

# Rules on Politics Laid Down by FCC

## Provisions of Law Restated; Rebates Are Prohibited

SEEKING to dispel the uncertainty surrounding handling of political broadcasts, the FCC July 1 adopted new rules designed to guide stations in their scheduling of speeches by candidates for public office, as required under the terms of the Communications Act.

In effect the FCC restated the provisions of Section 315 of the Communications Act, requiring that stations give all qualified candidates for public office equal opportunities for use of their facilities. Two provisos departing from the language of the law itself also were incorporated. One of these specifies that a station may not rebate, in any fashion, money paid for purchase of time. This is construed as meaning that a broadcaster may not contribute to the campaign of a candidate for public office in a way that would be construed as reimbursement for funds expended for time.

### Must Keep Complete Record

A second new provision requires stations to maintain complete records of all requests for political broadcasts, and the disposition made of them. These records would be open to public inspection.

The rules grew out of a request for clarification made late last month (BROADCASTING, July 1) on behalf of WTAR, Norfolk, Va., by its general manager, Campbell Arnoux, and its Washington counsel, Eliot C. Lovett. The station had complained that stations were caught in an insufferable dilemma by lack of such rules.

In addition to the WTAR petition, the FCC also had received a complaint from a candidate for public office having to do with the use of facilities over a station in Texas, it was learned. The combination of the two, together with the fact that political campaigning is now reaching its peak period, resulted in the conclusion that expeditious action should be taken.

Chairman McNinch in announcing the rules, said:

"The Commission hopes and believes that the rules adopted will be helpful to broadcasting stations and political candidates alike. While no set of rules or statute can specifically cover all situations that may arise, conformity to the spirit as well as the letter of these rules will enable stations to make their facilities available to political candidates upon terms and conditions which will assure fair treatment to all.

"The Commission will, of course, insist upon good faith in the application of these rules and will deal vigorously with infractions thereof."

### Oke-Doke Breaks

KRAFT-PHENIX CHEESE Corp. Chicago (Oke-Doke cheese popcorn), is planning a late summer campaign in Des Moines, St. Louis, New York and New England States according to reliable sources. It is understood that a series of 20 and 30-word station break announcements will be used. J. Walter Thompson Co., Chicago, is agency.

### Kellogg List Picked

KELLOGG Co., Battle Creek, Mich. (Cornflakes), on July 18 will start a five and 10-minute transcription series on 48 stations for nine weeks [BROADCASTING, July 1]. The five-minute discs will feature John Harrington, sports-caster of WBBM, Chicago, in a four weekly interview series with baseball stars. Ed Thorgersen, special NBC sports-caster, will be featured on the 10-minute discs in a thrice weekly evening interview series for broadcast in the New York area.

Stations, according to Gene Fromherz, time buyer for J. Walter Thompson, Chicago agency handling the account, are: WTC WGSB WJVS WCAO WHP WEEU WPTF WTAR WDBJ WSYR WGY WOKO WIBX WIRE WAVE WKRC WTAM WBNS WHIO WSPD WKCA WLEU WBBM WTMJ WDAF WTBW KFH WEBC WCCO WDAY KFYR WMT WHO WLW WDLW WBOW WJAX WIOD WFLA-WSUN WSB WFAA-WBAP KARK KWKH WJDX WMC WKY KVOO.

### Ownership of Radio Sets In Villages Is Surveyed

FROM 76 to 93% of the white families in selected villages surveyed by the U. S. Department of Agriculture are owners of radio sets, with 27 to 42% owning pianos and 13 to 22% phonographs. These figures are based on a study conducted under direction of Dr. Louis Stanley, chief of the Bureau of Home Economics. They cover data collected in 1935-36 but made public July 6.

By regions the ownership of radios in typical village homes was: 93.4% in New England; 89% in North Central and Middle Atlantic; 85.2% in Mountain and Plains; 92.4% in Pacific; 76.1% in Southeast (17.9% negro families only).

### Sears Adds 17

SEARS, ROEBUCK & Co., Chicago (mail order and retail stores), on Aug. 15 will add 17 stations to the six broadcasting *Grandma Travels*, a quarter-hour transcription series (WNAX WEAU WCCO WDAY WEBC KFYR). Stations to be added are: KWKH WOAI KBST WFAA KPRC KGNC KRGV KFYO KFRU WDAF KVOO KFH KOMA KGNO KGNF KGTO KMA. It is understood that WIBW and KFAB may be added to the list. Blackett-Sample-Hummert, Chicago, is agency.

