YEARS 1967 OF BROADCASTING

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 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 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

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."

The new head of the Voice of America in 1967 was John Charles Daly Jr. (right), longtime network newsman 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

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 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 perservered 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 Network.

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

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 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 programing 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.

Eugene V. Rostow of the State Department was LBJ's choice to chair the new task force on telecommunications policy.

—Broadcasting, Aug. 28

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

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 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 programing standards when renewing licenses. Johnson charged the commission with making an appearance of considering station programing 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 where 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 programing, 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 programing 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

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 Broadcasting 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 bobtailed 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 television ought to be developed through closed-circuit systems.

Gov. Ronald Reagan

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*

The First 50 Years of Broadcasting

1968

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 . . .

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 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 programing 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

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

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 behooves 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

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 programing. 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 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 programing and that at least 10% of the offerings had to be other than sports or movies."

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

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

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

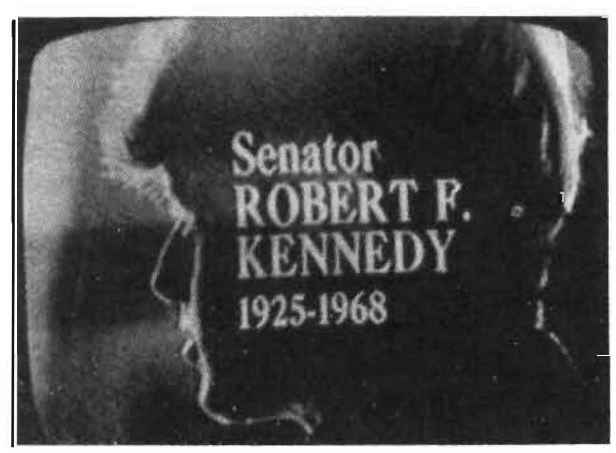
below the top 100 by limiting the signals that CATV's could import.

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

THE FIRST 50 YEARS OF BROADCASTING

1969

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 ...

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, WGCB-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 unabridgeable 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 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 programing 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—

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 concerned 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, KVGB *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

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.

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

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 astronauts 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"

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 programing, although a 210-page report on the production, procurement, distribution and scheduling of television programing 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 programing, 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 argument 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 programing "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 programing 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 competiton 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."

THE FIRST 50 YEARS OF BROADCASTING

1970

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 ...

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 candidates 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."

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 presidential 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-

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 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.

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.

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

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 nonreserved 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 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 illusionary, 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!"

Broadcasting, Dec. 28

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."