Dr. Irvin Stewart
Apartment 1105
The Rosalei Apartments (Air Mail)
445 Kaiolu Street
Waikiki, Hawaii

Dr. Frank G. Kear
3913 Leland Street
Chevy Chase, Maryland

William G. Thompson
Chatsworth Gardens (Check with Defense to see if he is in town)
Larchmont, New York

Y Mr. Victor E. Cooley 4000 Cathedral Ave.
~~c/o Mr. Myles S. Reilly~~ Washington, D.C.
~~3 Larkspur Lane~~
~~Norwalk, Connecticut~~

Maj. Gen. W. Preston Corderman, USA (Ret.)
832 Toyopa Drive (Air Mail)
Pacific Palisades, California

~~X c/o General Delivery~~
~~Carmel, California~~
~~Mayfair 4-3613~~

January 20, 1959

Dr. Irvin Stewart
Apartment 1105
The Rosalei Apartments
445 Kaiolu Street
Waikiki, Hawaii

Dear Irvin:

So glad you are cleaned up on the finances. That was a king-size personal outlay to make and it is a relief to know that you are square again!

The report was not mentioned in the President's message for what is now an obvious reason. I guess he was so busy with presenting a balanced affair that matters such as the report were secondary and I know that a lot of other things were left hanging too.

While, as you may suspect, the Administration is not buying a Board, they are moving ahead to strengthen and study--and while I have lived too long in this mess to commit the movement to action in so many words, if you will keep me advised of your address I will keep you informed. I am now trying to get the report made public. Well, we will see and I will let you know.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Jan 13, 1959

Dear Alex:

My hat is off to you for the way you get results. The reimbursement check for the second trip arrived yesterday. Everything is now clear. Thanks.

I am glad to know that the committee report is still alive. When there was no reference to the subject in the Presidents message, I hoped that it was because the subject matter did not fit at that point. I shall appreciate your keeping me informed of developments. The local press is not very informative on such matters and I have no access to the trade papers. The only N.Y. Times I see is an occasional copy of the Amsterdam edition in the U. of Hawaii library.

It is now pretty definite that we shall leave here about Feb. 28. After that my itinerary will not be planned very far in advance as I move across the country and up the coast. The only firm date at present is Austin, Texas on March 14. We shall probably hit Washington late in April or in May.

This week I am to participate in a pre-legislative conference staged by the U. of Hawaii in advance of the meeting of the Legislature.

Regards

H.

JAN 1 2 1959

Dr. Irvin Stewart
Apartment 1105
The Rosalei Apartments
445 Kaiolu Street
Waikiki, Hawaii

Dear Dr. Stewart:

On behalf of the President, I wish to express our deep appreciation for the time and effort you spent as a member of the Special Advisory Committee on Telecommunication.

We especially appreciate your willingness to undertake such a project on short notice, and the depth of consideration you gave to this complex subject in the limited time available was indeed gratifying. The report will, I assure you, receive careful study and consideration.

I hope the transition from Hawaii to Washington in the winter time and the long periods of travel involved were not too arduous.

With best personal good wishes,

Sincerely,

SIGNED
Leo A. Hoegh

Telecommunications
FCAlexander/hrt
cc: Records - 2
Director
Telecom. 408 Winder
Mr. Price
Reading File

JAN 1 2 1959

Maj. Gen. W. Preston Corderman, USA (Ret.)
832 Toyopa Drive
Pacific Palisades, California

Dear General Corderman:

On behalf of the President, I wish to express our deep appreciation for the time and effort you spent as a member of the Special Advisory Committee on Telecommunication.

We especially appreciate your willingness to undertake such a project on short notice, and the depth of consideration you gave to this complex subject in the limited time available was indeed gratifying. The report will, I assure you, receive careful study and consideration.

In view of your other duties, I hope this assignment did not impose a burden on you.

With best personal good wishes,

Sincerely,

SIGNED

Leo A. Hoegh

Telecommunications
FCAlexander/hrt
cc: Records - 2
Director
Telecom. 408 Winder
Mr. Price
Reading File

JAN 1 2 1959

Mr. William G. Thompson
Chatsworth Gardens
Larchmont, New York

Dear Mr. Thompson:

On behalf of the President, I wish to express our deep appreciation for the time and effort you spent as a member of the Special Advisory Committee on Telecommunication.

We especially appreciate your willingness to undertake such a project on short notice, and the depth of consideration you gave to this complex subject in the limited time available was indeed gratifying. The report will, I assure you, receive careful study and consideration.

I hope this assignment did not interfere with your other activities which I know are considerable.

With best personal good wishes,

Sincerely,

SIGNED

Leo A. Hoegh

Telecommunications
FCAlexander/hrt
cc: Records - 2
Director
Telecom. 408 Winder
Mr. Price
Reading File

JAN 1 2 1959

Mr. Victor E. Cooley
c/o Mr. R. R. Wayvur
LaQuinta, California

Dear Mr. Cooley:

On behalf of the President, I wish to express our deep appreciation for the time and effort you spent as Chairman of the Special Advisory Committee on Telecommunication.

We especially appreciate your willingness to undertake such a project on short notice, and the depth of consideration you gave to this complex subject in the limited time available was indeed gratifying. The report will, I assure you, receive careful study and consideration.

I do hope that the travel involved from New England to Washington was not too arduous.

With best personal good wishes,

Sincerely,

SIGNED

Leo A. Hoegh

Telecommunications
FCAlexander/hrt
cc: Records - 2
Director
Telecom. 408 Winder
Mr. Price
Reading File

JAN 1 2 1959

Dr. Frank G. Kear
3913 Leland Street
Chevy Chase, Maryland

Dear Dr. Kear:

On behalf of the President, I wish to express our deep appreciation for the time and effort you spent as a member of the Special Advisory Committee on Telecommunication.

We especially appreciate your willingness to undertake such a project on short notice, and the depth of consideration you gave to this complex subject in the limited time available was indeed gratifying. The report will, I assure you, receive careful study and consideration.

I hope your attention to this assignment did not create too much additional pressure in connection with your regular activities.

With best personal good wishes,

Sincerely,

SIGNED

Leo A. Hoegh

Telecommunications
FCAlexander/hrt
cc: Records - 2
Director
Telecom. 408 Winder
Mr. Price
Reading File

January 8, 1959

Dr. Irvin Stewart
Apartment 1105
The Rosalei Apartments
445 Kaiolu Street
Waikiki, Hawaii

Dear Irvin:

Just a short note to tell you we have done some more checking on the money that is due you, especially for travel.

A check for the first trip was mailed by the Treasury Department via regular mail on December 22, 1958. The authorization from OCDM to Treasury to send a check for the second trip went out yesterday with the request that it be sent air mail. Whether Treasury will do this or not, we're not sure.

Your compensation checks were sent regular mail, all of which explains why you haven't received any money!

Nothing in particular to report yet on the Committee's work. The Governor is having a meeting next week with the White House and Budget Bureau.

Sincerely,

F. C. Alexander

Jan. 3, 1959

Dear Fred:

The version reached here today. I have signed the original letter and sent it on to Preston

I note that the ! has disappeared as predicted.

It is good to know that one check is reported on its way. None has reached me yet. If there seems to be an ~~ex~~ undue delay, I shall let you know. Also I shall let you know when a check arrives.

Tomorrow we go over to the big island (Hawaii) for a visit of a couple of days

Dec. 22

Helen

1

December 26, 1958

Dear Alex:

The draft report accompanying your memo of Dec. 22 has just arrived. I have reviewed it and am prepared to have it go in over my signature — though I think the drafting committee weakened the report by its omission of the substance of pages 7, 8 and 11 as adopted by the full committee on Dec. 9.

I assume that the text of the letter to Gov Hoegh commenting on appointments will reach us in the next few days. In your next communication, please let me know whether the receipts for my Dec. travel reached you. They left here by registered air mail on Dec 12.

The Honolulu papers carry little news of general interest. Please let me know what, if anything, the President puts in his message about telecommunications.

Good luck

Jim Stewart

December 30, 1958

MEMO NO. 10

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

In Memo No. 9 we sent you the latest draft of your report dated December 22, 1958. Since that time editorial changes in certain pages have been made in such rapid succession that we did not have an opportunity to send them to you. However, Mr. Cooley spent the day with us yesterday and as a result, the report went forward today.

Only certain pages of the report dated December 22, 1958, were rewritten. If you will substitute these pages, as listed below, you will have a complete copy of the final report which we hope will serve until printed copies are available:

Cover Page dated December 29, 1958
Page iii, Letter of Transmittal, dated December 29, 1958
Pages 1, 2, 3, 4, 5, 6, 7, 12, and 14
Page 4 of Appendix B (Draft Bill)
Page 2 of Appendix C (Draft Executive Order)
Appendix D, only one page and therefore unnumbered

As you will notice, the letter of transmittal was rewritten and is enclosed herewith for Dr. Stewart to sign and forward to General Corderman, who in turn can send it back to us. Since Mr. Cooley has already signed, the remaining signatures can be obtained here.

This did not delay submission of the report, however, since the letter is a part of it and we have explained to the Director that the signed copy for record purposes will be available later. (See my memo to the Director, copy of which is enclosed.)

Also enclosed are two letters from Mr. Cooley to Governor Hoegh dated December 29, 1958, together with my memo of December 30, 1958, transmitting them. One letter concerns membership on the proposed Board and the other is in response to a question asked by the President regarding recent developments looking toward a more effective use of telecommunications.

This brings you up-to-date on the activities of your Committee. Only one thing remains -- and that is that all of us here wish all of you a very HAPPY NEW YEAR!

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

December 30, 1958

MEMORANDUM FOR THE DIRECTOR

Subject: Report of the Special Advisory Committee on Telecommunication

Attached is the final report of the Special Advisory Committee on Telecommunication which Mr. Cooley asked that I transmit to you with an explanation regarding the letter of transmittal.

Due to a last minute change, the letter must be mailed to Hawaii and California for new signatures of two of the members of the Committee, and will therefore be delayed. You will notice, however, that the letter, as it will be submitted for record purposes, is a part of the report itself.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

December 29, 1958

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

Dear Mr. Hoegh:

We have the honor of sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunication as called for by your letter of November 4, 1958, creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18, we have reviewed the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch and the growing demands for frequency assignments by both government and non-government applicants. We have also considered the broad over-all methods of allocation of the radio spectrum and the assignment of radio frequencies as well as the availability of desired frequencies. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions reached in its report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)

Frank C. Kear

Irvin Stewart

William G. Thompson

Victor E. Cooley, Chairman

REPORT

OF

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION

December 29, 1958

CONTENTS

LETTER OF TRANSMITTAL

December [illegible], 1958

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

Dear Mr. Hoegh:

We have the [illegible] sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunications as called for by your letter of November 4, 1958, creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18, we have reviewed the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch and the growing demands for frequency assignments by both government and nongovernment applicants. We have also considered the broad general problem of allocation of the radio spectrum and the assignment of radio frequencies as well as the availability of technical information. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions embodied in its report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)

Frank G. Kear

Irvin Stewart

William [illegible] Thompson

Victor E. Cooley, Chairman

INTRODUCTION

The telecommunication systems of the United States are essential to the national security, to the safety of life and property, to international relations, and to the business, social, educational, and political life of the country. As such they are one of the nation's most valuable assets in peace and provide vital and essential support in the prosecution of war.

The President in recognizing the importance of telecommunications declared in his letter to Speaker Rayburn dated July 28, 1958, that "changing technology along with changing needs in government and non-government areas present problems in the telecommunication field which require searching examination. The situation is becoming no less complicated by prospective developments in satellites and space vehicles as well as defense weapons systems. Thus it has seemed to me that a fresh examination of the role of the Federal Government in this field would be desirable."

The concern felt by the 85th Congress was indicated by the Senate's adoption of S. J. Res. 196 establishing a Commission to investigate the utilization of the radio and television frequencies. This resolution was approved with amendments by the House Committee on Interstate and Foreign Commerce but did not come to a vote in the House.

Industry's concern was evidenced more than a year ago and reaffirmed this year through the adoption of a resolution by the Electronic Industries Association calling for a study of the spectrum. Non-government users of the spectrum, for example the broadcasters, have indicated a need for additional channels in certain frequency ranges not now available.

While landline and submarine cable facilities are capable of expansion almost without limit, such is not the case with the radio spectrum. There is only one such spectrum, the usable band of which extends in the present state of the art to about 30,000 megacycles -- a frequency of about 30 billion cycles per second. This figure may give the impression of an inexhaustible supply, but unfortunately all parts of the spectrum are not equally usable. Different parts have different characteristics, many being very useful while others have little or no current application. In consequence, requests for frequencies having the most favorable characteristics are of sufficient volume often to cause an excess of demand over supply.

OUR CURRENT MECHANISM

The Government of the United States has from time to time established agencies to deal on a continuing basis with various aspects of telecommunication management which includes radio, landline, and submarine cables. As the use of telecommunications has grown, with the Government itself a major user, existing Government mechanisms have required and will continue to require adjustment and strengthening.

The Communications Act of 1934, as amended, gives to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private users, including state and local governments. Thus the law establishes a dual control over a single national resource. Additionally, the Act vests in the President wartime authority over all telecommunications.

The necessity for a mechanism to supervise and administer the Government's needs and uses of telecommunications was stressed by the report of the President's Communications Policy Board in 1951.*

The mechanism which was subsequently established on a minimal basis consisted of a Telecommunications Advisor to the President and a small professional staff. Later reorganization resulted in a downgrading of the office. This important work is now assigned to a numerically inadequate staff -- about 12 people -- under the direction of the Deputy Assistant Director for Telecommunications who reports to the Director of the Office of Civil and Defense Mobilization through the Assistant Director for Resources and Production. Thus it has no established source of high-level direction from executives knowledgeable in telecommunications.

Assisting the Deputy Assistant Director for Telecommunications is the Interdepartment Radio Advisory Committee (IRAC), a committee of Federal agency experts which affords technical guidance in the assignment of radio frequencies to Government agencies. This committee reports to the Director of OCDM through the Deputy Assistant Director for Telecommunications. The IRAC is primarily a group of coequal users and as such is not an appropriate group to act, nor does it act, as a policy making or authoritative body.

---

*Telecommunications - A Program for Progress

CONSIDERATIONS LEADING TO A CONCLUSION

As inferred in the introductory paragraph of this report, the basic problem giving rise to the appointment of this Committee is the fact that in certain parts of the radio spectrum the demand for frequencies has become greater than the supply, and the further fact that the trend in volume of applications, both government and non-government, for frequencies in specific bands indicates that the situation will grow progressively worse.

Although it has been possible to date through piecemeal compromise on the allocations and assignments of radio frequencies to satisfy most requests in a workable manner, it is plainly of great importance to our national security and welfare that the mechanism of allotting and assigning frequencies, particularly in the government field, be reviewed and strengthened to the end of assuring the most effective use of a scarce but essential national resource.

A consideration disquieting to many is the fact, as mentioned earlier, that the law establishes a dual control over the radio frequency spectrum, the President having responsibility for government use and the Federal Communications Commission for non-government use. Thus there is no individual, agency, or board invested with the responsibility for the effective use of the radio spectrum as a whole.

In reviewing the structure as it has evolved the Committee was continuously struck by the absence of adequate provision for high-level consideration on the Government side of a variety of matters of vital national importance in the area of telecommunications. The Federal Communications Commission provides a vehicle for adequate consideration in the non-government area. In sharp contrast, as indicated earlier, decisions in the area of government use or of conflict between government and non-government use, are often made by compromises at the operational level by staff members, who though competent in their fields, do not necessarily have the total picture of national interest. There is also an unfortunate absence at present of anyone in the Executive Branch with adequate knowledge, experience, and stature to act for the President in these matters and there is not available therein an organization adequate to accumulate the information and experience upon which to base sound action.

MEASURES RECOMMENDED

RECOMMENDATION IN SUMMARY

IT IS RECOMMENDED THAT a Board be established through legislation requested by the President in order to provide the President with the means of discharging his responsibilities in connection with national telecommunication resources, including the Government's use of the radio frequency spectrum.

A draft Bill designed to accomplish the foregoing recommendation by establishing a National Telecommunications Board is attached as Appendix B.

A draft Executive Order designed to establish mobilization planning responsibilities for the Board is also attached as Appendix C.

ESTABLISHMENT OF A NATIONAL TELECOMMUNICATIONS BOARD

There should be established in the Executive Office of the President a National Telecommunications Board which reports directly to the President. The Board should consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman should be designated by the President. Board members should receive compensation in accordance with prevailing scales in comparable Government bodies. The Interdepartment Radio Advisory Committee (IRAC) should report to and assist the Board in the performance of the Board's functions as the Board may direct.

FUNCTIONS OF THE BOARD

The Board should assist and advise the President in the discharge of his responsibilities as President of the United States in connection with U. S. telecommunication resources to meet the changing demands of national security and welfare, and should act for him in the discharge of his responsibilities arising from the Communications Act of 1934, as amended, for management of the Federal Government's use of the radio frequency spectrum in such a way as to provide the optimum accommodation of present and foreseen future needs of national security, safety of life and property, international relations, and the economic, social, educational, and political life of the nation and the general welfare of its people.

The Board should formulate telecommunication policies, plans, programs, and standards designed to assure efficient telecommunication management within the Executive Branch of the Government with due regard for the maintenance of sound and healthy commercial telecommunication services both domestic and overseas. The Board should coordinate the formulation of U. S. policies and positions within the Executive Branch of the Government for international negotiation and should assist and advise the Secretary of State in the projection internationally of U. S. telecommunication policies and positions. The Board should provide policy guidance for and direct the implementation of U. S. international telecommunication treaty obligations by the several agencies in the Executive Branch of the Government.

The Board should carry out such policy making, planning, and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board should formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the Executive Branch of the Government and for the use thereof. The Board should maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate.

[illegible]

particular reference to research and development and new manufacturing techniques and capabilities, for the purpose of improving telecommunication services, the conservation of the spectrum, and for increasing productivity of the total resource. The Board should encourage research and studies in those areas where the need exists.

The Board should, in the formulation and promulgation of policies, plans, programs, criteria, standards, and procedures of national import, consult as appropriate with the Federal Government agencies.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

APPENDICES

APPENDIX A

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington, D. C.

Office of Director

November 4, 1958

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

On behalf of President Eisenhower, I write to invite you to serve as member of a temporary Special Advisory Committee on Telecommunication to the President and me. This committee is created to review the role of the Federal Government in the management of telecommunication and, based on such review, to make recommendations to me which I may submit to the President, on actions essential to improve the allocation, management, and control of radio and television frequencies for government and non-government use. It is thought the Administration should be in a position to recommend to the Congress that a Commission be appointed to advance specific recommendations in this vital field. Other persons invited today to be members of the committee are as listed on the attachment to this letter.

Our economy and national defense today are highly dependent upon the smooth functioning of our national telecommunication services. The rapidly changing technology and changing needs in government and non-government areas are presenting increasingly difficult problems in telecommunication management. The situation is becoming no less complicated by developments in satellites and space vehicles as well as defense weapons systems.

It would be genuinely appreciated if you will accept this invitation and attend the initial meeting of the committee on November 18 and 19, 1958, at 10:00 A.M. on November 18, in my office, Room 100, Executive Office Building, 17th and Pennsylvania Avenue, N.W., Washington, D.C. It is my opinion this assignment will not be too arduous or require you to be away from your normal responsibilities an undue amount of time.

Because early action in the field is needed, it is my hope the committee will be able to complete its assignment and have its recommendations in my hands prior to January 1, 1959.

In the execution of your mission, you will receive the full cooperation and assistance of the Office of Civil and Defense Mobilization and other agencies of the Federal Government concerned.

You will be compensated for services rendered as a member of this committee as indicated on the attached transmittal sheet.

Your willingness to give us the benefit of your knowledge and experience by accepting this important assignment will be of great assistance in our effort to solve the many important problems in our communication service which is so vital to our Nation.