## Text of New Rule Covering Politics

IT IS HEREBY ORDERED That the following rules be included in the Rules Governing Standard Broadcast Stations (Chapter III, part 36):

"Rule 36a 1. No station licensee is required to permit the use of its facilities by any legally qualified candidate for public office, but if any licensee shall permit any such candidate to use its facilities, it shall afford equal opportunities to all other such candidates for that office to use such facilities, provided that such licensee shall have no power of censorship over the material broadcast by any such candidate.

"Rule 36a 2. The following definitions shall apply for the purposes of Rule 36a 1:

(a) 'A legally qualified candidate' means any person who has met all the requirements prescribed by local, state or Federal authority, as a candidate for the office which he seeks, whether it be municipal, county, state, or national, to be determined according to the applicable local laws.

(b) 'Other candidates for that office' means all other legally qualified candidates for the same public office.

"Rule 36a 3. The rates, if any, charged



SIGNING a final WBAP sponsor's contract just before relinquishing his post to Herb Southard (left) former chief announcer, George Cranston, director of the Fort Worth station, went to KGKO Fort Worth, as assistant general manager, succeeding Darrold Kahn, resigned.

### AIR CENSOR-FREE CIVIL UNION SAYS

IN ITS annual survey of the status of civil liberties, the American Civil Liberties Union announced July 8 that radio, along with motion pictures and the theatre, enjoyed comparative freedom from censorship.

"While censorship by station managers continues as a part of the accepted setup," the Union added that the FCC for the first time assumed such powers in criticizing the Mae West-Charlie McCarthy sketch. When the Commission announced it would take into consideration renewals of licenses of stations carrying the broadcast, the Union stated it had protested "this announced assumption of power by the Commission" and that as far as it knew, it had not been exercised.

While no cases of censorship by station managers came to public notice, the Union said it was a matter of common knowledge that the networks do not sell time to labor unions "in order to avoid being drawn into industrial strife; nor do they sell time to employers' associations. But the inequity of the situation is plain, for employers are able to get across their propaganda in commercial programs."

The Union, concluded the radio portion of the announcement, endeavored to push in Congress bills "which would correct this inequality of opportunity to reach the public." Failure to hold hearings was ascribed to politicians "desirous of retaining the good will of the radio industry."

### Cranston Succeeds Kahn, Resigned, at KGKO as WBAP Names Southard

RESIGNATION of Darrold Kahn as business manager of KGKO, to enable him to look after personal broadcasting interests, and appointment of George Cranston, WBAP director, as his successor, were announced July 5 by Harold V. Hough, general manager of both of the Fort Worth stations.



Mr. Kahn

Herb Southard, WBAP chief announcer, was named to succeed Mr. Cranston at WBAP. Both Messrs. Cranston and Southard assume the titles of assistant general manager of their respective stations.

Mr. Kahn, who came to Fort Worth with KGKO upon its removal from Wichita Falls last May, resigned to devote full time to his personal radio interests. He is secretary-treasurer of the Beaumont Broadcasting Corp., which has an application pending before the FCC for acquisition of KFDM, from the Magnolia Petroleum Co.

Mr. Cranston came to Fort Worth in 1930 and took the position of Director of Sales and Program of WBAP. He is a native of Scotland, and came to Fort Worth from Chicago, where he was associated with Bill Hay in several Pioneer Chicago Vocal Clubs. He pioneered the establishment of the Texas Quality Network and has been active in it since. This year, he inaugurated the WBAP Texas Prison series. At odd times, Cranston takes part in choral work, which is his chief recreation.

Mr. Southard joined WBAP as Chief Announcer in 1931. He is 39. During the 1936 and 1937 Billy Rose shows in Fort Worth, he was in charge of radio production. He was the announcer for Paul White-man while he was in Texas. Mr. Southard came to Fort Worth from Ft. Smith, Arkansas, and began his radio career in the '20s on a small station there. He will continue to handle, as an announcer, top flight commercial shows on WBAP.

### More for Korn Kix

GENERAL MILLS, Minneapolis (Korn Kix breakfast food), has added these stations for *Those Happy Gilmans*, quarter-hour five weekly transcribed serial show: Yankee Network (WNAC WNLC WVICWEAN WTAG WICC WCSH WLBZ WFEA WSAR WNBH WLLH WLNH WRDO) KPRC WVL WOAI KOIL WOC WHAM WSYR WGY WJW WTAM WHO WBBM. Korn Kix is also being sponsored on WGN, Chicago, during *Curtain Time*, a half-hour Friday evening dramatic show, 9:30-10 p. m. CDST, and it is understood that the show may be extended nationally in late summer. Blackett-Sample-Hummert, Chicago, is agency.

KSLM, Salem, Ore., was authorized by the FCC July 1 to shift to the 1360 kc. frequency with 500 watts full time. KPQ, Wenatchee, Wash., seeking the same frequency with 1,000 watts, was denied.