

NAEB NEWS LETTER

Office of Executive Secretary
Urbana, Illinois
January 15, 1939

WHAT ARE YOUR STANDARDS?

S. Howard Evans, Secretary of the National Committee on Education by Radio, 1 Madison Avenue, New York City, is collecting data on the standards which control selection of programs to be broadcast by member stations of NAEB. Will you please send direct to Mr. Evans any statement you may have on your station policy in the selection of broadcast programs. And also send a copy to your Executive Secretary. Pronto, Please!

FCC REPORTS TO CONGRESS

The Federal Communications Commission has made "substantial progress" in increasing its effectiveness as a regulatory agency through changes in practices, procedure and organization, Chairman Frank R. McNinch has told the Congress. In a letter of transmittal, accompanying the Commission's annual report to the Congress, Mr. McNinch said that reforms already effected "promise decidedly improved administration of the Communications Act."

His letter added: "These reforms have two broad purposes: First, greater efficiency, and second, the utmost protection attainable against possible improper influence by those having business with the Commission."

The accumulation of broadcasting cases and other work "has been handled and made practically current" through a speeding up of activity and a great deal of overtime work, the Chairman said. He noted also the abandonment of the divisional method of organization, the abolishment of the Examining Division and other steps to reorganize the Commission's administrative set-up.

Reorganization steps alone, however, "cannot be a complete cure" for the Commission's overload of work, Chairman McNinch said, pointing out that the administrative task throughout the range of the Commission's functions is large, varied and difficult. He continued: "Experience has demonstrated that the Commission is gravely understaffed for its task and that this condition is largely responsible for the accumulation of work and the inability to keep a great part of this work current. Overtime work by the staff is unavoidable, and excessive.

"It amounted in the fiscal year to 2,062 days, or the equivalent of about 5 days for every person in the Commission's headquarters organization of less than 400 people. Since the end of the fiscal year the overtime condition has grown somewhat worse.

"To remedy this situation of understaffing, overload, and accumulation, as well as to provide more adequate and effective facilities for regulation, the Commission has recommended this year a substantial increase in its budget."

The Commission's report to Congress stated that the Commission is making a study of methods of organizing all communications facilities, including radio, telephone, and telegraph services, to provide for their prompt and efficient use upon the arising of any sectional or national emergency. The measures this study contemplates would be adapted not alone to national defense in time of need but to disasters such as those caused by flood, fire, or hurricane.

The report also noted that the Commission had studied certain situations which might result in recommendations for additional or amendatory legislation. One of these is the unlicensed operation of radio equipment by school children. Under present law such operation is a felony. Because of the severe penalties the Commission, prosecutors and grand juries approach indictments reluctantly in such cases. The report notes that the offense might be made a misdemeanor, with lesser penalties but more effective enforcement.

Similarly, with regard to possible recommendations for legislation, the Commission noted the danger that the usefulness of a large part of the radio spectrum for communication purposes may be destroyed by radio interference from diathermy or electro-medical apparatus. The report added: "This interference seriously impairs radio communication service at the present time and is rapidly growing in intensity."

The last fiscal year and the months since were characterized as "a period of significant developments and noteworthy progress, both during American communications and in the administration of this Commission to which Congress has entrusted the duty of regulating them."

Establishment of 47 new broadcasting stations was authorized during the fiscal year. This represented little more than a third of the new stations for which applications were filed.

Radio facilities for aviation were stated to have been advanced to the point that instrument landing systems are expected to be in actual service in the United States within a few months.

The Commission's investigation of chain and network broadcasting and of possible monopoly, supervised by a committee embracing, besides the Chairman, Commissioners Brown, Sykes, and Walker, "promises to produce much information of value," the letter of transmittal noted. This investigation is being conducted in order to get the necessary information upon which to base regulations and possible recommendations for legislation.

The Commission plans to submit a final report on the telephone investigation to the present Congress. This investigation was supervised by Commissioner Walker, and a proposed report was submitted during the fiscal year 1938.

A committee composed of Commissioners Gage, chairman, Craven, and Payne, has obtained evidence to guide the Commission in determining whether the new technical rules concerning broadcasting and the Standards of Engineering Practice formulated by the Commission should be adopted. Upon its completion, this committee's report will aid in formulating new policies with respect to the technical aspects of broadcasting, including a decision on the question of superpower.

NEW FCC PROCEDURE

The Communications Commission's newly established Motions Docket procedure, set up under the New Rules of Practice and Procedure, which became effective January 1, was inaugurated on Friday, January 6. On that day Commissioner Paul A. Walker heard motions and petitions in nine pending cases.

Hereafter a motions docket will be called at 10:00 A.M. on Friday of each week.

Under the old rules most of the motions and petitions were handled by a Commissioner without hearing the parties and without specific and uniform provision for the filing of opposition, although opposition was considered when it was offered.