Sincerely yours,

(Signed)

Leo A. Hoegh

Attachments
(Not included)

APPENDIX B

DRAFT BILL

To provide the President with the means to discharge satisfactorily his responsibilities in connection with national telecommunication resources including the Government's use of the radio frequency spectrum.

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled.

3 NATIONAL TELECOMMUNICATIONS BOARD

4 Sec. 1. There is hereby established in the Executive Office
5 of the President the National Telecommunications Board, hereinafter
6 referred to as the "Board", which shall report directly to the
7 President. The Board shall consist of three members to be
8 appointed by the President, by and with the advice and consent of
9 the Senate. The Chairman shall be designated by the President and
10 shall receive compensation at the rate of $20,500 per annum. The
11 other two Board members shall receive compensation at the rate
12 of $20,000 per annum. All actions of the Board except those relating
13 to internal administrative matters shall be by affirmative vote of a
14 majority of its members. The Chairman shall be responsible for
15 the internal administrative direction of the Board and its staff.

16 FUNCTIONS OF THE BOARD

17 Sec. 2. (a) The Board shall assist and advise the President
18 in the discharge of his responsibilities as President of the United
19 States in connection with U. S. telecommunication resources to

1 meet the changing demands of national security and welfare and
2 shall act for him in the discharge of his responsibilities arising
3 from the Communications Act of 1934, as amended, for management
4 of the Federal Government's use of the radio frequency spectrum
5 in such a way as to provide the optimum accommodation of present
6 and foreseen future needs of national security, safety of life and
7 property, international relations, and the economic, social,
8 educational, and political life of the Nation and the general welfare
9 of its people.

10 (b) The Board shall formulate telecommunication policies,
11 plans, programs, and standards designed to assure efficient
12 telecommunication management within the Executive Branch of the
13 Government with due regard for the maintenance of sound and healthy
14 commercial telecommunication services both domestic and foreign.
15 The Board shall coordinate the formulation of U. S. policies and
16 positions within the Executive Branch of the Government for
17 international negotiation and shall assist and advise the Secretary
18 of State in the projection internationally of U. S. telecommunication
19 policies and positions. The Board shall provide policy guidance
20 for and direct the implementation of U. S. international tele-
21 communication treaty obligations by the several agencies in the
22 Executive Branch of the Government.

1 (c) The Board shall carry out such policy making, planning,
2 and executive functions as are required for the discharge of the
3 President's responsibilities arising from Section 305 of the
4 Communications Act of 1934, as amended, for the assignment of
5 radio frequencies to Government stations or classes of stations.
6 The Board shall formulate policies, criteria, engineering standards,
7 and procedures for the allocation and assignment of radio frequencies
8 to the several agencies of the Executive Branch of the Government
9 and for the use thereof. The Board shall maintain or cause to be
10 maintained suitable records of assignment of frequencies to
11 Government users and the publication of lists of Government
12 frequency assignments as appropriate.
13 (d) The Board shall, as a special duty, review the national table
14 of radio frequency allocations being employed by Federal Government
15 and non-Federal Government users. This review shall be done in
16 consultation with the Federal Communications Commission to the
17 end that a determination be made as to whether the current division
18 of radio spectrum serves the National interest to an appropriate
19 degree. The Board shall make a report of findings to the President
20 for transmission to Congress. The report shall contain, in addition
21 to the findings resulting from the review and the comments of the
22 Federal Communications Commission thereon, such recommendations

as may be considered desirable and applicable. The report is to be made at the earliest date consistent with the task to be performed but no later than two years from the appointment and qualification of the Board members.

(e) The Board shall maintain continuing review of the national table of radio frequency allocations, coordinating with the Federal Communications Commission, for the purpose of ensuring an appropriate division of spectrum space between the Federal Government and non-Federal Government users. The Board shall formulate, and coordinate with the Federal Communications Commission, the development of long-range plans for future use of the radio spectrum resource. The Board shall encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

(f) The Board shall, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications; (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of this Act; and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's

1 committees as shall be appropriate for the purpose of consultation
2 and advice to the Board in performance of its functions hereunder
3 and to obtain services as authorized by Section 15 of the Act of
4 August 2, 1946 (5 U.S.C. (55(a)), at rates not to exceed $100 per diem
5 for individuals; and (3) to place in grades 16, 17, and 18 of the General
6 Schedule established by the Classification Act of 1949, as amended,
7 not to exceed ten positions which shall be additional to the number
8 authorized by Section 505 of that Act.

9 ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD

10 Sec. 3. The term of office of each member of the Board shall
11 be six years, except that (1) any member appointed to fill a vacancy
12 occurring prior to the expiration of the term for which his predecessor
13 was appointed shall be appointed for the remainder of such term;
14 and (2) the terms of office of the members first taking office after
15 the date of enactment of this Act shall expire, as designated by the
16 President at the time of appointment, one at the end of two years,
17 one at the end of four years, and one at the end of six years.
18 Two members shall constitute a quorum of the Board. Each member
19 of the Board shall be a citizen of the United States.

20 ANNUAL REPORT

21 Sec. 4. The Board shall make an annual report to the President
22 for transmission on or before the 15th of March of each year to the

1 Congress, summarizing the activities of the Board for the previous
2 calendar year and making such recommendations as it may deem
3 appropriate.

4 TRANSFER OF RECORDS, PROPERTY, PERSONNEL, AND FUNDS

5 Sec. 5. The records, property, personnel and funds used, held,
6 employed, available, or to be made available, in connection with
7 the functions vested in the Director of the Office of Civil and Defense
8 Mobilization by Executive Order 10460 of June 16, 1953, and
9 Executive Order 10705 of April 17, 1957, shall be transferred,
10 consonant with law to the Board.

11 APPROPRIATIONS

12 Sec. 6. There are hereby authorized to be appropriated such
13 sums as may be necessary and appropriate for the carrying out
14 of the provisions and purposes of this Act.

15 Sec. 7. This Act may be cited as the National Telecommunications
16 Act of 1959.

APPENDIX C

DRAFT

EXECUTIVE ORDER

CONFERRING UPON THE NATIONAL TELECOMMUNICATIONS BOARD THE RESPONSIBILITY FOR MOBILIZATION PLANNING TO CONTROL AND REGULATE NATIONAL TELECOMMUNICATIONS IN AN EMERGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Defense Production Act of 1950, as amended, (50 U.S.C. App. 2061, et. seq.), and as President of the United States and Commander-in-Chief of the Armed Forces of the United States, it is hereby ordered as follows:

Section 1. The National Telecommunications Board which is responsible for assisting and advising me pursuant to my responsibilities for the management of U. S. telecommunications, shall assume the additional responsibilities for mobilization planning to control and regulate national telecommunications in an emergency. These responsibilities shall include but not necessarily be limited to the following tasks:

(a) The Board shall formulate national telecommunication policies, plans, and programs designed to assure maximum security to the United States in time of national emergency with a minimum of interference to continuing non-governmental requirements.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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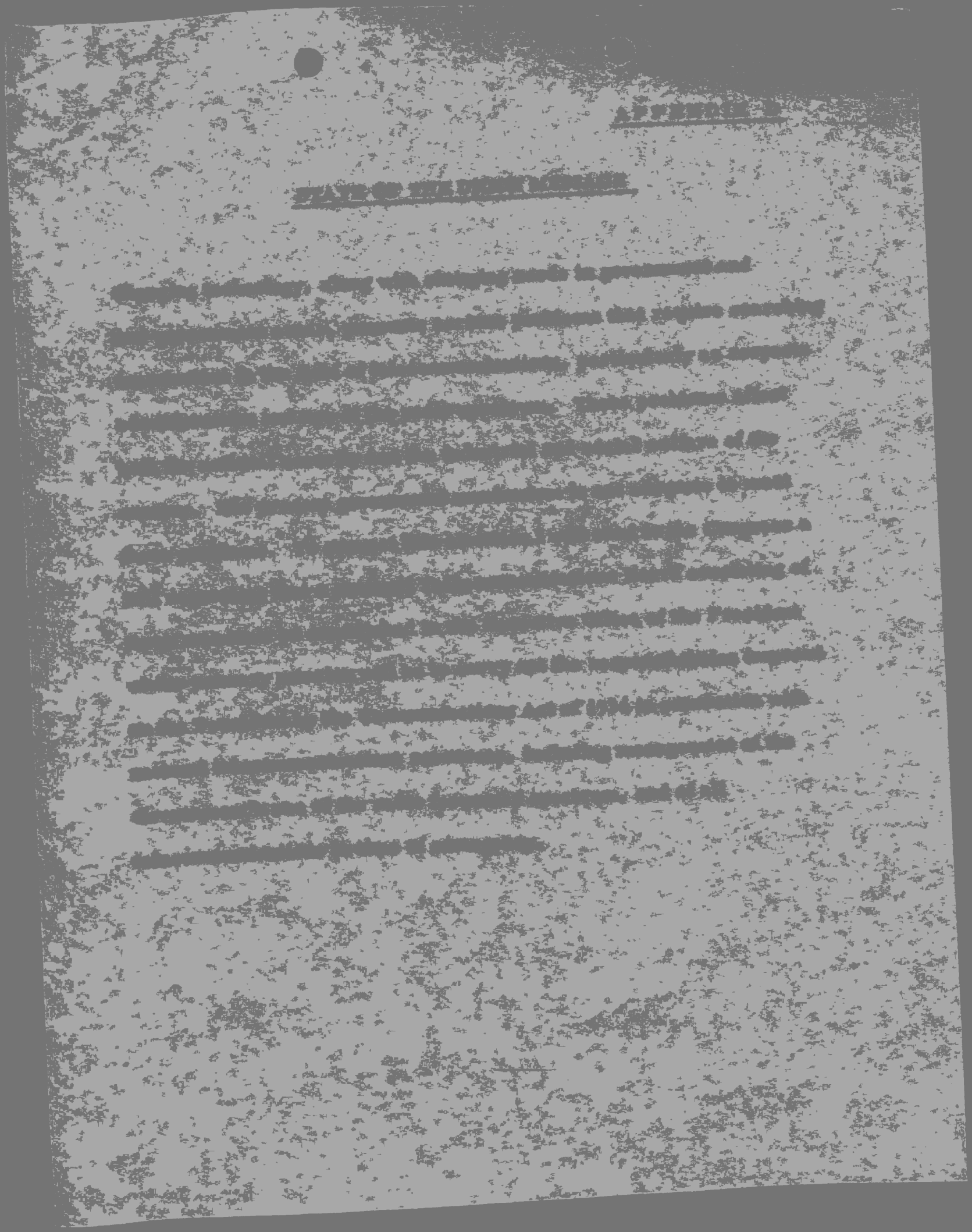

December 30, 1958

MEMORANDUM FOR THE DIRECTOR

Attached are two letters which Mr. Cooley wrote to you yesterday when he was in Washington.

Before they could be dispatched, however, and after Mr. Cooley had left Washington, he decided to change one of them and gave the changes to us over the telephone. Since he is enroute to St. Louis, then to California, he asked me to re-sign the letter for him and send it on to you.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

December 29, 1958

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

Dear Governor Hoegh:

At the first meeting of the Special Advisory Committee on Telecommunications you requested that we suggest the names of individuals who might be considered for appointment as members of the National Telecommunications Board if one should be created. After considerable discussion we concluded that we were not prepared to suggest names but that it might be useful if we gave you our views as to the type of persons whom we believed should be asked to serve as members, together with some of our reasons for recommending a three-man Board in the Executive Office of the President.

Much of the Board's work will be based upon scientific data and engineering considerations but its decisions must project beyond such considerations. Scientists and engineers should certainly be considered for appointment if their other qualifications such as judgment, experience, ability, imagination, etc. are satisfactory.

Although the Board will have great concern with national defense, we do not feel that service in the Armed Forces is a necessary prerequisite to the formulation of sound judgments by the Board. However, qualified retired military persons might well be among those considered.

The electronics and communications industries will have an effect upon and in turn be affected by the Board's actions. Here again, we feel that experience in these fields would be useful but not necessarily requisite to effective performance as a member of the Board.

As we see it, the members of the Board should above all be men of recognized reputation and intelligence and it is desirable that they should have had broad executive experience in some field.

Honorable Leo A. Hoegh

The Board should be able to build a highly competent staff. It must be able to weigh impartially and accurately the competing claims of applicants, all of which may be highly meritorious but some of which must give way because not all can be accommodated. It goes without saying that Board members must be immune to influence or pressure no matter what may be the source from which it emanates. Members should accept Board membership as a trust of vital national importance and should be prepared to serve the entire term for which they are appointed. They should not be political appointees in the usual sense, since qualifications are of primary concern rather than interest in or party affiliation.

Although no boards or commissions of this type now exist in the Executive Office of the President, the Committee feels that the nature of the duties to be performed by the proposed Board not only justifies an exception but that no other way of setting up the Board quite meets the organizational requirements. This is particularly so since the Board's main function would be that of discharging an important Presidential responsibility which should by its very nature not be delegated to an independent agency or board over which the President does not have direct supervision and authority.

A reason for proposing a Board of three members as opposed to one (or more than 3) is that in the opinion of the Committee three individuals drawn from three different backgrounds of experience will bring a greater breadth of soundness and judgment to the Board's decisions than would be the case if all final judgments were the responsibility of one individual. Further, it is expected and presumed that the Board's decisions as respects frequency assignments to Government agencies will be accepted as final and that in practice when serious conflicts occur, which, we understand, is already happening, there would be greater confidence in and less disposition to dispute rulings where three are sitting than would be the case if only one person had the total responsibility. Also the Committee feels that the workload arising from the functions set forth in the draft Bill will be such that the constant attention of three members will be required.

We are suggesting that Board members be selected for six-year terms with the initial members serving terms of two, four, and six years in order to lay the foundation for staggered terms. We feel it is desirable that the members be secure in their tenure and subject to removal only for cause.

Honorable Leo A. Hoegh

Against this must be weighed the necessity that the President be able to carry out his policies for national defense. There is the possibility of a potential conflict should the Board refuse to allocate frequencies deemed essential for the execution of a defense program adopted by the President. In such an event the President must prevail.

The Committee's principal reason for proposing a Board with fixed terms is the desirability of continuity of administration. The assignment functions of this Board as defined by the Committee will be judicial in nature and as such not affected by party platform or other political considerations, and continuity will be equally desirable in the discharge of the other functions of the Board. There should be only one over-riding consideration in the makeup of the Board if it is to serve the purpose for which it has been proposed and that is qualifications.

Sincerely,

Victor E. Cooley
Chairman
Special Advisory Committee
on Telecommunications

December 29, 1958

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

Dear Governor Hoegh:

You may recall that when our Committee called on the President, the President asked me if any worthwhile developments had taken place in the recent past looking toward a more effective use of telecommunications. In reply I mentioned one marked development in wire communications, but due to lack of knowledge was unable to answer his question as respects conservation of the radio spectrum, the aspect of the subject, I suspect, in which he was most interested.

I have since had a summary prepared of developments in recent years in the use of the radio spectrum which is attached in memorandum form in case you wish to bring the President up-to-date on this subject.

Sincerely,

Victor E. Cooley
Chairman
Special Advisory Committee
on Telecommunications

Attachment

TECHNICAL ADVANCEMENTS RESULTING IN THE SAVING OF RADIO SPECTRUM SPACE

The technical and operational achievements within the last few years have not been great in number insofar as radio spectrum conservation is concerned.

Perhaps the most notable of these are the techniques of "channel splitting" and single sideband operation. Each of these techniques, where used, makes available generally, two channels where one was in use before.

The "channel splitting" technique merely divides a "channel" which might have been 5 kilocycles wide, in half, with the result that two channels are assignable for future use, each of 2-1/2 kilocycles in width.

However, this technique usually forces an expensive improvement in radio transmitter and receiver capability, calling for a sharper and more precise instrument in order to reduce interference.

The second technical and operational advancement is the so-called single sideband operation which, stated in an over-simplified fashion, uses for each channel or circuit only half of the spectrum space previously needed. The application of this technique is generally only applicable to the wider channel uses such as for radio telephone which would be about six kilocycles wide. In the normal use of such a channel, the transmission of energy (in this case voice) would be detectable on both sides of the center reference frequency. The new technique merely suppresses one side (or 3 kilocycles) of the channel from the reference frequency and employs a channel 3 kilocycles wide leaving the remaining 3 kilocycles free for other uses.

This process is also expensive in that special and more costly equipment is necessary in both transmitting and receiving. Mainly for this reason the improved equipment is not widely used except in special cases. Most overseas radio telephone facilities, both civil and military, are of this type.

There has been a recent development in radar transmission which results in greater suppression of unnecessary energy transmitted beyond the boundaries of the desired operating channel. This technique involves the suppression of undesirable spurious emissions and actually narrows the channel required to produce the results. This procedure can be said to reduce the radar channel width from a maximum of about 12,000 kilocycles to an average of 3000 or 4000 kilocycles.

This is a relatively expensive procedure in both research and equipment and the costs may well double in the process of improving and modernizing this type of equipment.

A further development is in the design and use of directive antennas. By limiting the radiation to the direction required, the same frequencies can be used in other directions without interference. Directive antennas are particularly effective at the higher radio frequencies or microwaves.

There is one area which would undoubtedly be productive of results in saving frequency space, when and if it can be exploited. This is the area of radio and television receivers. There are today no regulations or stated standards which specify the quality of threshold acceptance for radio receivers. For example, if you buy a television receiver you may find one for $250.00 and one for $150.00. They will both produce an acceptable picture and sound. However, the expensive one has a narrow threshold acceptance for incoming signals by virtue of the design, engineering, shielding, number of tubes and so forth. The less expensive one has a wide threshold acceptance and requires the exclusive use of a wider frequency band in order to receive without interference or distortion.

OCDM and the IRAC have done some urging, particularly in the preparation of government contract specifications, to ensure better quality and narrow threshold acceptance characteristics for government, including military, equipment. This remains a wide open field, but a difficult area in which to impose controls.

The over-all effect of improved equipment design has resulted in sharper and more stable signal reception, while at the same time narrowing required channel widths. This, of course, is in the direction of spectrum conservation, but unfortunately the increased equipment investments and costs are such that the fullest effect of spectrum conservation from this source has not been realized. In a competitive market with no fixed standards, the manufacturer makes and the public buys the least expensive product that appears to be delivering satisfactory results.

There are no statistics available that would give the percentage increase in spectrum space afforded by these developments. While the increase in channels thus made available may be substantial in certain relatively small but intensively used sections of the spectrum, the effect to date on the total spectrum may be characterized as not considerable.

December 24, 1958

MEMORANDUM FOR HONORABLE MAURICE H. STANS
HONORABLE ROBERT MERRIAM

Attached you will find a copy of a draft dated December 29, 1958, of the report of the Special Advisory Committee on Telecommunication.

As indicated, Mr. Cooley felt that if you could find time to scan it prior to his meeting with you next Monday, it would be helpful.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

Changes made by
Mr. Cooley 10/29/58
from which final
copy was prepared.

CONSIDERATIONS LEADING TO A CONCLUSION

As indicated in the introductory paragraph of this report, the basic problem giving rise to the appointment of this Committee is the fact that in certain parts of the radio spectrum the demand for frequencies has become greater than the supply, and the further fact that the trend in volume of applications, both government and non-government, for frequencies in specific bands indicates that the situation will grow progressively worse.

Although it has been possible to date through piecemeal arrangements to on the allocations and assignments of radio frequencies to satisfy [illegible] [illegible] in a workable manner, it is plainly of great importance to the national security and welfare that the mechanism of allotting and assigning frequencies, particularly in the government field, be improved and strengthened to the end of securing the most effective use of a scarce but essential national resource.

A consideration demanding [illegible] weight is the fact, as mentioned earlier, that the law establishes a dual control over the radio frequency spectrum -- the President having responsibility for government use and the Federal Communications Commission for non-government use. This places in no individual, agency, or body charged with the responsibility for the effective use of the radio spectrum as a whole.

