

N.A.E.B. NEWS LETTER

Office of Executive Secretary
University of Illinois
Urbana, Illinois
April 1, 1938

PLAN ON COLUMBUS MEETING

President Carl Menzer says the NAEB will hold a meeting in connection with the Ninth Institute for Education by Radio, held annually by Ohio State University, May 2-4. Already we have word from a number of members who have expressed their intentions of being in Columbus.

KENTUCKY HILLS ARE CALLING

Included with the packet material is a complete announcement regarding the radio meeting which Elmer Sulzer is shouting about, so may we suggest you read it.

ULTRA-HIGH FREQUENCIES URGED

How many NAEB members are planning to apply for one of these ultra-high frequencies which the Commission has recently set aside for exclusive use of educational broadcasters? There is little doubt that some may be overlooking points worthy of consideration. At any rate, here is the viewpoint of one of the Commissioners.

He says that much more oral broadcasting is certain to be done on the ultra-high frequencies. Furthermore, he believes that receiving sets are now carrying about everything that they can include in one receiving set when they cover the full range of frequencies. When television comes and they try to combine that and oral broadcasting in one set, some of the oral frequencies will be dropped. He predicts that many sets will include the television bands and only high frequency oral bands. If this is the case, we shall one day have many sets which cannot receive broadcast from what is now our regular broadcast band. This Commissioner predicts that it will some day be possible to give state and national coverage by a combination of high frequency stations.

A prominent radio attorney also feels that educational institutions should go into this field of broadcasting because this is where the broadcast band is going to be in the future. He believes that if educational stations do not take advantage of this opportunity they are going to be in the same position as they are today with respect to the possibility of obtaining adequate broadcast facilities.

Now don't you think it would be worthwhile for all of us to at least consider these ultra-high frequencies and perhaps do some experimentation with them?

NO RADIO TAX AT THIS SESSION OF CONGRESS

We have mentioned this proposal of Congressman Boylan to tax radio stations on a wattage basis. Now we can assure you that there is no reason for concern on the part of any NAEB member. The bill, as proposed by Congressman Boylan in the House, specifically exempts educational broadcasting stations. However, Chairman McNinch has indicated that he would look favorably upon an income from stations sufficient to pay for the operations of the Commission. It is not likely that anything will happen at this session of Congress, but it will be well for members to keep an eye open for what may develop later.

FCC INVESTIGATION BEGINS

The Federal Communications Commission has recently decided to investigate charges of monopoly in radio broadcasting. Broadcasting has contained information on the action of the Commission. Now, if you haven't done so already, read what the current issue of Education by Radio has to say about it.

EBS AND BROADCASTS VIA W O I - W S U I

WOI, Ames, Iowa, is planning to erect a "beverage" antenna for reception of WSUI and thereby solve part of the summer static trouble. At present, these two stations are exchanging about 10 hours of programs each week.

BUILDING A CONCENTRIC TRANSMISSION LINE

Those who heard John Doak, University of Illinois, tell about the newly built transmission line of WILL at the NABE convention last fall, may soon find the data in print. COMMUNICATIONS has accepted an article based on the paper for publication.

SOME NOTES ON THE USE OF PHONOGRAPH RECORDS

Editor's Note - This is the second in a series of articles by Professor F. S. Siebert, J.D., University of Illinois School of Journalism, on copyright which will appear in the NABE NEWS LETTER:

The March 1, 1938 issue of the NABE NEWS LETTER presented the opinion of Orland S. Loomis, Attorney General of the State of Wisconsin, on the matter of restricting the use of phonograph records on the air. The matter had been brought up by the RCA-Victor Manufacturing Company. Mr. Loomis's opinion was that the restriction "Not licensed for radio broadcast," when placed upon a record, was no valid restriction and therefore could be disregarded by broadcasting stations, and particularly by those broadcasting stations which were not operated for profit.