Under the new plan the Commissioner designated to the Motions Dockets will study the motions and petitions and will also hear the parties at an open hearing. Full provision has been made for notice and opposition both through the filing of counter-motions and counter-petitions and through argument. A member of the Law Department will be present at hearings.

The Commissioner presiding will pass upon all motions, petitions, or matters in cases designated for formal hearing, excepting motions and petitions requesting final disposition of a case on its merits, those having the nature of an appeal to the Commission, and those requesting change or modification of a final order made by the Commission.

WATCH YOUR LICENSE RENEWAL

The Federal Communications Commission has announced that hereafter it will insist upon strict adherence to its rule requiring broadcast stations to file application for renewal of license more than sixty days in advance or expiration of the license.

No temporary broadcast licenses or extensions of licenses will be issued under any circumstances where the stations fail to file applications for renewal. When an application is received less than sixty days in advance of expiration of license, a temporary extension of license only will be granted, and the reasons for so acting will be made public.

Experience has shown that sixty days is the minimum time required for the staff to check and study applications adequately and for the Commissioners to give them effective study and consideration.

Under the Commission's rules applications for renewal of station licenses must be filed more than sixty days prior to the expiration date of the licenses. In many instances stations have filed applications late and in a few the Commission has failed to receive any application.

The Commission took the view that temporary extensions, even for thirty days, are unwarranted and may not be legally granted where no application has been filed. Licensees must accept full responsibility for filing their applications in good time and in proper form under the Commission's rules.

The Commission noted that the following stations are presently tardy with their applications for renewals. Stations KUSD, Vermilion, South Dakota; Station WCBS, Springfield, Illinois; Station WIRE, (Auxiliary Transmitter) Indianapolis, Indiana; Station WKAT, Miami Beach, Florida; Station WQBC, Vicksburg, Mississippi; Station KGDH, Stockton, California; Station KIEV, Glendale, California; and Station WJZ, Tuscola, Illinois.

Attention is also invited to the fact that the applications for renewal of licenses should be completed to reflect actual conditions at the time of filing the applications and care must be exercised in copying previous applications for renewal of license to determine that any changes in conditions are properly disclosed. It has been the experience of the Commission that where certain errors appear in an application, the same errors appear time after time. This necessitates either returning the application or writing the applicant at each renewal period and often necessitates the granting of temporary extensions while the repeated error is being corrected. When a licensee holds special authorization permitting operation different from that authorized by the license itself, (Use of additional time or power for temporary or experimental purposes) the application for renewal of the regular license should be made out as though the station were operating under the regular license alone, without the special authorization. The operation as it actually occurs under the special authorization should be set forth in an attached letter of transmittal, properly affirmed and in the event formal application is required for renewal of the special authorization such application should be filed simultaneously.

CHANCELLOR AND PRESIDENT JOIN IN KOAC APPEAL

If the great state-owned radio service agency, KOAC, is lost now through encroachment of commercial interests from another state, it probably never will be regained in its present efficiency, Chancellor F. M. Hunter, head of the state system of higher education, warned in adding his support to the intensive drive to inform the Oregon congressional delegation of the desires of Oregon people in respect to KOAC.

Senator McNary had informed Chancellor Hunter that he had been asked by the chairman of the Federal communications commission to prepare a report

bearing on the application of KOX to use the KOAG wavelength, and that he was using for this purpose the communications he was receiving from his own constituents. Hunter emphasized the fact that the state board has the interests of 65,000 Oregon farm families in mind primarily in maintaining the station, although it serves urban audiences as well.

President G. W. Peavy added his endorsement to the campaign, saying KOAG is a vital factor in keeping the people informed of the far-flung activities of the state college, particularly in the field of agricultural research and extension. "KOAG must be preserved to serve the people of Oregon," he declared.

THIS CONCERNS YOUR STATION, TOO

The Federal Communications Commission has set for hearing a petition of Mayor Fiorello H. LaGuardia, of New York City, in the matter of Station WNYC, municipally owned broadcast station of that city.

The Mayor petitioned the Commission to amend certain of its rules in order to permit the rebroadcasting of programs of high frequency and international broadcast stations, by regular broadcast stations whose licensees are universities, other educational institutions, municipalities, other government agencies, or other non-commercial non-profit-making organizations.

As now written the rules of the Commission do not prohibit the rebroadcasting of programs of high frequency broadcast stations but merely require the authority of the Commission for the rebroadcast. However, the rules do not permit regular broadcast stations to rebroadcast the programs of international broadcast stations located within the United States except where wire lines are not available to transmit the programs to regular broadcast stations.

The Mayor's petition also asked that the Commission amend its rules which prohibit high frequency and international broadcast stations which are in an experimental status, from making any charge, directly or indirectly, for the transmission of programs.

In setting the matter for hearing the Commission opened the way for a complete discussion of the subject.

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