In reviewing the situation as it has evolved the Committee was continuously struck by the absence of adequate provision for high-level consideration on the Government side of a variety of matters of vital national importance in the area of telecommunications. The Federal Communications Commission provides a vehicle for adequate consideration in the non-government area. In many contexts, as indicated earlier, decisions in the area of government use or of conflict between government and non-government use, are often made by compromise at the operational level by staff members who through [illegible] in their duties, do not necessarily have the broad viewpoint of national interest. There is [illegible] [illegible] [illegible] at present of anyone in the Executive Branch with adequate knowledge, experience, and [illegible] to [illegible] [illegible] [illegible] and there is [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] to [illegible] the [illegible] and [illegible] [illegible] [illegible] sound action.

for the President

a positive planning factor into decisions which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

The Board should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future requirements, both civilian and military; review the international telecommunications situation with a view to strengthening our international posture; and keep continually under examination the entire field of telecommunications in order to advise the President of any actions which it thinks he should take to advance the public interest.

The type of organization we have in mind would have the following characteristics:

1. It would be established by Congress at the request of the President.

2. It would be established in the Executive Office of the President at a level to give it direct access to the President and to the heads of Government agencies using telecommunications.

3. It would have its own staff to the extent necessary to assure both the objectivity of the information upon which it acts and the unbiased character of recommendations based upon that information.

4. It would have the authority to require any Government agency to produce any information within its field of interest and to provide any assistance which it believes necessary to a proper decision.

5. It would have continuity to facilitate the development of long-range policies.

6. It would be an agency with no responsibility for the operation of any telecommunications.

7. It would not disturb the present functions of the Federal Communications Commission, including that of determining which applicants shall receive assignments within bands set aside for non-governmental use.

The Board should, as a special duty, review the national table of radio frequency allocations being employed by federal government and non-federal government users. This review should be ~~done~~ undertaken in consultation with the Federal Communications Commission to the end that a determination be made as to whether the current division of radio spectrum serves the national interest to an appropriate degree. The Board should make a report of findings to the President for transmission to Congress. The report should contain, in addition to the findings resulting from the review and the comments of the FCC thereon, such recommendations as may be considered desirable and applicable. The report should be made at the earliest date consistent with the task to be performed but no later than two years from the appointment and qualification of the Board members.

The Board should maintain continuing review of the national table of radio frequency allocations, coordinating with the Federal Communications Commission, for the purpose of ensuring an appropriate division of spectrum space between the federal government and non-federal government users. The Board should formulate, and coordinate with the FCC, the development of long-range plans for future use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications; (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of the proposed Bill; and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's recommendations on what changes, if any, should be made in the existing administrative organization.

The Board should carry out such other duties and responsibilities as may be directed by the President from time to time.

The Board should establish and maintain liaison as required with departments and agencies of the Federal Government and the telecommunication industry, including but not limited to the broadcasting, electronic, and communication services, with

MOBILIZATION PLANNING RESPONSIBILITY

The Board should also:

1. Formulate national telecommunication policies, plans, and programs designed to assure maximum security to the United States in time of national emergency with a minimum interference to continuing non-governmental requirements;

2. Formulate plans for the adoption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war;

3. Direct and coordinate the development by the several agencies of the Executive Branch of plans, programs, and actions designed to carry out approved plans, programs, and actions in the emergency;

4. Formulate plans and directives to provide for the control of telecommunications in a national emergency;

5. Formulate plans for the acquisition of defense telecommunications services and facilities as may be required for defense purposes after an emergency for the purpose of reconstruction, rehabilitation and peace.

In order to avoid duplication within legislation concerning the mobilization planning function which is already a legislated responsibility of the Office of Civil and Defense Mobilization, it appears preferable to exclude this function from the draft Bill and provide, in the form of an Executive Order, for Presidential delegation of this planning responsibility.

(b) The Board shall formulate plans for the adaption of non-defense telecommunications services and facilities to the requirements of defense in a national emergency or war.

(c) The Board shall direct all services for development by the several agencies of the Federal Government of plans, programs, and actions required in order that the telecommunications facilities of the nation may be used in the national interest in an emergency.

(d) The Board shall establish plans and standards for an emergency telecommunications system for the national security of the U. S. telecommunications in a national emergency.

(e) The Board shall formulate plans for the preservation of defense telecommunications services and facilities of longer required for defense purposes for the purpose of transferability, availability, and profit.

Section 5. The Board, in the exercise of functions and the foregoing responsibilities, will consult with the various departments, agencies and other instrumentalities of Government whether pertaining to the national level in order that functional agency plans may become integral parts of the whole. It will have such subsidiaries and boards as are necessary or useful and which it shall deem appropriate.

APPENDIX D

STATE OF THE UNION MESSAGE

Changing technology, along with changing needs in government and non-government areas, presents serious problems that require searching examination in the field of telecommunications, particularly as respects administration and use of the radio spectrum. These problems affect both the national security and the industrial and social welfare of the country. The present government mechanism is not adequate to meet these problems. To correct this situation I will send to the Congress a Bill requesting that a National Telecommunications Board consisting of three members be established in the Executive Office of the President whose primary mission will be to carry out the responsibilities imposed on the President by the Communications Act of 1934 in connection with national telecommunications resources, including management of the Government's use of the radio frequency spectrum, and of all telecommunications in time of emergency.

December 29, 1958

Suggested changes in report made by Gen. Corderman this date:

Page 6, second para, next to last sentence: ".....answerable to the President in ~~the~~ carrying out ~~of~~ his responsibilities....." -- Eliminate the words the and of.

Page 7, Item No. 4: After the words "produce any information", add within its field of interest. OK

Page 14, Item No. 3: Change to read as follows: Direct and coordinate the development by the several agencies of the Executive Branch of agency plans, programs, and actions designed to carry out approved national plans, programs, and actions in an emergency. The words "agency" and "national" have been added. OK

Appendix C, page 2, (c): Same change as above.

December 22, 1958

MEMO NO. 9

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Attached is the latest draft of your report, prepared in final form on the chance there will be only minor changes, if any!

This version has evolved from the editing by Mr. Cooley of Draft #5--the draft agreed to in principle by the full Committee at its meeting on December 9, 1958--plus further discussion and consideration of all other comments by the Drafting Committee (Dr. Kear, Mr. Thompson, and I) at a meeting on December 18, 1958.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

REPORT

OF

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION

December 22, 1958

The attached pages of draft dated 12/22/58 further edited by Mr. Cooley to make draft dated 12/29/58 HKT

LETTER OF TRANSMITTAL

December 22, 1958

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

Dear Mr. Hoegh:

We have the honor of sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunication as called for by your letter of November 4, 1958, creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18, we have reviewed the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch and the growing demands for frequency assignments by both government and non-govt applicants. We have also considered the broad over-all methods of allocation of the radio spectrum and the assignment of radio frequencies as well as the availability of desired frequencies. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions reached in its report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)

Frank G. Kear

Irvin Stewart

William G. Thompson

Victor E. Cooley, Chairman

INTRODUCTION

The telecommunication systems of the United States are essential to the national security, to the safety of life and property, to international relations, and to the business, social, educational, and political life of the country. As such they are one of the nation's most valuable assets in peace and provide vital and essential support in the prosecution of war.

The President in recognizing the importance of telecommunications declared in his letter to Speaker Rayburn dated July 28, 1958, that "changing technology along with changing needs in government and non-government areas present problems in the telecommunication field which require searching examination. The situation is becoming no less complicated by prospective developments in satellites and space vehicles as well as defense weapons systems. Thus it has seemed to me that a fresh examination of the role of the Federal Government in this field would be desirable."

The concern felt by the 85th Congress was indicated by the Senate's adoption of S. J. Res. 106 establishing a Commission to investigate the utilization of the radio and television frequencies. This resolution was approved with amendments by the House Committee on Interstate and Foreign Commerce but did not come to a vote in the House.

Industry's concern was evidenced more than a year ago and reaffirmed this year through the adoption of a resolution by the Electronic Industries Association calling for a study of the spectrum. Non-government users of the spectrum, for example the broadcasters, have indicated a need for additional channels in certain frequency ranges not now available.

While landline and submarine cable facilities are capable of expansion almost without limit, such is not the case with the radio spectrum. There is only one such spectrum, the usable band of which extends in the present state of the art to about 30,000 megacycles -- a frequency of about 30 billion cycles per second. ~~To the layman this figure may give the impression of an inexhaustible supply, but this is not the case. Different parts of the spectrum have different characteristics, many being very useful while others have little application currently. In consequence, requests for frequencies having the most favorable characteristics for a particular purpose have not infrequently exceeded the supply.~~ See substitute

The importance of efficient use of the spectrum is emphasized from a national security standpoint by the expanding need of radio channels in ~~by~~ the Department of Defense. Not only have all branches of the military become increasingly dependent upon spectrum use for communications, but ~~the operation and direction by radio are integral parts of the design of space vehicles and many of our most modern weapons.~~ Also urgent is the increased need of frequencies for modern airplane operations and other important services are equally demanding. ~~Thus it is vital to the welfare and security of the country that the radio spectrum be efficiently and effectively used.~~

The demand for radio frequencies has been growing steadily since the early 1900's. At the time of the Berlin Radio Conference in 1906 the usable radio spectrum comprised about 500 kilocycles of space. Currently ~~In 1958~~ nearly 40 million kilocycles of space, or about 80 thousand times as much, is allocated in the United States, of which about 15 million kilocycles is used so intensively that it has become difficult to satisfy new requirements. The increase since the beginning of World War II is about 200 fold and since the Korean action began is about 4 fold. Thus, it is vital to the welfare and security of the country that the radio spectrum be efficiently and effectively used.

With the foregoing in mind, and being aware of his responsibilities in this field, the Director of the Office of Civil and Defense Mobilization, on behalf of the President, created the Special Advisory Committee on Telecommunication to review the role of the Federal Government in the management of telecommunications. The text of the Director's letter is attached as Appendix A.

In view of the study given the subject in recent years, the results of which are available, the Committee felt it was not necessary to hold hearings to determine the existence, nature, and scope of the problem assigned to it. A review of past studies in light of the current situation was undertaken. The discussion and recommendations which follow are based on this review.

OUR CURRENT MECHANISM

The Government of the United States has from time to time established agencies to deal on a continuing basis with various aspects of telecommunication management which includes radio, landline, and submarine cables. As the use of telecommunications has grown, with the Government itself a major user, existing Government mechanisms have required and will continue to require adjustment and strengthening.

The Communications Act of 1934, as amended, gives to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private users, including state and local governments. Thus the law establishes a dual control over a single national resource. Additionally, the Act vests in the President wartime authority over all telecommunications.

The necessity for a mechanism to supervise and administer the Government's needs and uses of telecommunications was stressed by the report of the President's Communications Policy Board in 1951.*

The mechanism which was subsequently established on a minimal basis consisted of a Telecommunications Advisor to the President and a small professional staff. Later reorganization resulted in a downgrading of the office. This important work is now assigned to a ~~competent though~~ numerically inadequate staff -- about 12 people -- under the direction of the Deputy Assistant Director for Telecommunications who reports to the Director of the Office of Civil and Defense Mobilization through the Assistant Director for Resources and Production. Thus, it has no established source of high-level direction from executives knowledgeable in telecommunications.

Assisting the Deputy Assistant Director for Telecommunications is the Interdepartment Radio Advisory Committee (IRAC), a committee of Federal agency experts which affords technical guidance in the assignment of radio frequencies to Government agencies. This committee reports to the Director of OCDM through the Deputy Assistant Director for Telecommunications. The IRAC is primarily a group of coequal users and as such is not an appropriate group to act, nor does it act, as a policy making or authoritative body.

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*Telecommunications - A Program for Progress

The Federal Communications Commission which succeeded the Federal Radio Commission in 1934 regulates non-government telecommunications, including the assignment of radio frequencies, with a staff of about 1000 people. ~~Insert It has an established source of high-level direction in the form of seven Commissioners.~~

see such sentence

These various segments form our national regulatory and control mechanism of telecommunications.

Insert

Administering the work of the Commission are seven Commissioners which give it a continuing source of high-level direction.

CONSIDERATIONS LEADING TO A CONCLUSION

As inferred in the introductory paragraph of this report, the basic problem giving rise to the appointment of this Committee is ~~that~~ the fact that in certain parts of the radio spectrum the demand for frequencies has become ~~is~~ greater than the supply, and the further fact that ~~it is disturbing~~ that the trend in ~~the~~ volume of applications, both government and non-government, for frequencies in specific bands indicates that the situation will grow progressively worse.

Although it has been possible to date through piecemeal compromise on the allocations and assignments of radio frequencies to satisfy most requests in a workable manner, it is plainly of great importance to our national security and welfare that the mechanism of allotting and assigning frequencies, particularly in the government field, be reviewed and strengthened to the end of assuring the most effective use of a scarce but essential national resource.

A consideration disquieting to many is the fact, as mentioned earlier, that the law establishes a dual control over ~~certain areas of telecommunications, including~~ the radio frequency spectrum -- the President having responsibility for government use and the Federal Communications Commission for non-government use. Thus, there is no individual, agency, or board invested with the responsibility for the effective use of the radio spectrum as a whole.

In reviewing the structure as it has evolved the Committee was continuously struck by the absence of adequate provision for high-level consideration, ~~particularly~~ on the Government side, of a variety of matters of vital national importance in the area of telecommunications. The Federal Communications Commission provides a vehicle for adequate consideration in the non-government area. In sharp contrast, as indicated earlier, decisions in the area of government use ~~or~~ conflict between government and non-government use, are often made by compromises at the operational level by staff members, who though competent in their fields, do not necessarily have the total picture of national interest. There is also an unfortunate absence at present of anyone in the Executive Branch with adequate knowledge, experience, and stature to act in these matters and there is not available therein an organization adequate to accumulate the information and experience upon which to base sound action.

CONCLUSION

In the opinion of the Committee any sweeping change in the regulation and control of telecommunications by the Government, and in the legislation therefor, should be considered only after extensive study and the development of a well-thought-out course of action. The Committee does feel, however, that in advance of such a study, certain immediate steps can and should be taken to strengthen the Executive Branch side of telecommunications management. It believes that this strengthening can best be accomplished by creating a board, within the Executive Office of the President, to act for and to be answerable to the President in the carrying out of his responsibilities under the Communications Act. See substitute for such para

It has been suggested that additional powers in this area might be given to the Federal Communications Commission. To give such powers to the FCC would present a number of difficulties. That body is fully occupied with its regulatory and assignment functions in the non-government field. The duties ~~envisioned for this new agency,~~ requiring attention, including the allocation of frequencies to Government agencies, call for a different type of operation than is required in an agency concerned with the regulatory problems of non-governmental users. It would also seem inappropriate to give the FCC the power to act in matters affecting the executive agencies or responsibilities relating closely to national defense or foreign affairs. These are areas of decision which belong to the President and should be his prerogative to delegate. Because of these ~~difficulties the Committee believes that some other entity should be considered for carrying out these broad discretionary functions.~~

The type of responsibility which ~~we~~ is contemplated should, we feel, be vested in a board rather than in a single individual. A wisely constituted board can bring a variety of experience and points of view to the problems with which the United States is confronted in the area of telecommunications, and we believe that the desirable diversity of viewpoints can be achieved with three properly selected individuals.

The new Board would necessarily be privy to the plans of all agencies, in perpetuity, for both present and future use, under an assurance of complete security for all information which it receives. Its decisions would have a bearing upon war plans and upon the production of vast quantities of civilian and military equipment. It would introduce

~~radio spectrum assignments~~

a positive planning factor into ~~decisions~~ have in which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

The Board should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future requirements, both civilian and military; review the international telecommunications ~~picture~~ situation with a view to strengthening our international posture; and keep continually under examination the entire field of telecommunications in order to advise the President of any actions which it thinks he should take to advance the public interest.

No 7

~~Creation of this Board~~ It would not disturb the present functions of the Federal Communications Commission, including that of determining which applicants shall receive assignments within bands set aside for non-governmental use.

The type of organization we have in mind would have the following characteristics:

1. It would be established by Congress at the request of the President.

2. It would be established in the Executive Office of the President at a level to give it direct access to the President and to the heads of Government agencies using telecommunications.

3. It would have its own staff to the extent necessary to assure both the objectivity of the information upon which it acts and the unbiased character of recommendations based upon that information.

4. It would have the authority to require any Government agency to produce any information and to provide any assistance which it believes necessary to a proper decision.

5. It would have continuity to facilitate the development of long-range policies.

6. It would be an agency with no responsibility for the operation of any telecommunications.

7. It would not disturb

The Board should, as a special duty, review the national table of radio frequency allocations being employed by federal government and non-federal government users. This review should be done in consultation with the Federal Communications Commission to the end that a determination be made as to whether the current division of radio spectrum serves the national interest to an appropriate degree. The Board should make a report of findings to the President for transmission to Congress. The report should contain, in addition to the findings resulting from the review and the comments of the FCC thereon, such recommendations as may be considered desirable and applicable. The report should be made at the earliest date consistent with the task to be performed but no later than ~~made within a period of~~ two years from the appointment and qualification of the Board members.

The Board should maintain continuing review of the national table of radio frequency allocations, coordinating with the Federal Communications Commission, for the purpose of ensuring an appropriate division of spectrum space between the federal government and non-federal government users. The Board should formulate, and coordinate with the FCC, the development of long-range plans for future use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications; (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of the proposed Bill; and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's recommendations on what changes, if any, should be made in the existing administrative organization.

The Board should carry out such other duties and responsibilities as may be directed by the President from time to time.

The Board should establish and maintain liaison as required with departments and agencies of the Federal Government and the telecommunication industry, including but not limited to the broadcasting, electronic, and communication services, with

as may be considered desirable and applicable. The report is to be made at the earliest date consistent with the task to be performed but no later than ~~within a period of~~ two years from the appointment and qualification of the Board members.

(e) The Board shall maintain continuing review of the national table of frequency allocations, coordinating with the Federal Communications Commission, for the purpose of ensuring an appropriate division of spectrum space between the Federal Government and non-Federal Government users. The Board shall formulate, and coordinate with the Federal Communications Commission, the development of long-range plans for future use of the radio spectrum resource. The Board shall encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

(f) The Board shall, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications, (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of this Act, and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's

Page 1, last paragraph, substitute:

This figure may give the impression of an inexhaustible supply, but unfortunately all parts of the spectrum are not equally usable. Different parts have different characteristics -- many being very useful while others have little or no current application. In consequence, requests for frequencies having the most favorable characteristics are of sufficient volume often to cause an excess of demand over supply.

Page 2, top of page, substitute:

the engineering design of space vehicles and many of our most modern weapons makes the use of radio channels essential to their operation and direction.

Page 6, second paragraph, substitute:

Because of these considerations the Committee believes that these broad discretionary functions can best be discharged and the strengthening best be accomplished through creation of a board within the Executive Office of the President to act for and be answerable to the President in the carrying out of his responsibilities under the Communications Act.

master copy

Draft #7
12/17/58

Final
approved by Kear & Thompson
Dec 18 - 58

REPORT OF THE

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION

CONTENTS

LETTER OF TRANSMITTAL

Date ——

Dear Mr. Hoegh:

We have the honor of sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunications as called for by your letter of November 4, 1958, creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18, we have reviewed the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch. We have also considered the broad over-all methods of allocation of the radio spectrum and the assignment of radio frequencies. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions reached in its report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)
Frank G. Kear
Irvin Stewart
William G. Thompson
Victor E. Cooley, Chairman

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

INTRODUCTION

Telecommunications systems of the United States are essential to the national security, to the safety of life and property, to international relations, and to the business, social, educational, and political life of the country. As such they are one of the nation's most valuable assets in peace and provide vital and essential support in the prosecution of war.

The President in recognizing the importance of telecommunications declared in his letter to Speaker Rayburn dated July 28, 1958, that "changing technology along with changing needs in government and non-government areas present problems in the telecommunication field which require searching examination. The situation is becoming no less complicated by prospective developments in satellites and space vehicles as well as defense weapons systems. Thus it has seemed to me that a fresh examination of the role of the federal government in this field would be desirable."