The opinion of Mr. Loomis did not make it clear that the present copyright act, although it includes musical compositions, does not extend to mechanical records of these compositions. When a composer seeks a copyright on his musical composition, he can restrain the use of this composition by a record manufacturer, but when the record manufacturer secures the permission of the author and complies with the arrangements made with the author, a record of this composition cannot be copyrighted under the present copyright act. This means that any restriction made by the manufacturer on the use of the record is invalid. However, the copyright act, when complied with, prohibits the use of a musical composition "for profit" so that the original copyright of the composer is carried over to the record and prohibits the use of the record when performed for profit as a violation of the original copyright.

Record manufacturers have made appearances at several congressional hearings at which recommendations for amendments to the present copyright act were discussed. The manufacturers were unanimous in their request for a copyright in the particular rendition or interpretation. Such an amendment, however, has not yet been adopted by Congress.

The present status of the use of musical records for broadcasting purposes is this: Where the musical composition itself has not been copyrighted, there can be no restriction of any kind on the use of a record made from this composition. Where, however, the original composition has been copyrighted and the record manufacturer has secured permission of the composer to make a record, such record can be used only where the performance is "not for profit."

THE HONOR ROLL

In the last issue of the News Letter we promised an accounting as of March 25th. According to W. I. Griffith, NAEB treasurer, the following roll call indicates those members who had paid on or before March 30th. A few others have already started payment, but the institutional vouchers have not yet cleared.

KFUO	St. Louis, Mo.	*Concordia Seminary	H. H. Hohenstein
	Ann Arbor, Mich.	*University of Michigan	Waldo Abbot
WSUI	Iowa City, Ia.	*University of Iowa	Carl Menzer
WCAT	Rapid City, S.D.	*State School of Mines	N. Merle Parsons
WHAZ	Troy, N. Y.	*Rensselaer Polytech	J. Williams, Dr.
KRFJM	Grand Forks, N.D.	*Univ. of North Dakota	David R. Jenkins
WCAL	Northfield, Minn.	*St. Olaf College	M. C. Jensen
WTAW	College Station, Tex.	*Agrcl. & Mechanical	Eugene P. Humbert
WSAJ	Grove City, Pa.	*Grove City College	H. W. Harmon
WKZO	Kalamazoo, Mich.	*Western State Teachers	William Robinson
	Cleveland, Ohio	*Western Reserve	Mrs. Gazella P. Shepherd
WHA	Madison, Wis.	*University of Wisconsin	H. B. McCarty
KFDY	Brookings, S. D.	*State Col. of S. Dakota	S. W. Jones
WBSG	Ithica, N. Y.	*Cornell University	C. A. Taylor
WRUF	Gainesville, Fla.	*Univ. of Florida	Garland Powell
WILL	Urbana, Ill.	*University of Illinois	Jos. F. Wright
KFKU	Lawrence, Kan.	University of Kansas	Harold G. Ingham
KOAC	Corvallis, Ore.	Oregon State College	Luke L. Roberts
KUSD	Vermillion, S.D.	Univ. of South Dakota	R. E. Rawlins
KWSC	Pullman, Wash.	State College of Wash.	Kenneth E. Yeend
WBAA	Lafayette, Ind.	Purdue University	Gilbert D. Williams
WNAD	Norman, Okla.	Univ. of Oklahoma	T. H. Beard
WOI	Ames, Ia.	Iowa State College	W. I. Griffith
WOSU	Columbus, Ohio	Ohio State University	R. C. Higgy
WLXAL	Boston, Mass.	World Wide Broad. Found.	Walter S. Lemmon
	Lexington, Kentucky	Univ. of Kentucky	Elmer Sulzer
MEW	St. Louis, Mo.	St. Louis, University	*Richard W. Cross, Jr.

* Paid as of March 30, 1938

THE NEXT ISSUE

How are radio programs run, who determines purpose, etc? In the April 15th issue a consideration of how one or two educational institutions are handling the problem will be discussed. We hope to have some interesting dope on Radio in Education from the Inland Empire Education Association Conference. Kenneth Yeend, KWSC, already has a contribution awaiting print. There's more, too, but it must wait until April 15.

Scanned from the National Association of Educational Broadcasters Records
at the Wisconsin Historical Society as part of
"Unlocking the Airwaves: Revitalizing an Early Public and Educational Radio Collection."



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