The concern felt by the 85th Congress was indicated by the Senate's adoption of S. J. Res. 106 establishing a Commission to investigate the utilization of the radio and television frequencies. This resolution was approved with amendments by the House Committee on Interstate and Foreign Commerce but did not come to a vote in the House.

Industry's concern was evidenced more than a year ago and reaffirmed this year through the adoption of a resolution by the Electronic Industries

Association calling for a study of the spectrum. Non-government users of the spectrum, for example the broadcasters, have indicated a need for additional channels in certain frequency ranges not now available.

para on page 3 - here

The importance of efficient use of the spectrum is emphasized from a national security standpoint by the expanding need of radio channels by the Department of Defense. Not only have all branches of the military become increasingly dependent upon spectrum use for communications, but the operation and direction by radio are integral parts of the design of space vehicles and many of our most modern weapons. Also urgent is the increased need of frequencies for modern airplane operation. Other important services are equally demanding. Thus it is vital to the welfare and security of the country that the radio spectrum be efficiently and effectively used.

The demand for radio frequencies has been growing steadily since the early 1900's. At the time of the Berlin Radio Conference in 1906 the usable radio spectrum comprised about 500 kilocycles of space. In 1958 nearly 40 million kilocycles of space, or about 80 thousand times as much, is allocated in the United States, of which about 15 million kilocycles is used so intensively that it has become difficult to satisfy new requirements. The increase since the beginning of World War II is about 200 fold and since the Korean action began is about 4 fold.

While landline and submarine cable facilities are capable of expansion almost without limit, such is not the case with the radio spectrum. There is only one such spectrum, the usable band of which extends in the present state of the art to about 30,000 megacycles -- a frequency of about 30 billion cycles per second. To the layman this figure may give the impression of an inexhaustible supply, but this is not the case. Different parts of the spectrum have different characteristics, many being very useful while others have little application currently. In consequence, requests for frequencies having the most favorable characteristics for a particular purpose have not infrequently exceeded the supply.

Move to page 2

With the foregoing in mind, and being aware of his responsibilities in this field, the Director of the Office of Civil and Defense Mobilization, on behalf of the President, created the Special Advisory Committee on Telecommunications to review the role of the Federal Government in the management of telecommunications. The text of the Director's letter is attached as Appendix A.

In view of the study given the subject in recent years, the results of which are available, the Committee felt it was not necessary to hold hearings to determine the existence, nature, and scope of the problem assigned to it.

NB A review of past studies in light of the current situation was undertaken. The discussion and recommendations which follow are based on this review.

OUR CURRENT MECHANISM

The Communications Act of 1934, as amended, provides for a division of responsibility between the President and the Federal Communications Commission for the assignment of radio frequencies in the U. S. The Act delegates to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private users, including state and local governments. Additionally, the Act vests in the President wartime authority over telecommunications.

The Government of the United States has from time to time established a succession of agencies to deal on a continuing basis with various aspects of telecommunication management which includes radio, landline, and submarine cables. As the use of telecommunications has grown, with the Government itself a major user, existing Government mechanisms have required and will continue to require adjustment and strengthening.

The necessity for a mechanism to supervise and administer the Government's needs and uses of telecommunications was stressed by the report of the President's Communication Policy Board in 1951.*

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* Telecommunications - A Program for Progress

The mechanism which was subsequently established on a minimal basis consisted of a Telecommunications Advisor to the President and a small professional staff. Later reorganization resulted in a downgrading of the office. This important work is now assigned to a competent though numerically inadequate staff -- about 12 people -- under the direction of the Deputy Assistant Director for Telecommunications who reports to the Director of the Office of Civil and Defense Mobilization through the Assistant Director for Resources and Production! Thus, it has no established source of high-level direction from executives knowledgeable in telecommunications.

Assisting the Deputy Assistant Director for Telecommunications is the Interdepartment Radio Advisory Committee (IRAC), a committee of Federal agency experts which affords technical guidance in the assignment of radio frequencies to Government agencies. This committee reports to the Director of OCDM through the Deputy Assistant Director for Telecommunications. The IRAC is primarily a group of coequal users and as such is not an appropriate group to act, nor does it act, as a policy making or authoritative body.

The Federal Communications Commission which succeeded the Federal Radio Commission in 1934 regulates non-government telecommunications, including the assignment of radio frequencies, with a staff of about 1000 people. Thus, it has an established source of high level direction in the form of seven Commissioners.

These various segments form our national regulatory and control mechanism of telecommunications.

CONSIDERATIONS LEADING TO A CONCLUSION

As inferred in the introductory paragraph of this report, the basic problem giving rise to the appointment of this Committee is that in certain parts of the radio spectrum the demand for frequencies is greater than the supply. It is disturbing ~~This is disturbing to know, but more disturbing is the fact~~ that the trend in the volume of applications, both government and non-government, for frequencies in specific bands indicates that the situation will grow progressively worse.

although It has been possible to date through piece-meal compromise on the allocations and assignments of radio frequencies to satisfy most requests in a ~~reasonable~~ workable manner, ~~But nonetheless,~~ it is plainly of great importance to our national security and welfare that the mechanism of allotting and assigning frequencies, particularly in the Government field, be reviewed and strengthened to the end of assuring the most effective use of a scarce but essential national resource.

A consideration disquieting to many is the fact that ~~(except in a war emergency)~~ the law establishes a dual control over certain areas of telecommunication including the frequency spectrum, ~~frequency allotment~~, the President having responsibility for Government use and the FCC for non-government use. Thus, ~~incidentally~~ there is no individual, agency, or board invested with the overall responsibility for the effective use ~~agency allotment~~ of the radio spectrum. or whole

Another consideration in the regulatory mechanism which has caused dissatisfaction on the part of some non-government users and manufacturers

in the method employed in the allotment and assignment of frequencies to Government users.

In reviewing the structure as it has evolved the Committee was struck by the absence of adequate provision for high-level consideration, particularly on the Government side, of matters of vital national importance in the area of telecommunications. The Federal Communications Commission provides a vehicle for adequate consideration in the non-government area. In sharp contrast, decisions in the area of Government use or conflict between Government and non-government use, are made by committees at the operational level by staff members who, though competent in their fields, do not necessarily have the total picture of national interest. There is also no adequate forum at present at which these matters may be considered in the Executive Branch and arbitrated, and there is no adequate machinery to assemble the information and experience upon which to base sound action.

Despite the inherent tension in the dual control system and the manner in which Government frequencies are assigned, it must be admitted that largely by the talent, energy and skill of Government officials the mechanism has at times performed remarkably well. Moreover, it is the consensus of the Committee that the present system and the efforts to operate it have resulted in a great deal of good. Nevertheless, the Committee believes that the present system is not adequate to deal with the complex problems of the future.

without strengthening and perhaps changes in certain areas, would be hazardous to the national welfare.

CONCLUSION

In the opinion of the Committee any sweeping change ~~in the~~ in the regulation & control of telecommunications management by the government and in the legislation therefor should be considered, ~~if at all~~, only after extensive study and a well-thought-out course of action ~~as suggested in this report~~. The Committee does feel however, that in advance of such a study, ~~feels that~~ certain immediate steps can and should be taken to strengthen the Executive Branch side of telecommunications management. It believes that this strengthening can best be accomplished by ~~separating the management function from any agency uses of radio frequencies and by~~ creating a Board, within the Executive Office of the President, to act for and to be answerable to the President in the carrying out of his responsibilities under the Communications Act.

It has been suggested that additional powers in this area might be given to the ~~FCC.~~ Federal Com. Com. To give such ~~additional~~ powers to the FCC would present a number of difficulties. ~~In our opinion such an extension of the FCC's authority would not be a proper solution.~~ That body is fully occupied with its regulatory and assignment functions in the non-government field. The duties envisioned for this new agency, including the allocation of frequencies to Government agencies, call for a different type of operation than ~~that~~ is required in an agency concerned with the regulatory problems of non-governmental users. It would also seem inappropriate to give the FCC the power to act in matters affecting the executive agencies or ~~those~~ responsibilities relating closely to national defense or foreign affairs. These are areas of decision which belong to the President or should be his prerogative to delegate. ~~For these reasons~~ Because of these difficulties the Committee believes that some other entity ~~must~~ should be considered for carrying out these broad discretionary functions.

~~In our view~~ I the type of responsibility which we contemplate should be vested in a Board rather than a single individual. A wisely constituted Board can bring a variety of experience and points of view to the problems with which ~~we are~~ the United States is confronted in the area of telecommunications, and we believe that the desirable variation of viewpoints can be achieved with three properly selected individuals.

Creation of this Board.

~~The new Board which we suggest~~ would not disturb the present functions of the FCC ~~in~~ including that of determining which applicants shall receive assignments within bands set aside for non-governmental use. ~~It~~ The new Board would necessarily be privy to the plans of all agencies, for both present and future use, ~~Its operations would involve an assumption~~ under an assurance of complete security for all information which it receives. Its decisions would have a bearing upon war plans and upon the production of vast quantities of civilian and military equipment. It would introduce a positive planning factor into decisions which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

* Pitton Page 12

The Board should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future

organization, both civilian and military; review the international telecommunications picture with a view to strengthening our international posture; and keep continually under examination the entire field of telecommunications in order to advise the President of any actions which it think he should take to advance the public interest. These and similar actions are closely related to the responsibility of the President take elsewhere than within the Executive Office.

P* put here from page 11

It is possible that a new board would meet with resistance from those whose activities in the field have not been subjected heretofore to the type of scrutiny which we suggest. Certainly its decisions are bound to leave some interested parties dissatisfied. This is inevitable in the allocation of a scarce resource. More important is the fact that a flexible but adequate technical research is involved.

The kind of organization we have in mind would have the following characteristics:

1. It would be established by Congress at the request of the President.

2. It would be established in the Executive Office of the President at a level higher than most boards in the President and to the heads of Government specific using telecommunications.

3. It would have the sole staff to the extent necessary to assure the objectivity of the information upon which it acts and the unbiased character of recommendations based upon that information.

4. It would have the authority to require any Government agency to produce any information and to provide any assistance which it believes necessary to a proper decision.
5. It would have continuity to facilitate the development of long-range policies.
6. It would be an agency with no responsibility for the operation of any telecommunications.

MEASURES RECOMMENDED

RECOMMENDATION IN SUMMARY

IT IS RECOMMENDED THAT a Board be established through legislation requested by the President in order to provide the President with the means of discharging ~~to discharge~~ his responsibilities in connection with national telecommunication resources, including the government's use of the radio frequency spectrum.

A draft Bill designed to accomplish the foregoing recommendation by establishing a National Telecommunications Board, is attached as Appendix B.

A draft Executive Order designed to establish mobilization planning responsibilities for the Board is also attached as Appendix C.

ESTABLISHMENT OF A NATIONAL TELECOMMUNICATIONS BOARD

There should be established in the Executive Office of the President a National Telecommunications Board which reports directly to the President. The Board should consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman should be designated by the President, ~~and should receive compensation at the rate of $20,500 per annum.~~ ~~The other two~~ Board members should receive compensation ~~at the rate of $20,000 per annum.~~ in accordance with prevailing scales in comparable government bodies. ~~All actions of the Board, except those relating to internal administrative matters, should be by affirmative vote of a majority of its members.~~ The Interdepartment Radio Advisory Committee (IRAC) should report to and assist the Board in the performance of the Board's functions as the Board may direct.

FUNCTIONS OF THE BOARD

The Board should assist and advise the President in the discharge of his responsibilities as President of the United States in connection with U.S. telecommunication resources to meet the changing demands of national security and welfare, and should act for him in the discharge of his responsibilities arising from the Communications Act of 1934, as amended, for management of the Federal Government's use of the radio frequency spectrum in such a way as to provide the optimum accommodation of present and foreseen future needs of national security, safety of life and property, international relations, and the economic, social, educational, and political life of the Nation and the general welfare of its people.

The Board should formulate telecommunication policies, plans, programs, and standards designed to assure efficient telecommunication management within the executive branch of the Government with due regard for the maintenance of sound and healthy commercial telecommunication services both domestic and ~~foreign~~ overseas. The Board should coordinate the formulation of U.S. policies and positions within the executive branch of the Government for international negotiation and ~~shall~~ should assist and advise the Secretary of State in the projection internationally of U.S. telecommunication policies and positions. The Board should provide policy guidance for and direct the implementation of U.S. international telecommunication treaty obligations by the several agencies in the executive branch of the Government.

The Board should carry out such policy making, planning, and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Telecommunications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board should formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the executive branch of the Government and for the use thereof. The Board should maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate.

The Board should, as a special duty, review the national table of radio frequency allocations being employed by Federal Government and non-Federal Government users. This review should be done in consultation with the Federal Communications Commission to the end that a determination be made as to whether the current division of radio spectrum serves the National interest to an appropriate degree. The Board should make a report of findings to the President for transmission to Congress. The report should contain, in addition to the findings resulting from the review and the comments of the FCC thereon, such recommendations as may be considered desirable and applicable. The report should be made within a period of two years from the appointment and qualification of the Board members.

The Board should maintain continuing review of the national table of frequency allocations, coordinating with the Federal Communications Commission, for the purpose of insuring an appropriate division of spectrum space between the Federal Government and non-Federal Government users. The Board should formulate, and coordinate with the FCC, the development of long-range plans for future use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications, (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of the proposed Bill, and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's recommendations on what changes, if any, should be made in the existing administrative organization.

The Board should carry out such other duties and responsibilities as may be directed by the President from time to time.

The Board should establish and maintain liaison as required with departments and agencies of the Federal Government and the telecommunication industry, including but not limited to the broadcasting, electronic, and communication services, with particular reference to research and development and new manufacturing techniques and capabilities, for the purpose of improving telecommunication services, the conservation of the spectrum, and for increasing productivity of the total resource. The Board should encourage research and studies in those areas where the need exists.

The Board should, in the formulation and promulgation of policies, plans, programs, criteria, standards, and procedures of national import, consult as appropriate with the Federal Government agencies.

MOBILIZATION PLANNING RESPONSIBILITY

The Board should also:

a. Formulate national telecommunication policies, plans, and programs designed to assure maximum security to the United States in time of national emergency with a minimum interference to continuing non-Governmental requirements;

b. Formulate plans for the adaption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war;

c. Direct and coordinate the development by the several agencies of the Executive Branch of plans, programs and actions designed to carry out approved plans, programs and actions in an emergency;

d. Formulate plans and directives To provide for the control of telecommunications in a national emergency, and

e. Formulate plans for the conversion of defense telecommunication services and facilities no longer required for defense purposes after an emergency to the purposes of reconstruction, rehabilitation and peace.

In order to avoid duplication within legislation concerning the mobilization planning function which is already a legislated responsibility of OCDM, it appears preferable to exclude this function from the draft Bill and provide, in the form of an Executive Order, for Presidential delegation of this planning responsibility.

APPENDIX A

DIRECTOR'S LETTER OF NOVEMBER 4, 1958

APPENDIX B

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington, D. C.

A BILL

To provide the President with the means to discharge satisfactorily his responsibilities in connection with national telecommunication resources including the Government's use of the radio frequency spectrum.

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled.

3 NATIONAL TELECOMMUNICATIONS BOARD

4 Sec. 1. There is hereby established in the Executive Office
5 of the President the National Telecommunications Board, hereinafter
6 referred to as the "Board", which shall report directly to the
7 President. The Board shall consist of three members to be
8 appointed by the President, by and with the advice and consent of
9 the Senate. The Chairman shall be designated by the President and
10 shall receive compensation at the rate of $20,500 per annum. The
11 other two Board members shall receive compensation at the rate
12 of $20,000 per annum. All actions of the Board except those relating
13 to internal administrative matters shall be by affirmative vote of a
14 majority of its members. The Chairman shall be responsible for
15 the internal administrative direction of the Board and its staff.

1 FUNCTIONS OF THE BOARD

2 Sec. 2. (a) The Board shall assist and advise the President
3 in the discharge of his responsibilities as President of the United
4 States in connection with U.S. telecommunication resources to
5 meet the changing demands of national security and welfare and
6 shall act for him in the discharge of his responsibilities arising
7 from the Communications Act of 1934, as amended, for management
8 ofthe Federal Government's use of the radio frequency spectrum
9 in such a way as to provide the optimum accommodation of present
10 and foreseen future needs of national security, safety of life and
11 property, international relations, and the economic, social,
12 educational, and political life of the Nation and the general welfare
13 of its people.

14 (b) The Board shall formulate telecommunication policies,
15 plans, programs, and standards designed to assure efficient
16 telecommunication management within the executive branch of the
17 Government with due regard for the maintenance of sound and healthy
18 commercial telecommunication services both domestic and foreign.
19 The Board shall coordinate the formulation of U.S. policies and
20 positions within the executive branch of the Government for
21 international negotiation and shall assist and advise the Secretary
22 of State in the projection internationally of U.S. telecommunication

1 policies and positions. The Board shall provide policy guidance
2 for and direct the implementation of U. S. international telecommunica-
3 tion treaty obligations by the several agencies in the executive branch
4 of the Government.

5 (c) The Board shall carry out such policy making, planning
6 and executive functions as are required for the discharge of the
7 President's responsibilities arising from Section 305 of the
8 Communications Act of 1934, as amended, for the assignment of
9 radio frequencies to Government stations or classes of stations.
10 The Board shall formulate policies, criteria, engineering standards,
11 and procedures for the allocation and assignment of radio frequencies
12 to the several agencies of the executive branch of the Government
13 and for the use thereof. The Board shall maintain or cause to be
14 maintained suitable records of assignment of frequencies to
15 Government users and the publication of lists of Government
16 frequency assignments as appropriate.

17 (d) The Board shall, as a special duty, review the national table
18 of radio frequency allocations being employed by Federal Government
19 and non-Federal Government users. This review shall be done in
20 consultation with the Federal Communications Commission to the
21 end that a determination be made as to whether the current division
22 of radio spectrum serves the National interest to an appropriate

1 degree. The Board shall make a report of findings to the President
2 for transmission to Congress. The report shall contain, in addition
3 to the findings resulting from the review and the comments of the
4 FCC thereon, such recommendations as may be considered desirable
5 and applicable. The report is to be made within a period of two years
6 from the appointment and qualification of the Board members.
7 (e) The Board shall maintain continuing review of the national
8 table of frequency allocations, coordinating with the Federal
9 Communications Commission, for the purpose of insuring an
10 appropriate division of spectrum space between the Federal
11 Government and non-Federal Government users. The Board shall
12 formulate, and coordinate with the FCC, the development of long-range
13 plans for future use of the radio spectrum resource. The Board
14 shall encourage the operational application of new techniques,
15 improved equipment and methods to promote a more effective use
16 of the radio spectrum and to conserve radio frequencies.
17 (f) The Board shall, as a further special duty, (1) study the role
18 of the Federal Government in the management of U. S. telecommuni-
19 cations, (2) study the administrative organizations for discharging the
20 Government's responsibilities with particular reference to the
21 division of responsibility under the Communications Act of 1934,
22 as amended, and the terms of this Act, and (3) not later than two

1 years of the appointment and qualification of the Board members,
2 report to the President for transmission to the Congress the Board's
3 recommendations on what changes, if any, should be made in the
4 existing administrative organization.
5 (g) The Board shall carry out such other duties and responsibilities
6 as may be directed by the President from time to time.
7 (h) The Board shall establish and maintain liaison as required
8 with departments and agencies of the Federal Government and the
9 telecommunication industry, including but not limited to the
10 broadcasting, electronic, and communication services, with
11 particular reference to research and development and new manu-
12 facturing techniques and capabilities, for the purpose of improving
13 telecommunication services, the conservation of the spectrum, and
14 for increasing productivity of the total resource. The Board shall
15 encourage research and studies in those areas where the need exists.
16 (i) The Board shall, in the formulation and promulgation of
17 policies, plans, programs, criteria, standards, and procedures
18 of national import, consult as appropriate with the Federal
19 Government agencies.
20 (j) The Board is also authorized: (1) subject to the Civil Service
21 and classification laws, to select, employ, appoint, and fix the
22 compensation of such officers, employees, attorneys, and agents

1 as shall be necessary to carry out the provisions of this Act, and
2 to define their authority and duties; (2) to appoint such advisory
3 committees as shall be appropriate for the purpose of consultation
4 and advice to the Board in performance of its functions hereunder
5 and to obtain services as authorized by section 15 of the Act of
6 August 2, 1946 (5 U.S.C. (55(a)), at rates not to exceed $100 per diem
7 for individuals; and (3) to place in grades 16, 17, and 18 of the General
8 Schedule established by the Classification Act of 1949, as amended,
9 not to exceed ten positions which shall be additional to the number
10 authorized by section 505 of that Act.

11 ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD

12 Sec. 3. The term of office of each member of the Board shall
13 be six years, except that (1) any member appointed to fill a vacancy
14 occurring prior to the expiration of the term for which his predecessor
15 was appointed shall be appointed for the remainder of such term;
16 and (2) the terms of office of the members first taking office after
17 the date of enactment of this Act shall expire, as designated by the
18 President at the time of appointment, one at the end of two years,
19 one at the end of four years, and one at the end of six years.
20 Two members shall constitute a quorum of the Board. Each member
21 of the Board shall be a citizen of the United States.

1 ANNUAL REPORT

2 Sec. 4. The Board shall make an annual report to the President
3 for transmission on or before the 15th of March of each year to the
4 Congress, summarizing the activities of the Board for the previous
5 calendar year and making such recommendations as it may deem
6 appropriate.

7 TRANSFER OF RECORDS, PROPERTY, PERSONNEL, AND FUNDS

8 Sec. 5. The records, property, personnel and funds used, held,
9 employed, available, or to be made available, in connection with
10 the functions vested in the Director of the Office of Civil and Defense
11 Mobilization by Executive Order 10460 of June 16, 1953, and
12 Executive Order 10705 of April 17, 1957, shall be transferred,
13 consonant with law to the Board.

14 APPROPRIATIONS

15 Sec. 6. There are hereby authorized to be appropriated such
16 sums as may be necessary and appropriate for the carrying out of
17 the provisions and purposes of this Act.

18 Sec. 7. This Act may be cited as the National Telecommunications
19 Act of 1959.

APPENDIX C

EXECUTIVE ORDER

CONFERRING UPON THE NATIONAL TELECOMMUNICATION BOARD THE RESPONSIBILITY FOR MOBILIZATION PLANNING TO CONTROL AND REGULATE NATIONAL TELECOMMUNICATIONS IN AN EMERGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et. seq.), and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is hereby ordered as follows:

Section 1. The National Telecommunication Board which is responsible for assisting and advising me pursuant to my responsibilities for the management of U.S. telecommunications, shall assume the additional responsibilities for mobilization planning to control and regulate national telecommunications in an emergency. These responsibilities shall include but not necessarily be limited to the following tasks:

(a) The Board shall formulate national telecommunication policies, plans and programs designed to assure maximum security to the United States in time of national emergency with a minimum of interference to continuing non-governmental requirements.

(b) The Board shall formulate plans for the adaption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war.

(c) The Board shall direct and coordinate the development by the several agencies of the executive branch of plans, programs and actions designed to carry out approved plans, programs and actions in an emergency.

(d) The Board shall formulate plans and directives for an emergency telecommunication agency to direct the control and priority of use of U.S. telecommunications in a national emergency.

(e) The Board shall formulate plans for the conversion of defense telecommunication services and facilities no longer required for defense purposes to the purposes of reconstruction, rehabilitation and peace.

Section 2. The Board, in the process of carrying out the foregoing responsibilities, will consult with the various government agencies and commercial enterprises as necessary to produce effective planning at the national level in order that individual agency plans may become integral parts of the whole. It will form such committees and Boards as are necessary to assist and advise it in discharging these additional responsibilities.

Section 3. The mobilization plans developed by the Board shall be consistent with the policy direction and program guidance established by the Director of the Office of Civil and Defense Mobilization.

DWIGHT D. EISENHOWER

THE WHITE HOUSE

_____

Date

APPENDIX D

STATE OF THE UNION MESSAGE

Changing technology, along with changing needs in Government and non-Government areas, presents serious problems that require searching examination in the field of telecommunications, particularly as respects administration and use of the radio spectrum. These problems affect both the national security and the industrial and social welfare of the country. The present Government mechanism is not adequate to meet these problems. To correct this situation I will send to the Congress a bill requesting that a National Telecommunication Board consisting of three members be established in the Executive Office of the President whose primary mission will be to carry out the responsibilities imposed on the President by the Communications Act of 1934 in connection with national telecommunications resources, including management of the Government's use of the radio frequency spectrum.

December 18, 1958

Comments of Mr. Scott Moore, Bureau of the Budget

Greatly improved over last draft but the basic issues which I indicated to you before will probably be raised, to wit: Why a Board? Why fixed overlapping terms of the Board members? A Board is not generally termed desirable for any Executive Branch agency, and in particular for an Executive Office agency, and fixed overlapping terms for a Presidential staff office makes it peculiarly unresponsive to Presidential direction. (As an aside, the spinach in there about quorum acting by vote of majority seems undesirable and too much like a regulatory commission.)

The following seem to me difficult problems to handle in testimony:

1. We have been having increased demands since the year one. For at least 12 years this has been true and yet we have always muddled through. What's new?

2. How can you explain that Hoegh, Flemming, and Pratt are not high-level or just dummies about telecommunications?

3. First conclusion, saying no sweeping change, then proposing a considerable change seems in slight conflict.

4. Conclusion two, separating management from claimancy a little bit specious, particularly if you could delegate the wires and towers job, such as to GSA.

5. Your arguments for a Board are classic and probably won't get too far in the Executive Branch. See the last two Hoover Commission reports and the 1939 report of the President's Committee which dealt with the Executive Office.

6. How are you going to explain the fact that you have not been able to look at Defense or other agency users critically?

7. I am not too happy about requirements in the draft Bill for a Presidential staff agency having to "coordinate with FCC". While some people will argue that FCC is not in the Executive Branch, not even the courts can say clearly where they are if they are not.

Good luck in your testimony on the Hill.

December 18, 1958

Mr. Obermiller's comments:

Page 4, Para 2, First Line:- Expression "time to time" appears to conflict with the word "succession". Recommend the phrase "a succession of" be deleted.

Page 5, Last Para, Last Sentence:- Take out the word "thus".

Page 7, Para 3:- Infers that the President during a war emergency has the authority to assign radio frequencies to non-government entities. In my opinion, the duality of control continues during a war emergency and the President only has an indirect control over the assignment of frequencies by FCC through his authority to suspend or amend the rules of the FCC.

Page 8:- Says that the President is the only person in the U.S. with "adequate knowledge and experience to act in these matters".

in the regulation and control of our telecom.

~~in the~~ by our Govt and the Policy the Govt

9

9-1040

Additional suggestions made by General Corderman not taken into account in this redraft of Pages 1 through 13:

1. Insert first paragraph on page 3 ("While landline and submarine cable facilities.....") before first full paragraph on page 2 ("The importance of efficient use....."). Eliminate redundancy.

2. Last paragraph on page 3 ends too abruptly; suggests something as follows be added: "A review of past studies in light of the current situation was undertaken. The discussion and recommendations which follow are based on this review."

First full ¶

3. We should look to an even flow of the thought and eliminate any conclusions before the section marked "Conclusion".

Additional comments by Mr. Cooley:

He does not mind eliminating the reference to FCC in paragraph 2 on page 10 if the drafting committee so decides.

In referring to duties of the Board should check S. J. Res. 106.

CONFIDENTIAL

December 19, 1958

MEMORANDUM FOR MR. JOHN S. PATTERSON
Deputy Director

MR. J. ROY PRICE
Assistant Director for Resources and Production

The attachment, which was prepared for the Director, was sent to the following yesterday:

Honorable Gordon Gray
Honorable James R. Killian, Jr.
Honorable Perkins McGuire
Honorable Robert Merriam
Honorable Maurice H. Stans

It was attached to a memo addressed to these gentlemen which suggested that they attend a meeting in the Director's office at 8:30 A.M., Monday, December 22, 1958. The Director is having Mr. Doerfer and Mr. Cooley attend. He will also want you to be there if you can.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

DECLASSIFIED
E.O. 13526, Sec. 3.3h
By MW, NARA, Date 11/29/12

CONFIDENTIAL

CONFIDENTIAL

DEC 1 9 1958

MEMORANDUM FOR HONORABLE GORDON GRAY
HONORABLE JAMES R. KILLIAN, JR.
HONORABLE PERKINS McGUIRE
HONORABLE ROBERT MERRIAM
HONORABLE MAURICE H. STANS

You will find attached an interim resume of the report that the Special Advisory Committee on Telecommunication plans to make within the next few days.

I will greatly appreciate it if you will review this paper and join me in a discussion of the matter in my office at 8:30 A. M. December 22, 1958.

I have also asked Mr. Doerfer of the FCC and Mr. Cooley as Chairman of the Committee to be present.

(SIGNED)

Leo A. Hoegh

Attachment

FCAlexander/hrt
Telecommunications
cc: Records - 2
Room 408 Winder
Director

DECLASSIFIED
E.O. 13526, Sec. 3.3h
By MW, NARA, Date 11/29/12

CONFIDENTIAL

December 17, 1958

MEMORANDUM FOR THE DIRECTOR

THRU: Asisstant Director for Resources and Production

Attached is an outline of the report of Mr. Cooley's Committee prepared at Mr. Belsley's suggestion, for presentation by you to Cabinet.

Mr. Cooley suggested the form of presentation and approved the language.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

ADMINISTRATIVELY RESTRICTED

TELECOMMUNICATIONS AREA
December 17, 1958

INTERIM OUTLINE
OF
REPORT OF THE SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION

(Prepared for Presentation by Director, OCDM, to Cabinet)

THE SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION CREATED BY ME IN NOVEMBER OF THIS YEAR ON BEHALF OF THE PRESIDENT, HAS HAD TWO MEETINGS OF TWO DAYS DURATION EACH AND IS IN THE PROCESS OF PREPARING ITS REPORT WHICH WAS TO BE SUBMITTED BY JANUARY 1, 1959.

THE COMMITTEE, IN THE LIMITED TIME AVAILABLE, HAS AGREED TO, AND PLANS TO RECOMMEND THE CREATION OF A THREE MAN "NATIONAL TELECOMMUNICATIONS BOARD" TO BE ESTABLISHED WITHIN THE EXECUTIVE OFFICE OF THE PRESIDENT. THEIR RECOMMENDATION WILL INCLUDE THE SUGGESTION THAT SUCH A BOARD BE CREATED UNDER LEGISLATION SUGGESTED TO THE CONGRESS BY THE PRESIDENT.

THE COMMITTEE FEELS THAT IT IS ESSENTIAL AT THIS TIME TO PROVIDE A STRONGER MECHANISM TO MANAGE TELECOMMUNICATIONS, PARTICULARLY WITH RESPECT TO THE ASSIGNMENT OF RADIO FREQUENCIES, WITHIN THE EXECUTIVE BRANCH OF THE GOVERNMENT.

THIS NEED FOR A STRONGER MECHANISM IS ACCENUATED BY THE PHENOMENAL INCREASE IN THE USE OF RADIO FREQUENCIES, PLUS THE ADVISABILITY OF PROVIDING FOR ADMINISTRATIVE CONTROL WHICH CAN REGULATE THE ESSENTIAL COMMODITY OF COMMUNICATIONS IN THE EVENT OF AN EMERGENCY BORN OF ATTACK.

BRIEFLY, THE DUTIES ENVISAGED FOR THE NEW BOARD BY THE COMMITTEE ARE AS FOLLOWS:

1. IT WOULD PROVIDE THE PRESIDENT WITH AN ADEQUATE MEANS OF DISCHARGING HIS RESPONSIBILITIES IN CONNECTION WITH NATIONAL TELECOMMUNICATION RESOURCES IN BOTH PEACE AND WAR.

2. IT WOULD FORMULATE POLICIES, PLANS, PROGRAMS, AND STANDARDS DESIGNED TO ASSURE EFFICIENT MANAGEMENT WITHIN THE EXECUTIVE BRANCH OF THE GOVERNMENT WITH DUE REGARD TO THE CONTINUING HEALTH OF OUR COMMERCIAL TELECOMMUNICATION SERVICES.

3. IT WOULD ASSIGN RADIO FREQUENCIES TO FEDERAL GOVERNMENT AGENCIES.

4. IT WOULD UNDERTAKE ANY RELATED TELECOMMUNICATION RESPONSIBILITIES TO ASSIST THE PRESIDENT.

THE COMMITTEE ALSO PLANS TO RECOMMEND THAT THE BOARD UNDERTAKE AS A SPECIAL DUTY, A REVIEW OF THE NATIONAL TABLE OF RADIO FREQUENCY ALLOCATIONS EMPLOYED BY FEDERAL GOVERNMENT AND NON-FEDERAL GOVERNMENT USERS, IN CONSULTATION WITH THE FCC, AND WITH A SUBSEQUENT REPORT

TO THE PRESIDENT. THE COMMITTEE VISUALIZES THAT THIS REPORT MAY REQUIRE TWO YEARS TO COMPLETE.

AS AN ADDITIONAL SPECIAL DUTY THE COMMITTEE WILL RECOMMEND THAT THE BOARD CONDUCT A COMPREHENSIVE STUDY OF THE GOVERNMENT'S ROLE UNDER EXISTING LAWS IN THE MANAGEMENT OF U. S. TELECOMMUNICATIONS, WITH PARTICULAR REFERENCE TO THE DIVISION OF ADMINISTRATIVE RESPONSIBILITY SET FORTH IN THE COMMUNICATIONS ACT OF 1934, AS AMENDED. (THIS ACT GIVES THE PRESIDENT THE RESPONSIBILITY FOR ASSIGNMENT OF FREQUENCIES FOR GOVERNMENT USE AND TO THE FCC FOR NON-GOVERNMENT.) THE COMMITTEE FEELS THAT THE BOARD SHOULD, WITHIN TWO YEARS, MAKE A REPORT TO THE PRESIDENT OF ITS FINDINGS AND RECOMMENDATIONS ON THIS SUBJECT.

THE COMMITTEE PLANS TO SUBMIT ITS REPORT PRIOR TO JANUARY 1, 1959.

December 17, 1958

MEMO NO. 8

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATIONS:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank C. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Attached are some releases regarding your recent activities. As you will see, the one from Broadcasting "Closed Circuit", is obviously a trial balloon as Mr. Cooley indicated that Mr. Harris said nothing of the sort when he (Mr. Cooley) called upon him. Mr. Cooley outlined thoroughly the course the report would probably take and Mr. Harris did not commit himself, other than to indicate that he did not want an advance copy and that he would not release the information prior to the presentation of the report itself.

Telecommunications Reports is exercising their own imagination in their outline and in effect, stating the obvious, to the effect that you fellows couldn't do much else than what they suspect in the time allotted.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

Extract from MINNEAPOLIS, December 15, 1958
(Circuit Circuit)

Members of President Eisenhower's recently appointed Special Advisory Committee on International Educational Exchange called on Vice President Nixon this morning which was Vice President Nixon's first official appointment since his return from his trip to Latin America.

Mr. Nixon's cabinet group that conducted a 10-day exploration of Latin American problems, was unofficially told, Nixon added that conditions there were similar to those in other areas of the world, and that the problems which they had found were not unique to Latin America.

Extract from TELECOMMUNICATIONS REPORTS, Vol. 25, No. 8, Dec. 15, 1958

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATIONS MEETS WITH PRESIDENT EISENHOWER; GROUP ADVANCES WORK DURING TWO-DAY MEETING IN WASHINGTON

Members of the Special Advisory Committee on Telecommunications, called three weeks ago to consider methods for bringing about improvements in the use of telecommunications resources (TELECOMMUNICATIONS, Nov. 24) met Monday, Dec. 8, with President Eisenhower during the course of a two-day meeting in Washington.

Last week's session was the first full meeting since the committee's formation, and while no announcement was made of what transpired during the conference, it was understood that the five members exchanged views regarding a spectrum study, particularly expressing themselves in those areas which each was asked to consider in the interim since their organizational meeting of late November.

At that time, the committee was directed to make its recommendations to the President by Dec. 31, but it appears likely that these will be formulated in advance of the deadline date. The committee was believed to have reached the stage of a "working draft" of its report at last week's meeting, and the possibility exists that the recommendations will have reached a firm stage in time for presentation to the office of Eisenhower's addresses to Congress.

It is anticipated that the group will hold another full meeting in Washington prior to the submission of its report, since the policy phases of the document are anticipated to be completed and a further analysis of the widely-ranged recommendations is not needed.

The short period of time given to the committee to prepare a report made it apparent that it will take a broad-range view of the subject, with the likelihood that it will recommend a "permanent" committee to delve into the subject. Except for general observations, the committee is handicapped by time considerations from going very deeply into the subject. Although it is proposed a "permanent" group, it may be expected to suggest some guidelines for its successors.

At its organization, the committee was directed to examine existing governmental policies, use of facilities, and administrative arrangements and procedures for the allocation, management, and control of telecommunications, including the radio frequency spectrum for government and non-government use. The Committee is not concerned with existing regulatory powers or procedures of the FCC, nor was it directed to make studies of detailed problems, such as radio frequency usage.

Victor H. Cooley, former President and Chairman of the Board of Southwestern Bell Telephone Co. and Deputy Director of the Office of Emergency Preparedness from 1973-1976, is Chairman of the committee. Serving with him are Kenneth Hall, a consulting radio engineer; William F. Ewing, former President of Telephone & Telegraph Co. long Lines Department; Gerald Ind and A. Edward Dupuy, former Department consultants; Brian Kennedy, a member of the FCC from 1969 to 1972 and chief author of the so-called "Kennedy Report" of 1971; and Maj. Gen. W. Preston Corderman, retired U.S. Army Signal Corps officer with Litton Industries.

DEC 12 1958

Bob Merriam

Memorandum to ~~General Goodpaster~~

The Telecommunications Advisory Committee met with me December 8-10. This was their second meeting.

The Committee has now formulated a recommendation for the establishment of a National Telecommunications Board consisting of three members. Its primary mission will be to carry out the responsibility imposed on the President by the Communications Act of 1934 in connection with national telecommunications resources including management of the government's use of the radio frequency spectrum.

In addition, the Board's special duty will be to review the national table of radio frequency allocations being employed by the Federal Government and non-Federal government users. The review should be done in consultation with the Federal Communications Commission to the end that a determination be made as to whether the current division of radio spectrum serves the national interest to an appropriate degree. The Board should make a report of findings to the President for transmission to the Congress within two years from the appointment and qualification of the Board members. Also, the Board should continue to review the national table of radio frequency allocations.

The Advisory Committee will have its formal report in my hands prior to January 1. They have drafted the attached State of the Union message pertaining to this subject.

~~A copy of this memorandum is being sent to General Persons.~~

Leo A. Hoegh

Leo A. Hoegh

Attachment

LAH/vl cc: Director - 2 Central Files - 2
Mr. Alexander

December 12, 1958

Mr. Victor E. Cooley
Dorset, Vermont

Dear Vic:

Attached you will find a listing of the areas of the spectrum where there are presently or have been differences of opinion regarding occupancy.

As you will see, it usually is a dispute between the Government and the industrial users. So far none have bubbled up to the President's desk, but there will always be a first time.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

AREAS OF THE RADIO SPECTRUM WHERE DEMAND EXCEEDS AND DISPUTES HAVE ARISEN

The demand for radio frequency space, at one time or another, has exceeded the supply and disputes over the use of such space have arisen. Areas of the spectrum where competition for space has been vigorous and the disputes have become serious in the United States are:

Frequency Band Mc/s	
Below 10	A dispute between the Government agencies and the FCC staff over the availability of the 4, 6, and 8 Mc/s maritime radiotelephone bands has gone unresolved since 1957.
132 - 136	This band is now demanded for air traffic control on the Federal Airways. It has been in use by the military services since World War II and the military state they cannot release it. The matter has been referred to OCDM for decision.
162 - 170	The FCC, in 1956, requested the reallocation of this band from government to non-government. The Commission is not apparently satisfied with a Government suggestion for an over-all study and view that the band cannot be released.
420 - 450	Reallocated from amateur to Government radio positioning and ranging in April 1958. The Commission's action in this regard is now under appeal in the courts which it has been demanded and ordered that the FCC produce certain secret documents. Elements of industry want the space for a collision avoidance system.
960 - 1215	This area was in dispute between military and industry in which each advocated a separate aeronautical navigational aid.
3250 - 3350	In dispute between industry and government. Settled in 1957.

8750 - 8850	Reallocated from government and non-government radionavigation to government radiopositioning in April 1958. The U. S. allocation provided for temporary operation of doppler navigators. The temporary provision was rejected by industry and the Commission's action was appealed in the courts. (See 420 - 450 Mc/s.)

December 12, 1958

Mr. Victor E. Cooley
Dorset
Vermont

Dear Vic:

Attached you will find a brief outline on the subject of technical advancements in the lsst few years that have resulted in a saving of radio spectrum space.

As you will see, it is easy to get into complications in this field. Also there is not really a great deal that has been accomplished. It is moving rather fast to stop and refine.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

December 12, 1958

TECHNICAL ADVANCEMENTS RESULTING IN THE SAVING OF RADIO SPECTRUM SPACE

The technical and operational achievements within the last few years have not been great in number insofar as radio spectrum conservation is concerned.

The most notable of these are the techniques of "channel splitting", and single sideband operation. Each of these techniques, where used, makes available generally, two channels where one was in use before.

The "channel splitting" technique is very simply explained and merely takes one "channel" which might have been 5 kilocycles wide and divides it in half with the result that two channels are assignable for future use, each of 2-1/2 kilocycles in width.

This technique usually forces an improvement in radio receiver capability, calling for a sharper and more precise instrument in order to reduce interference.

The second technical and operational advancement is single sideband operation which, stated in an over-simplified fashion, uses only half of the spectrum space previously needed. The application of this technique is generally only applicable to the wider channel uses such as for radio telephone which would be about six kilocycles wide. In the normal use of such a channel the transmission of energy (in this case voice) would be detectable on both sides of the center reference frequency. The new technique merely suppresses one side (or 3 kilocycles) of the channel from the reference frequency and employs a channel 3 kilocycles wide leaving the remaining 3 kilocycles free for other uses.

This process is expensive in relation to the special equipment necessary in transmitting and receiving and is not therefore widely used except in special cases. It costs about 50% more than conventional equipment.

There has been a recent development in radar transmission which results in greater suppression of unnecessary energy transmitted beyond the boundries of the desired operating channel. This technique involves both the suppression of undesirable spurious emissions and actually narrows the channel required to produce the results. This procedure can be said to reduce the channel width from a maximum of about 12,000 kilocycles down to an average of 3 or 4000 kilocycles.

This is a very expensive procedure in both research and equipment.

The costs may well double in the process of improving and modernizing this equipment. For example, a 100-kilowatt radar transmitter which cost about $50,000 would cost about $100,000, properly improved.

There is one single area which would undoubtedly be extremely productive of results in saving frequency space, when and if it can be exploited.

This is the area of radio receivers. There is today no regulation or stated standards which specify the quality of threshold acceptance for radio receivers. For example, if you go into a store to buy a television receiver you may find one for $250.00 and one for $150.00. They will both show, (in the store) an acceptable picture and sound. However, one, the expensive one, has a narrow threshold acceptance for incoming signals by virtue of the design, engineering, shielding, number of tubes and so forth. The less expensive one has a wide threshold acceptance.

You buy the $150.00 receiver and take it home and eventually complain about the amount of "snow" interference and extraneous results other than clear pictures and beautiful music that are received.

Obviously this is a dollars and cents proposition and the result is that in a competitive market with no fixed standards the manufacturer makes and the public buys the least expensive product that appears to be delivering satisfactory results.

OCDM and the IRAC have done some urging, particularly in the preparation of government contract specifications, to insure better quality and narrow threshold acceptance characteristics for government, including military equipment.

This remains a wide open field to be regulated in the area of general receiver manufacture.

December 12, 1958

MEMORANDUM FOR DR. STEWART
GENERAL CORDERMAN

Attached is the letter which transmits your report to Governor Hoegh. We would like you to sign it, but we do not plan to use or date it until the final version of the report has been agreed upon. Obviously we cannot wait until that time to get all the signatures.

We will save time if Dr. Stewart will forward the letter to General Corderman, who in turn can return it to us. Appropriate Air Mail envelopes are enclosed for this purpose.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

P.S. Each of you may retain a copy of the letter for your records.

December 11, 1958

MEMO NO. 7

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Attached are revised Pages 17 through 20 to be inserted in Draft #5 of the report. This section was reworded to bring it into agreement with the language in the proposed Bill (Appendix B).

Also attached is a "Position Description" from the Personnel people which you may want for your records.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

Note: No attachments for Mr. Cooley. Revised pages already inserted in the report; and no new position description since he was already on OCDM roles. (HT)

Revised pages inserted in FCH copy of the report, as well as attached hereto.

FUNCTIONS OF THE BOARD

The Board should assist and advise the President in the discharge of his responsibilities as President of the United States in connection with U. S. telecommunication resources to meet the changing demands of national security and welfare, and should act for him in the discharge of his responsibilities arising from the Communications Act of 1934, as amended, for management of the Federal Government's use of the radio frequency spectrum in such a way as to provide the optimum accommodation of present and foreseen future needs of national security, safety of life and property, international relations, and the economic, social, educational, and political life of the Nation and the general welfare of its people.

The Board should formulate telecommunication policies, plans, programs, and standards designed to assure efficient telecommunication management within the executive branch of the Government with due regard for the maintenance of sound and healthy commercial telecommunication services both domestic and foreign. The Board should coordinate the formulation of U. S. policies and positions within the executive branch of the Government for international negotiation and shall assist and advise the Secretary of State in the projection internationally of U. S. telecommunication policies and positions. The Board should provide policy guidance for and direct the implementation of U. S. international telecommunication treaty obligations by the several agencies in the executive branch of the Government.

The Board should carry out such policy making, planning, and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board should formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the executive branch of the Government and for the use thereof. The Board should maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate.

The Board should, as a special duty, review the national table of radio frequency allocations being employed by Federal Government and non-Federal Government users. This review should be done in consultation with the Federal Communications Commission to the end that a determination be made as to whether the current division of radio spectrum serves the National interest to an appropriate degree. The Board should make a report of findings to the President for transmission to Congress. The report should contain, in addition to the findings resulting from the review and the comments of the FCC thereon, such recommendations as may be considered desirable and applicable. The report should be made within a period of two years from the appointment and qualification of the Board members.

The Board should maintain continuing review of the national table of frequency allocations, coordinating with the Federal Communications Commission, for the purpose of insuring an appropriate division of spectrum space between the Federal Government and non-Federal Government users. The Board should formulate, and coordinate with the FCC, the development of long-range plans for future use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications, (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of the proposed Bill, and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's recommendations on what changes, if any, should be made in the existing administrative organization.

The Board should carry out such other duties and responsibilities as may be directed by the President from time to time.

The Board should establish and maintain liaison as required with departments and agencies of the Federal Government and the telecommunication industry, including but not limited to the broadcasting, electronic, and communication services, with particular reference to research and development and new manufacturing techniques and capabilities, for the purpose of improving telecommunication services, the conservation of the spectrum, and for increasing productivity of the total resource. The Board should encourage research and studies in those areas where the need exists.

The Board should, in the formulation and promulgation of policies, plans, programs, criteria, standards, and procedures of national import, consult as appropriate with the Federal Government agencies.

December 10, 1958

Mr. Victor E. Cooley
Dorset, Vermont

Dear Vic:

I just talked to Bill Thompson on the telephone and he told me that you and he had agreed that there is a mix-up in the order of the items in Draft #5 of the report. He feels that he has the solution by a slight rewording and a slight rearrangement. The rearrangement is as follows:

Page 12 in Draft #5 should become Page 9

Page 13 in Draft #5 should become Page 10

Page 9 in Draft #5 should become Page 11

Page 10 in Draft #5 should become Page 12

Page 11 in Draft #5 should become Page 13

The rewording Bill suggested is enclosed. One is a substitute last paragraph on Page 8 of Draft #5; the other is an addition to the first paragraph on Page 9 of Draft #5, to be inserted after the sentence: "That body is fully occupied with its regulatory functions."

I hope this does not confuse you too much!!

Sincerely,

F. C. Alexander

Enclosures

Substitute Last Paragraph on Page 8

At this time it would appear that two separate and distinct steps merit consideration: (1) the possible establishment of a new agency (or an augmentation of the powers of an existing agency) to exercise an authoritative judgment in the matter of government requirements for frequencies; and (2) a possible review of the national table of radio frequency allocations as well as an assessment of prospective telecommunications requirements, both governmental and non-governmental.

Page 9 -- First Paragraph

And further not only is it (FCC) representing the interests of non-government users but is itself a user of frequencies. As such it would not be acceptable as an impartial arbiter. The FCC should not be given the power to act in matters affecting the Executive agencies or those relating closely to national defense and foreign affairs. These are areas of decision which belong to the President or should be his prerogative to delegate.

F. C. Alexander
master copy

DRAFT #5

December 9, 1958

REPORT OF THE

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION

CONTENTS

LETTER OF TRANSMITTAL

Date

Dear Mr. Hoegh:

We have the honor of sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunications as called for by your letter of November 4, 1958, creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18, we have reviewed the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch. We have also considered the broad over-all methods of allocation of the radio spectrum and the assignment of radio frequencies. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions reached in its report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)
Frank G. Kear
Irvin Stewart
William G. Thompson
Victor E. Cooley, Chairman

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

INTRODUCTION

Telecommunications of the United States are essential to the national security, to the safety of life and property, to international relations, and to the business, social, educational, and political life of the country. As such they are one of the nation's most valuable assets to guard and preserve which and maintain support in the preservation of such.

The problems in connection with telecommunications derived in the field in October September July 20, 1976, and "changing technology" change with changing needs in government and communications. Problems in the telecommunications field which involve complex considerations the effective in business and have complicated by geographic development in individual and general relations as well as interest response systems. The [illegible] in one that a fresh consideration of the role of the Federal government in this field could be desirable.

The current Act by the 69th Congress was introduced by the Senate's chairman of S. 2, Sess. 104 establishing a Commission to investigate the activities of the radio and telephone industries. This commission appeared with recommendations by the House Committee on Interstate and Foreign Commerce but did not appear to agree to the House.

Industry's concerns have influenced Congress that you and continued this year through the adoption of a resolution by the Senate Subcommittee

Association calling for a study of the spectrum. ~~Commercial as well as other~~ Non-government users of the spectrum, for example the broadcasters, ~~particularly the broadcasters,~~ have indicated a need for additional channels in certain frequency ranges not now available.

The importance of efficient use of the spectrum is emphasized from a national security standpoint by the expanding need of radio channels by the Department of Defense. Not only have all branches of the military become increasingly dependent upon spectrum use for communications but the operation and direction by radio is an integral part of the design of space vehicles and many of our most modern weapons. Also urgent is the increased need of frequencies for modern airplane operation. Other services are important and equally demanding. Thus it is vital to the welfare and security of the country that the radio spectrum be efficiently and effectively used.

The demand for radio frequencies has been growing steadily since the early 1900's. At the time of the Berlin Radio Conference in 1906 the usable radio spectrum comprised about 500 kilocycles of space. In 1958 nearly 40 million kilocycles of space, or about 80 thousand times as much, is allocated in the United States, of which about 15 million kilocycles is used so intensively that it has become difficult to satisfy new requirements. The increase since the beginning of World War II is about 200 fold and since the Korean action began is about 4 fold.

It was not until the beginning of World War II, however, that the ratio of demands to supply reached serious proportions. Since then the tremendous expansion of the use of radio which took place during World War II has continued unabated until today it is becoming increasingly difficult to satisfy the requirements of national preparedness, economic, cultural, and [illegible] interests, and the needs of the jet aircraft and space vehicles.

While landline and submarine cable facilities are capable of expansion, such is not the case with the radio spectrum. There is only one radio spectrum, the usable band of which extends in the present state of the art to about 30,000 megacycles or a frequency of 30 billion cycles per second. To the layman this figure may give the impression of unlimited capacity, but this is not the case. Different parts of the spectrum have different characteristics, many are very useful while others have little application currently. In consequence, requests for frequencies having the same desirable characteristics for a particular purpose have not infrequently exceeded the supply.

In view of the foregoing and being aware of his responsibilities in this field, the Director of the Office of Civil and Defense Mobilization, on behalf of the President, created the Special Advisory Committee on Telecommunications to analyze the role of the Federal Government in the management of telecommunications. (The text of the Director's [illegible]

In view of the study given the subject in recent years, the results of which are available, the committee felt it was not necessary to hold hearings to determine the existence, nature, and scope of the problem assigned to it.

OUR CURRENT MECHANISM

The Communications Act of 1934, as amended, provides for a division of responsibility between the President and the Federal Communications Commission for the assignment of radio frequencies in the U.S. The Act delegates to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private users, including state and local governments. Additionally, the Act vests in the President wartime authority over telecommunications.

The Government of the United States has from time to time established a succession of agencies to deal on a continuing basis with various aspects of telecommunication management which includes radio, land line, and submarine cables. As the use of telecommunications has grown, with the Government itself a major user, existing Government mechanisms have required and will continue to require adjustment and strengthening.

The necessity for a mechanism to supervise and administer the Government's needs and uses of telecommunications was stressed by the report of the President's Communication Policy Board in 1951. (Telecommunications - A Program for Progress.)

The mechanism which was subsequently established consisted of a Telecommunications Advisor to the President. Later reorganization resulted in a downgrading of the office. This important work is now assigned to a competent though numerically inadequate staff under the direction of the Deputy Assistant Director for Telecommunications who reports to the Director of OCDM through the Assistant Director for Resources and Production. It has no established source of high-level direction from executives knowledgeable in telecommunications.

Assisting the Deputy Assistant Director for Telecommunications is the Interdepartment Radio Advisory Committee (IRAC), a committee of Federal agency experts which affords technical guidance in the assignment of radio frequencies to Government agencies. This committee reports to the Director of OCDM through the Deputy Assistant Director for Telecommunications ~~and has a separate annual budget of about $175,000 largely for the purpose of keeping records of radio frequency assignments~~. The IRAC is primarily a group of coequal users and is not ~~qualified to act as a~~ an appropriate policy making body.

The Federal Communications Commission which succeeded the Federal Radio Commission in 1934 regulates non-Government telecommunications, including the assignment of radio frequencies, with a staff of about one thousand people. It has an established source of high level direction in the form of seven Commissioners.

These various segments form our national regulatory and control mechanism of telecommunications.

CONSIDERATIONS LEADING TO A CONCLUSION

The basic problem giving rise to the appointment of this Committee is that in certain parts of the radio frequency spectrum the demand for frequencies exceeds the supply. The situation is complicated by the division of control OVER THE SPECTRUM AND ITS PARTITIONING FOR ~~determined by whether a proposed frequency use is for~~ governmental or non-governmental purposes. It is important to keep in mind, however, that the basic problem will remain even if all the complications of dual control are eliminated. ~~Some relief is possible but miracles should not be anticipated.~~

Suspicion is inevitable in the present divided control over the spectrum. Users of, and applicants for, non-government frequencies see a relatively easy solution to some of their problems if the government agencies would only surrender desirable blocks of frequencies now allocated for government use. From this it is an easy step to a conviction that the government departments are wasting frequencies--a step made all the easier by the secrecy which necessarily shrouds certain types of government operations. On the other hand it would be only human for government agencies concerned with national defense and with safety of life to think that all other frequency uses are decidedly secondary and thus feed the suspicion that they are not overly concerned with the problems of the non-government users. The absence of any effective agency short of the President himself to resolve

these questions in the national interest provides a climate in which doubt and suspicion flourish in a manner detrimental to the national interest.

As Commander-in-Chief of the Armed Forces as well as in his more general role of Chief Executive, the President of the United States has a responsibility for effective planning and execution for national defense (which no one would wish to cripple in today's uncertain world). For a proper use of radio frequencies in this situation he is, of course, dependent upon his advisers. Sound planning requires close cooperation with the Federal Communications Commission which is charged with the administration of non-governmental uses of radio. This system of dual control has worked better than might reasonably be expected, due largely to the mutual respect shown for each other by the agencies involved. In our opinion, however, a continued reliance upon this system without strengthening it in certain areas, would be hazardous to the national welfare.

At this time two separate and fairly distinct steps are involved: (1) the establishment of a new agency (or an augmentation of the powers of an existing agency) to exercise an authoritative judgment in the matter of government ~~and non-government~~ requirements for frequencies; and (2) a review ~~by that agency of the use made of frequencies~~ of the national table of radio frequency allocations as well as an assessment of prospective telecommunications requirements, both governmental and non-governmental.

It has been suggested that additional powers in this area might be given to the FCC. In our opinion such an extension of the FCC's authority would not be a proper solution of the difficulty. That body is fully occupied with its regulatory functions.

The duties envisioned for this new agency, including the allocation of frequencies to government agencies, call for a different type of operation than that required in an agency concerned with the regulatory problems of non-governmental users.* We fear that preoccupation with the problems of non-governmental users might prejudice the consideration for the future which the national well-being requires and is not now receiving. Hence, some other entity must be considered for carrying out these broad discretionary functions.

In our view the type of discretion which we contemplate should be vested in a Board rather than a single individual. A wisely constituted Board can bring a variety of experience and points of view to the challenging problems with which we are confronted in the area of telecommunications. While no magic attaches to a particular number, we believe that the desirable variation of viewpoints can be achieved with three properly selected individuals. This number is consistent with the exercise of speed of decision which may be desirable in some cases.

(*See Page 197, PCPB Report)

The new Board which we suggest would not disturb the present functions of the FCC in determining which applicants shall receive assignments within bands set aside for non-governmental use. It would necessarily be privy to the plans of all agencies, for both present and future use. Its operations would involve an assumption of complete security for all information which it receives. Its decisions would have a bearing upon war plans and upon the production of billions of dollars worth of civilian and military equipment. It would introduce a positive, planning factor into decisions which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

The Board's immediate task would be to consider and pass upon requests for changes in existing allocations as between government and non-government uses. It should also be responsible for the assignment of frequencies in the government group to particular agencies. The Board should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future requirements, both civilian and military; review the international telecommunications picture with a view to strengthening our international posture; and keep continually under

supervision the entire field of telecommunications in order to advise the President of [illegible] which it thinks the[y] should take to advance the public interest.

It is possible that a new Board would meet with [illegible] from those whose activities in the field [illegible] to the type of [illegible] which are suggested. Certainly the decisions are bound to leave some people dissatisfied. This is inevitable in the [illegible]. To increase its authority we believe that the Board should have the prestige which flows from establishment by Congressional enactment following a proposal from the President. We are not unmindful of the objections to the creation of any new government agency. [illegible] [illegible] ~~[illegible]~~ (~~[illegible]~~) Proper organization in this area [illegible] which [illegible] be set aside and [illegible].

Cut
See
page
13

CONCLUSION

In reviewing the structure as it has evolved the Committee was struck by the absence of adequate provision for high-level consideration of matters of vital national importance in the area of telecommunications. The FCC provides a vehicle for adequate consideration in the non-Government area. In making contract decisions in the area of Government use or conflict between Government and non-Government use, are made by compromises at the operational level of opposition by staff members who, though competent in their fields, do not necessarily have the total picture of national interest. An unfortunate — not present in that

There is a glaring absence of express which of the President should who has in the handling of certain frequency matters authority to act and there is not available an organization to accumulate the information and experience upon which to base sound action. We believe with regard to the foregoing is accurate that improvement in the present situation is essential in the present organization

In the opinion of the Committee any emerging change in our telecommunications management should be predicated, first of all, only after careful study and thought and course of action as suggested in this report is well-planned and effectuated. Secondly, the Committee feels that the most important step and should be taken to strengthen the Executive Branch, is this of telecommunications management. It believes that this strengthening should be accomplished by providing the Independent Director from any agency here of such frequencies and by creating a Board, through Congressional legislation, as did for and is be responsible to the President in the carrying out of his responsibilities under the Communications Act.

The type of organization we have in mind would have the following characteristics:

1. It would be established by Congress at the request of the President. This would give the organization a solid foundation and add prestige to its operations.

(eliminate other dupe) See Page 11.

2. It would be established at a level to give it direct access to the President and the heads of Government agencies using intelligence.

3. It would have the one duty to the extent necessary to ensure the objectivity of the information upon which it rests and the critical character of recommendations based upon that information.

4. It would have the capability to require any Government agency to produce any information and to provide any conclusions which it believes necessary to a proper decision.

5. It would have continuity to facilitate the development of long-range policies.

6. It would be in a strong official responsibility for the operation of any intelligence mechanisms.

MEASURES RECOMMENDED

RECOMMENDATION IN SUMMARY

IT IS RECOMMENDED THAT a Board be established through legislation requested by the President in order to provide the President with the means to discharge his responsibilities in connection with national telecommunications resources, including the government's use of the radio frequency spectrum.

A draft bill designed to accomplish the foregoing recommendation by establishing a National Telecommunications Board, is attached as Appendix B.

A draft Executive Order designed to establish coordinating planning responsibilities for the Board is also attached as Appendix C.

ESTABLISHMENT OF A NATIONAL TELECOMMUNICATIONS BOARD

There should be established in the Executive Office of the President's National Telecommunications Board which reports directly to the President. The Board should consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman should be designated by the President and should receive compensation at the rate of $30,000 per annum. The other two Board members should receive compensation at the rate of $28,000 per annum. All actions of the Board, except those relating to internal administrative matters, should be by affirmative vote of a majority of its members. The Interdepartment Radio Advisory Committee (IRAC) should report to and assist the Board in the performance of the Board's functions as the Board may direct.

FUNCTIONS OF THE BOARD

The Board should assist and advise the President in the discharge of his responsibilities as President of the United States in connection with U.S. telecommunication resources to meet the changing demands of national security and welfare, and should act for him in the discharge of his responsibilities arising from the Communications Act of 1934, as amended, for management of the Federal Government's use of the radio frequency spectrum in such a way as to provide the optimum accommodation of present and foreseeable future needs of national security, safety of life and property, international relations, and the economic, social, educational, and political life of the Nation and the general welfare of its people.

The Board should formulate telecommunication policies, plans, programs, and standards designed to execute efficient telecommunication management within the executive branch of the Government with due regard for the maintenance of sound and healthy commercial telecommunication services both domestic and foreign. The Board should coordinate the formulation of U. S. policies and positions within the executive branch of the Government for international negotiations and shall assist and advise the Secretary of State in the projection internationally of U. S. telecommunication policies and positions. The Board should provide policy guidance for and direct the implementation of U. S. international telecommunications treaty obligations by the general agencies in the executive branch of the Government.

The Board should carry out such policy making, planning, and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board should formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the executive branch of the Government and for the use thereof. The Board should maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate.

The Board should, as a special duty, review the national table of radio frequency allocations being employed by Federal Government and non-Federal Government users. This review should be done in consultation with the Federal Communications Commission to the end that a determination be made as to whether the current division of radio spectrum serves the National interest to an appropriate degree. The Board should make a report of findings to the President for transmission to Congress. The report should contain, in addition to the findings resulting from the review and the comments of the FCC thereon, such recommendations as may be considered desirable and applicable. The report should be made within a period of two years from the appointment and qualification of the Board members.

The Board should maintain continuing review of the national table of frequency allocations, coordinating with the Federal Communications Commission, for the purpose of insuring an appropriate division of spectrum space between the Federal Government and non-Federal Government users. The Board should formulate, and coordinate with the FCC, the development of long-range plans for future use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a further special duty, (1) study the role of the Federal Government in the management of U. S. telecommunications, (2) study the administrative organizations for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the terms of the proposed Bill, and (3) not later than two years of the appointment and qualification of the Board members, report to the President for transmission to the Congress the Board's recommendations on what changes, if any, should be made in the existing administrative organization.

The Board should carry out such other duties and responsibilities as may be directed by the President from time to time.

The Board should establish and maintain liaison as required with departments and agencies of the Federal Government and the telecommunication industry, including but not limited to the broadcasting, electronic, and communication services, with particular reference to research and development and new manufacturing techniques and capabilities, for the purpose of improving telecommunication services, the conservation of the spectrum, and for increasing productivity of the total resource. The Board should encourage research and studies in those areas where the need exists.

The Board should, in the formulation and promulgation of policies, plans, programs, criteria, standards, and procedures of national import, consult as appropriate with the Federal Government agencies.

MOBILIZATION PLANNING RESPONSIBILITY

The Board should also:

a. Formulate national telecommunications policies, plans, and programs designed to achieve maximum security in the United States in time of national emergency with a minimum interference to existing non-Government requirements;

b. Formulate plans for the adaption of commercial telecommunications services and facilities to the requirements of defense in a national emergency or war;

c. Direct and coordinate the development by the various agencies of the Executive Branch of plans, programs and actions designed to carry out approved plans, programs and actions for an emergency;

d. Formulate plans and direct the development of telecommunications in a national emergency; and

e. Formulate plans for the construction of defense telecommunications services and facilities beyond those required for defense purposes after the emergency in Government-owned or commercial facilities, establishment and peace.

In order to avoid duplication with existing legislation concerning the mobilization planning function which is already a legislated responsibility of OCDM, it appears preferable to exclude this function from the draft bill and provide, in the form of an Executive Order, for Presidential delegation of this planning responsibility.

APPENDIX A

DIRECTOR'S LETTER OF NOVEMBER 4, 1994

APPENDIX B

December 9, 1958

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington, D. C.

A BILL

To provide the President with the means to discharge satisfactorily his responsibilities in connection with national telecommunications planning for Government's use of the civil frequency spectrum.

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled,
3 NATIONAL TELECOMMUNICATIONS BOARD
4 Sec. 1. There is hereby established in the Executive Office
5 of the President the National Telecommunications Board, hereinafter
6 referred to as the "Board", which shall report directly to the
7 President. The Board shall consist of five members to be
8 appointed by the President by and with the advice and consent of
9 the Senate. The Chairman shall be designated by the President and
10 shall receive compensation at the rate of $20,000 per annum. The
11 other two Board members shall receive compensation at the rate
12 of $20,000 per annum. All actions of the Board except those relating
13 to internal administrative matters shall be by affirmative vote of a
14 majority of its members. The Chairman shall be responsible for
15 the internal administrative direction of the Board and he shall

1 FUNCTIONS OF THE BOARD

2 Sec. 2. (a) The Board shall assist and advise the President
3 in the discharge of his responsibilities as President of the United
4 States in connection with U. S. telecommunications resources to
5 meet the changing demands of national security and welfare and
6 shall act for him in the discharge of his responsibilities arising
7 from the Communications Act of 1934, as amended, for management
8 of the Federal Government's use of the radio frequency spectrum
9 in such a way as to provide the efficient accommodation of present
10 and foreseen future needs of national security, safety of life and
11 property, international relations, and the economic, social,
12 educational, and political life of the Nation and the general welfare
13 of the people.

14 (b) The Board shall formulate telecommunications policies,
15 plans, programs, and standards designed to insure efficient
16 telecommunications management within the executive branch of the
17 Government with due regard for the maintenance of sound and healthy
18 commercial telecommunications services both domestic and foreign.
19 The Board shall coordinate the formulation of U. S. policies and
20 positions within the executive branch of the Government for
21 international negotiations and shall assist and advise the Secretary
22 of State in the projection internationally of U. S. telecommunications

1 policies and positions. The Board shall provide policy guidance
2 for and direct the implementation of U.S. international telecommunications
3 ~~the treaty obligations by the overall responsibility in the executive branch~~
4 of the Government.

5 (c) The Board shall carry out such policy making, planning
6 and executive functions as are required for the discharge of the
7 President's responsibilities arising from Section 305 of the
8 Communications Act of 1934, as amended, for the assignment of
9 radio frequencies to Government stations or classes of stations.
10 The Board shall formulate policies, criteria, engineering standards,
11 and procedures for the allocation and assignment of radio frequencies
12 to the overall spectrum of the responsibilities of the Government
13 and for the use thereof. The Board shall maintain or cause to be
14 maintained suitable records of assignments of frequencies to
15 Government agencies and the publication of Table of Government
16 frequency assignments as appropriate.

17 (d) The Board shall, on a special day, review the national table
18 of radio frequency allocations being designed by Federal Government and
19 the Federal Communications Commission. This review shall be done in
20 consultation without Federal Communications Commission and
21 and that a determination be made as to whether the current division
22 of radio spectrum among the Federal interest is an appropriate

1 degree. The Board will make a report of findings to the President
2 for transmission to Congress. The report shall contain, in addition,
3 to the findings resulting from the review and the comments of the
4 FCC thereon, such recommendations as may be considered desirable
5 and applicable. The report is to be made within a period of two years
6 from the appointment and qualification of the Board members.
7 (c) The Board shall initiate continuing review of the national
8 table of frequency allocations, coordinating with the Federal
9 Communications Commission, for the purpose of keeping an
10 appropriate division of spectrum space between the Federal
11 Government and non-Federal Government users. The Board shall
12 formulate, and coordinate with the FCC, the development of long-range
13 plans for future use of the radiofrequency spectrum. The Board
14 shall encourage the experimental application of new techniques,
15 improved equipment and methods to promote a more effective use
16 of the radio spectrum and to conserve radio frequencies.
17 (d) The Board shall, at a further special date, (1) study the role
18 of the Federal Government in the management of U. S. telecommunications,
19 (2) study the administrative organization for discharging the
20 Government's responsibilities with particular reference to the
21 delegated responsibility under the Communications Act of 1934,
22 as amended, and the terms of this Act, and (3) not later than two

1 years of the appointment and qualification of the Board members,
2 report to the President for transmission to the Congress the Board's
3 recommendations on what changes, if any, should be made in the
4 existing administrative organization.

5 (c) The Board shall carry out such other duties and responsibilities
6 as may be directed by the President from time to time.

7 (d) The Board shall establish all subsidiary bodies as required
8 with departments and agencies of the Federal Government and the
9 intergovernmental bodies, including but not limited to the
10 boundaries, districts, and consolidated services, with
11 particular emphasis on research and development and long range
12 planning techniques and capabilities, for the purpose of improving
13 intergovernmental relations, the relationship of the agencies, and
14 for improving productivity of the task activities. The Board shall
15 encourage research and studies in these areas where the need exists.

16 (e) The Board shall, in the formulation and promulgation of
17 policies, plans, programs, criteria, standards, and procedures
18 of national impact, consult as appropriate with the Federal
19 Government agencies.

20 (f) The Board is also authorized to delegate to the Civil Service
21 and Classification Board, capacity objectives, and to the
22 administration of such efforts, employment, attorneys, and experts

1 as shall be necessary to carry out the provisions of this Act, and
2 to define their authority and duties; (2) to appoint such advisory
3 committees as shall be appropriate for the purpose of consultation
4 and advice to the Board in performance of its functions hereunder
5 and to obtain services as authorized by section 15 of the Act of
6 August 2, 1946 (5 U.S.C. 55(a)), at rates not to exceed $100 per diem
7 for individuals; and (3) to place in grades 16, 17, and 18 of the General
8 Schedule established by the Classification Act of 1949, as amended,
9 not in excess ten positions which shall be additional to the number
10 authorized by section 505 of that Act.

11 ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD

12 Sec. 3. The terms of office of each member of the Board shall
13 be six years, except that (1) any member appointed to fill a vacancy
14 occurring prior to the expiration of the term for which predecessor
15 was appointed shall be appointed for the remainder of such term;
16 and (2) the terms of office of the members first taking office after
17 the date of enactment of this Act shall expire, as designated by the
18 President at the time of appointment, one at the end of two years,
19 one at the end of four years, and one at the end of six years.
20 Two members shall constitute a quorum of the Board. Each member
21 of the Board shall be a citizen of the United States.

1 ANNUAL REPORT

2 Sec. 4. The Board shall make an annual report to the President

3 for transmission on or before the 15th of March of each year to the

4 Congress, summarizing the activities of the Board for the previous

5 calendar year and including such recommendations as it may deem

6 appropriate.

7 TRANSFER OF RECORDS, PROPERTY, PERSONNEL, AND FUNDS

8 Sec. 5. The records, property, personnel and funds used, held,

9 employed, available, or to be made available, in connection with

10 the functions vested in the Director of Defense Mobilization

11 under Section 4 of the Act of June 16, 1953, and

12 Executive Order 10733 of April 15, 1957, shall be transferred,

13 together with law to the Board.

14 APPROPRIATIONS

15 Sec. 6. There are hereby authorized to be appropriated such

16 sums as may be necessary and appropriate for the carrying out of

17 the provisions and purposes of this Act.

18 Sec. 7. This Act may be cited as the National Telecommunications

19 Act of 1978.

APPENDIX C

EXECUTIVE ORDER

CONFERRING UPON THE NATIONAL TELECOMMUNICATION BOARD THE RESPONSIBILITY FOR MOBILIZATION PLANNING TO CONTROL AND REGULATE NATIONAL TELECOMMUNICATIONS IN AN EMERGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et. seq.), and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is hereby ordered as follows:

Section 1. The National Telecommunication Board which is responsible for assisting and advising me pursuant to my responsibilities for the management of U.S. telecommunications, shall assume the additional responsibilities for mobilization planning to control and regulate national telecommunications in an emergency. These responsibilities shall include but not necessarily be limited to the following tasks:

(a) The Board shall formulate national telecommunication policies, plans and programs designed to assure maximum security to the United States in time of national emergency with a minimum of interference to continuing non-governmental requirements.

(b) The Board shall formulate plans for the adaption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war.

(c) The Board shall direct and coordinate the development by the several agencies of the executive branch of plans, programs and actions designed to carry out approved plans, programs and actions in an emergency.

(d) The Board shall formulate plans and directives for an emergency telecommunication agency to direct the control and priority of use of U.S. telecommunications in a national emergency.

(e) The Board shall formulate plans for the conversion of defense telecommunication services and facilities no longer required for defense purposes to the purposes of reconstruction, rehabilitation and peace.

Section 2. The Board, in the process of carrying out the foregoing responsibilities, will consult with the various government agencies and commercial enterprises as necessary to produce effective planning at the national level in order that individual agency plans may become integral parts of the whole. It will form such committees and Boards as are necessary to assist and advise it in discharging these additional responsibilities.

Section 3. The mobilization plans developed by the Board shall be consistent with the policy direction and program guidance established by the Director of the Office of Civil and Defense Mobilization.

DWIGHT D. EISENHOWER

The White House

_____

Date

STATE OF THE UNION MESSAGE

Changing technology, along with changing needs in Government and non-Government areas, presents serious problems that require searching examination in the field of telecommunications, particularly as respects administration and use of the radio spectrum. These problems affect both the national security and the industrial and social welfare of the country. The present Government mechanism is not adequate to meet these problems. To correct this situation I will send to the Congress a bill requesting that a National Telecommunication Board consisting of three members be established in the Executive Office of the President whose primary mission will be to carry out the responsibilities imposed on the President by the Communications Act of 1934 in connection with national telecommunications resources, including management of the Government's use of the radio frequency spectrum.

Draft #4
December 9, 1958

CONTENTS

Page

4th Draft

Draft [redacted]

Operative [illegible]

to [redacted]

Mr. Alexander
Draft

LETTER OF TRANSMITTAL

Date

Dear Mr. Hoegh:

We have the honor of sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunication as called for by your letter of November 4, 1958, creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18, we have reviewed the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch. We have also considered the broad over-all methods of allocation of the radio spectrum and the assignment of radio frequencies. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions reached in its report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)
Frank G. Kear
Irvin Stewart
William G. Thompson
Victor E. Cooley, Chairman

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

INTRODUCTION

Telecommunications which have become essential to the national security, to the safety of life and property, to international relations, and to the business, social, educational, and political life of the country. All such they are one of the nation's most valuable assets in peace and provide vital and essential support in the prosecution of war.

The problems in complying the importance of telecommunications declared in Statement of Policy Bulletin dated July 22, 1954, that "changing technology along with changing needs for Government and nongovernmental users present problems in the telecommunications field which require searching consideration. The situation is becoming and has gradually progressive development in satellites and space satellites with or without manned spacecraft. This is a long-range survey that a thorough consideration of the role of the Federal Government in this field would be desirable."

The national bill by the 86th Congress was introduced by the Senate's adoption of S. Res. 106 establishing a Committee to investigate the allocation of the radio and television frequencies. This resolution was approved with amendments by the Senate Committee on Interstate and Foreign Commerce but did not come to a vote in the Senate.

Industry's concerns are evidenced more than a year ago and continued this year through the adoption of a resolution by the Electronic Industries

Association calling for a study of the spectrum. Commercial as well as other non-Government users of the spectrum, particularly the broadcasters, have indicated a need for additional channels in certain frequency ranges not now available.

The importance of efficient use of the spectrum is emphasized from a national security standpoint by the expanding need of radio channels by the Department of Defense. Not only have all branches of the military become increasingly dependent upon spectrum use for communications but the operation and direction by radio is an integral part of the design of space vehicles and many of our most modern weapons. Also urgent is the increased need of frequencies for modern airplane operation. Other services are important and equally demanding. Thus it is vital to the welfare and security of the country that the radio spectrum be efficiently and effectively used.

→ Insert 1

While landlines and submarine cable facilities are capable of expansion, such is not the case with the radio spectrum. There is only one such spectrum, the usable band of which extends in the present state of the art to about 30,000 megacycles -- a frequency of 30 billion cycles per second. To the layman this figure may give the impression of permanent adequacy, but this is not the case. Different parts of the spectrum have different characteristics, many are very useful while others have little application currently. In consequence, requests for frequencies having the most favorable characteristics for a particular purpose have not infrequently exceeded the supply.

In view of the foregoing

~~With these considerations in mind~~ and being aware of his responsibilities in this field, the Director of the Office of Civil and Defense Mobilization, on behalf of the President, created the Special Advisory Committee on Telecommunication to review the role of the Federal Government in the management of telecommunications. (The text of the Director's letter is attached as Appendix A.)

In view of the study given the subject in recent years, the results of which are available, the committee felt it was not necessary to hold hearings to determine the existence, nature and scope of the problem assigned to it.

Insert 1 page Introduction

The demand for radio frequencies has been growing steadily since the early 1900's. At the time of the Berlin Radio Conference in 1906 the usable radio spectrum comprised about 500 kilocycles of space. In 1959 nearly 40 million kilocycles of space, or about 80 thousand times as much, [redacted] to allocated in the United States [redacted] of which about 15 million kilocycles is used so intensively that it has become difficult to satisfy new requirements. The increase since the beginning of World War II is about 500 fold and since the Korean action began is about 6 fold.

It was not until the beginning of World War II, however, that the ratio of demands to supply reached serious proportions. Since then the tremendous expansion of the use of radio which took place during World War II has continued unabated until today it is becoming increasingly difficult to satisfy the requirements of national preparedness and the needs of the jet aircraft and space vehicles.

Stop here

The growth in frequency usage is illustrated by the following tables:

Table I

Number of Frequency Listings - IFC Master Frequency Record

f = 10 Mc/s

	1948	1959	1960	1965
U.S. Government	93	577	3160	3200*
U.S. Non-Government	71	981	926	
U.S. Total	165	1558	4116	
World Total	1898	6684	21000	100,000**

* Estimated

** exclusive of non-Western countries

Table II

U. S. Outstanding Radio Licenses and Other Authorizations

	Fiscal Year 1950	~~1951~~	1958
Federal Government			
Outstanding Authorizations	64,265		100 000 *
Applications	12,439	~~5,700~~	5221
Frequency Assignment Actions (New assignments, changes and deletions)	12,200	~~20,000~~	21 300
Non-Government			
Outstanding radio licenses and other authorizations (includes operator licenses)	995,000	1,800,000	2 133 000 ×
Operator licenses	615,000	1,400,000	1681 000 ×
Applications	280,000	500,000	537 000 ×

* Estimated

× Rounded

OUR CURRENT MECHANISM

The Communications Act of 1934, as amended, provides for a division of responsibility between the President and the Federal Communications Commission for the assignment of radio frequencies in the U. S. The Act delegates to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private users, including state and local governments. Additionally, the Act vests in the President wartime authority over telecommunications.

The Government of the United States has from time to time established a succession of agencies to deal on a continuing basis with various aspects of telecommunication management which includes radio, land line, and submarine cables. As the use of telecommunications has grown, with the Government itself a major user, existing Government mechanisms have required and will continue to require adjustment and strengthening.

The necessity for a mechanism to supervise and administer the Government's needs and uses of telecommunications was stressed by the report of the President's Communication Policy Board in 1951. (Telecommunications - A Program for Progress.)

The mechanism which was subsequently established consisted of a Telecommunications Advisor to the President. Later reorganization resulted in a downgrading of the office. This important work is now assigned to a competent though numerically inadequate staff under the direction of the Deputy Assistant Director for Telecommunications who reports to the Director of OCDM through the Assistant Director for Resources and Production. It has no established source of high-level direction from executives knowledgeable in telecommunications.

Assisting the Deputy Assistant Director for Telecommunications is the Interdepartment Radio Advisory Committee (IRAC), a committee of Federal agency experts which affords technical guidance in the assignment of radio frequencies to Government agencies. This committee reports to the Director of OCDM through the Deputy Assistant Director for Telecommunications and has a separate annual budget of about $175,000 largely for the purpose of keeping records of radio frequency assignments. The IRAC is primarily a group of coequal users and is not qualified to act as a policy making body.

The Federal Communications Commission which succeeded the Federal Radio Commission in 1934 regulates non-Government telecommunications, including the assignment of radio frequencies, with a staff of about one thousand people. It has an established source of high level direction in the form of seven Commissioners.

These various segments form our national regulatory and control mechanism

of Telecommunications

CONSIDERATIONS LEADING TO A CONCLUSION

[redacted]

The basic problem giving rise to the appointment of this Committee is that in certain parts of the radio frequency spectrum the demand for frequencies exceeds the supply. The situation is complicated by the division of control determined by whether a proposed frequency use is for governmental or non-governmental purposes. It is important to keep in mind, however, that the basic problem will remain even if all the complications of dual control are eliminated. Some relief is possible but miracles should not be anticipated.

Suspicion is inevitable in the present divided control over the spectrum. Users of, and applicants for, non-government frequencies see a relatively easy solution to some of their problems if the government agencies would only surrender desirable blocks of frequencies now allocated for government use. From this it is an easy step to a conviction that the government departments are wasting frequencies--a step made all the easier by the secrecy which necessarily shrouds certain types of government operations. On the other hand it would be only human for government agencies concerned with national defense and with safety of life to think that all other frequency uses are decidedly secondary and thus feed the suspicion that they are not overly concerned with the problems of the non-government users. The absence of any effective agency short of the President himself to resolve

these questions in the national interest provides a climate in which doubt and suspicion flourish in a manner detrimental to the national interest.

As Commander-in-Chief of the Armed Forces as well as in his more general role of Chief Executive, the President of the United States has a responsibility for effective planning and execution for national defense which no one would wish to cripple in today's uncertain world. For a proper use of radio frequencies in this situation he is, of course, dependent upon his advisers. Sound planning requires close cooperation with the Federal Communications Commission which is charged with the administration of non-governmental uses of radio. This system of dual control has worked better than might reasonably be expected, due largely to the mutual respect shown for each other by the agencies involved. In our opinion, however, a continued reliance upon this system would be hazardous to the national welfare.

At this time two separate and fairly distinct steps are involved: (1) the establishment of a new agency (or an augmentation of the powers of an existing agency) to exercise an authoritative judgment in the matter of government and non-government requirements for frequencies; and (2) a review by that agency of the use made of frequencies as well as an assessment of prospective telecommunications requirements, both governmental and non-governmental.

It has been suggested that additional powers in this area might be given to the FCC. In our opinion such an extension of the FCC's authority would not be a proper solution of the difficulty. That body is fully occupied with its regulatory functions.

The duties envisioned for this new agency, including the allocation of frequencies to government agencies, call for a different type of operation than that required in an agency concerned with the regulatory problems of non-governmental users.* We fear that preoccupation with the problems of non-governmental users might prejudice the consideration for the future which the national well-being requires and is not now receiving. Hence, some other entity must be considered for carrying out these broad discretionary functions.

In our view the type of discretion which we contemplate should be vested in a Board rather than a single individual. A wisely constituted Board can bring a variety of experiences and points of view to the challenging problems with which we are confronted in the area of telecommunications. While no magic attaches to a particular number, we believe that the desirable variation of viewpoints can be achieved with three property selected individuals. This number is consistent with the exercise of speed of decision which may be desirable in some case.

(* See Page 197, PCPB Report)

The new Board which we suggest would not disturb the present functions of the FCC in determining which applicants shall receive assignments within bands set aside for non-governmental use. It would necessarily be privy to the plans of all agencies, for both present and future use. Its operations would involve an assumption of complete security for all information which it receives. Its decisions would have a bearing upon war plans and upon the production of billions of dollars worth of civilian and military equipment. It would introduce a positive, planning factor into decisions which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

The Board's immediate task would be to consider and pass upon requests for changes in existing allocations as between government and non-government uses. It should also be responsible for the assignment of frequencies in the government group to particular agencies. The Board should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future requirements, both civilian and military; review the international telecommunications picture with a view to strengthening our international posture; and keep continually under

examination the entire field of telecommunications in order to advise the President of any actions which it thinks they should take to advance the public interest.

It is possible that a new Board would meet with resistance from those whose activities in the field have not been subjected heretofore to the type of scrutiny which we suggest. Certainly its decisions are bound to make some people dissatisfied. This is inevitable in the allocation of a scarce resource. To bulwark its authority we believe that the Board should have the prestige which flows from establishment by Congressional enactment following a request from the President. We are not unmindful of the objections to the creation of any new government agency. More important to us is the fact that a national resource is involved, one which must be dealt with on the national level if at all. Inaction is an undesirable form of action for the nature of the medium dictates what can happen if national policy is not shaped as intelligently as possible. This is a matter which cannot be set aside and ignored.

CONCLUSION

In reviewing the structure as it has evolved the Committee was struck by the absence of adequate provision for high-level consideration of matters of vital national importance in the area of telecommunications. The FCC provides a vehicle for adequate consideration in the non-Government area. In striking contrast, decisions in the area of Government use or conflict between Government and non-Government use, are made by compromises at the operational level of operations by staff members who, though competent in their fields, do not necessarily have the total picture of national interest. There is a glaring absence of anyone short of the President himself who has authority to act and there is not available an organization to accumulate the information and experience upon which to base sound action. We believe that improvement in the present situation is essential.

In the opinion of the Committee any sweeping change in our telecommunications management should be considered, if at all, only after extensive study and a well-planned course of action. However, the Committee feels that certain immediate steps can and should be taken to strengthen the Executive Branch side of telecommunications management. It believes that this strengthening can best be accomplished by separating the management function from any agency user of radio frequencies and by creating a Board, through Congressional legislation, to act for and to be answerable to the President in the carrying out of his responsibilities under the Communications Act.

The type of organization we have in mind would have the following characteristics:

a. It would be established by Congress at the request of the President. This would give the organization a solid foundation and add prestige to its operations.

b. It would be established at a level to give it direct access to the President and the heads of Government agencies using telecommunications.

c. It would have its own staff to the extent necessary to assure the objectivity of the information upon which it acts and the unbiased character of recommendations based upon that information.

d. It would have the authority to require any Government agency to produce any information and to provide any assistance which it believes necessary to a proper decision.

e. It would have continuity to facilitate the development of long-range policies.

f. It would be an agency with no responsibility for the operation of any telecommunications.

RECOMMENDATION IN SUMMARY

IT IS RECOMMENDED THAT a Board be established through legislation requested by the President in order to provide the President with ~~an adequate instrument~~ the means including discharge to ~~carry out~~ his responsibilities in connection with ~~[illegible] of~~ national telecommunications resources and the ~~, and to act for him in the discharge of his responsibilities arising from the Communications Act of 1934, as amended.~~ government's use of the radio frequency spectrum.

A draft Bill designed to accomplish the foregoing recommendation by establishing a National Telecommunications Board, is attached as Appendix ___.

a draft EO _____ designed to establish ~~the [illegible]~~ mobilization planning responsibilities for the Board is also attached appendix ___

ESTABLISHMENT OF A NATIONAL TELECOMMUNICATIONS BOARD

There should be established in the Executive Office of the President a National Telecommunications Board which reports directly to the President. The Board should consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman should be designated by the President and should receive compensation at the rate of $20,500 per annum. The other two Board members should receive compensation at the rate of $20,000 per annum. All actions of the Board, except those relating to internal administrative matters, should be by affirmative vote of a majority of its members. The Interdepartment Radio Advisory Committee (IRAC) should report to and assist the Board in the performance of the Board's functions as the Board may direct.

Functions of the Board

The Board should assist and advise the President in the discharge of his responsibilities as President of the United States for management of U. S. telecommunications resources to meet the changing demands of national security and welfare, and should act for him in the discharge of his responsibilities existing from the Communications Act of 1934, as amended, for management of the Federal Government's use of the radio frequency spectrum in such a way as to ensure the satisfactory accomplishment of present and foreseen future tasks of national security, safety of life and property, international relations, and of the military, social, educational, and political life of the Nation.

The Board should formulate telecommunications policies, plans, programs, and procedures designed to ensure high standards of telecommunications management within the Executive Branch of the Government. The Board should formulate policies and criteria for the establishment and operation of Government-owned or operated telecommunications systems and for the maintenance of a sound and healthy commercial telecommunications system for both domestic and foreign services. The Board should promulgate the telecommunications policies and positions which the Executive Branch of the Government negotiates with foreign nations and advise the Secretary of State with respect to U. S. telecommunications policy positions and positions which the Executive Branch proposes to take in international conferences. The Board should provide policy guidance

for and direct the implementation of U. S. international telecommunication treaty obligations by the several agencies in the Executive Branch of the Government.

The Board should carry out such policy making, planning, and executive functions as are required for the discharge of the President's responsibilities arising from section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board should formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the Executive Branch of the Government and for the use thereof. The Board should maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate. The Board should maintain continuing review of the national table of frequency allocations, coordinating with the Federal Communications Commission, for the purpose of arriving at an appropriate division of spectrum space between the Government and non-Government users. The Board should formulate and coordinate the development of long-range plans for future U. S. use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a special duty:

a. Study the role of the Federal Government in the management of U. S. telecommunications as a whole;

b. Study the existing administrative organization for discharging the Government's responsibilities, with particular reference to the division of responsibility under the Communications Act of 1934, as amended; and the question of the exercise of an authoritative judgment by the centers of Government and non-Government influence of Government;

c. Report to the President for transmittal to the Congress and thereafter prior to the commencement of the Board's successors, the Board's recommendations on this subject. If any should be made for the existing administrative organization;

d. Review the use generally made of radio frequencies, both Government and non-Government, with determining upon the requirements for depth and the technical part of such review;

e. Report to the President for transmittal to Congress the results of the review with any pertinent recommendations the Board may be authorized to deliver the same;

f. Make such recommendations as may be proposed of the need for authoritative determinations.

The Board should establish and maintain liaison or cooperation with departments and agencies of the Federal Government and with the telecommunications industry, with particular reference to research and development and the manufacturing techniques and capabilities, for the purpose of improving telecommunication services, the conservation of the spectrum, and for increasing productivity of the total resource. The Board should encourage research and studies of these areas where they do this exists.

The Board should, in the formulation and promulgation of policies, plans, programs, criteria, standards, and guidelines of national impact, consult as appropriate with the Federal Government agencies, including the Federal Communications Commission.

MOBILIZATION PLANNING RESPONSIBILITY ~~FOR CONTROL OF TELECOMMUNICATION IN A NATIONAL EMERGENCY~~

The Board should also:

a. Formulate national telecommunication policies, plans, and programs designed to assure maximum security to the United States in time of national emergency with a minimum interference to continuing non-Governmental requirements;

b. Formulate plans for the adaption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war;

c. Direct and coordinate the development by the several agencies of the Executive Branch of plans, programs and actions designed to carry out approved plans, programs and actions in an emergency;

d. Formulate plans and directives for an emergency telecommunications agency to direct the control and priority use of U. S. telecommunications in a national emergency, and

e. Formulate plans for the conversion of defense telecommunication services and facilities no longer required for defense purposes after an emergency to the purposes of reconstruction, rehabilitation and peace.

In order to avoid duplication within existing legislation concerning the mobilization planning function which is already a legislated responsibility of OCDM, it appears preferable to exclude this function from the draft bill and provide, in the form of an Executive Order, for Presidential delegation of this planning responsibility.

25

APP B

~~DRAFT #5~~ 9

December 8, 1958

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington, D. C.

A BILL

To provide the President with the means to discharge satisfactorily his responsibilities in connection with national telecommunication resources ~~and for management of the~~ including Government's use of the radio frequency spectrum.

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled.

3 NATIONAL TELECOMMUNICATIONS BOARD

4 Sec. 1. There is hereby established in the Executive Office
5 of the President the National Telecommunications Board, hereinafter
6 referred to as the "Board", which shall report directly to the
7 President. The Board shall consist of three members to be
8 appointed by the President, by and with the advice and consent of
9 the Senate. The Chairman shall be designated by the President and
10 shall receive compensation at the rate of $20,500 per annum. The
11 other two Board members shall receive compensation at the rate
12 of $20,000 per annum. All actions of the Board except those relating
13 to internal administrative matters shall be by affirmative vote of a
14 majority of its members. The Chairman shall be responsible for
15 the internal administrative direction of the Board and its staff.

1 FUNCTIONS OF THE BOARD

2 Sec. 2. (a) The Board shall assist and advise the President
3 in the discharge of his responsibilities as President of the United
4 States in connection with U. S. telecommunication resources to
5 meet the changing demands of national security and welfare and
6 shall act for him in the discharge of his responsibilities arising
7 from the Communications Act of 1934, as amended, for management
8 of the Federal Government's use of the radio frequency spectrum
9 in such a way as to provide the optimum accommodation of present
10 and foreseen future needs of national security, safety of life and
11 property, international relations, and the economic, social,
12 educational, and political life of the Nation and the general welfare
13 of its people.

14 (b) The Board shall formulate telecommunication policies,
15 plans, programs, and standards designed to assure efficient
16 telecommunication management within the executive branch of the
17 Government with due regard for the maintenance of sound and healthy
18 commercial telecommunication services both domestic and foreign.
19 The Board shall coordinate the formulation of U. S. policies and
20 positions within the executive branch of the Government for
21 international negotiation and shall assist and advise the Secretary
22 of State in the projection internationally of U. S. telecommunication

policies and positions. The Board shall provide policy guidance for and direct the implementation of U. S. international telecommunication treaty obligations by the several agencies in the executive branch of the Government.

(c) The Board shall carry out such policy making, planning and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board shall formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the executive branch of the Government and for the use thereof. The Board shall maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate.

(d) The Board shall, as a special duty, review the national table of radio frequency allocations being employed by Federal Government and non-Federal Government users. This review shall be done in ~~collaboration~~ consultation with the Federal Communications Commission to the end that a ~~joint expression be sought in determining~~ determination be made as to whether the current division of radio spectrum serves the National interest to an appropriate

1 degree. The Board ~~and the FCC~~ will make a report of findings
2 to the President for transmission to Congress. The report shall
3 contain, in addition to the findings resulting from the review, and the
comments of the FCC thereon,
4 such recommendations as may be considered desirable and
5 applicable. The report is to be made within a period of two years
6 from the appointment and qualification of the Board members.
7 (e) The Board shall maintain continuing review of the national
8 table of frequency allocations, coordinating with the Federal
9 Communications Commission, for the purpose of insuring an
10 appropriate division of spectrum space between the Federal
11 Government and non-Federal Government users. The Board shall
12 formulate, and coordinate with the FCC, the development of long-range
13 plans for future use of the radio spectrum resource. The Board
14 shall encourage the operational application of new techniques,
15 improved equipment and methods to promote a more effective use
16 of the radio spectrum and to conserve radio frequencies.
17 (f) The Board shall, as a further special duty, (1) study the role of the
18 Federal Government in the management of U. S. telecommunications,
19 (2) study the administrative organizations for discharging the
20 Government's responsibilities with particular reference to the
21 division of responsibility under the Communications Act of 1934,
22 as amended, and the terms of this Act, and (3) not later than two

1 years of the appointment and qualification of the Board members,
2 report to the President for transmission to the Congress the Board's
3 recommendations on what changes, if any, should be made in the
4 existing administrative organization.
5 (g) The Board shall carry out such other duties and responsibilities
6 as may be directed by the President from time to time.
7 (h) The Board shall establish and maintain liaison as required
8 with departments and agencies of the Federal Government and the
9 telecommunication industry, including but not limited to the
10 broadcasting, electronic, and communication services, with
11 particular reference to research and development and new manu-
12 facturing techniques and capabilities, for the purpose of improving
13 telecommunication services, the conservation of the spectrum, and
14 for increasing productivity of the total resource. The Board shall
15 encourage research and studies in those areas where the need exists.
16 (i) The Board shall, in the formulation and promulgation of
17 policies, plans, programs, criteria, standards, and procedures
18 of national import, consult as appropriate with the Federal
19 Government agencies.
20 (j) The Board is also authorized: (1) subject to the Civil Service
21 and classification laws, to select, employ, appoint, and fix the
22 compensation of such officers, employees, attorneys, and agents

1 as shall be necessary to carry out the provisions of this Act, and
2 to define their authority and duties; (2) to appoint such advisory
3 committees as shall be appropriate for the purpose of consultation
4 and advice to the Board in performance of its functions hereunder
5 and to obtain services as authorized by section 15 of the Act of
6 August 2, 1946 (5 U.S.C. 55(a)), at rates not to exceed $100 per diem
7 for individuals; and (3) to place in grades 16, 17, and 18 of the General
8 Schedule established by the Classification Act of 1949, as amended,
9 not to exceed ten positions which shall be additional to the number
10 authorized by section 505 of that Act.

11 ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD

12 Sec. 3. The term of office of each member of the Board shall
13 be six years, except that (1) any member appointed to fill a vacancy
14 occuring prior to the expiration of the term for which his predecessor
15 was appointed shall be appointed for the remainder of such term;
16 and (2) the terms of office of the members first taking office after
17 the date of enactment of this Act shall expire, as designated by the
18 President at the time of appointment, one at the end of two years,
19 one at the end of four years, and one at the end of six years.
20 Two members shall constitute a quorum of the Board. Each member
21 of the Board shall be a citizen of the United States.

1 ANNUAL REPORT

2 Sec. 4. The Board shall make an annual report to the President
3 for transmission on or before the 15th of March of each year to the
4 Congress, summarizing the activities of the Board for the previous
5 calendar year and making such recommendations as it may deem
6 appropriate.

7 TRANSFER OF RECORDS, PROPERTY, PERSONNEL, AND FUNDS

8 Sec. 5. The records, property, personnel and funds used, held,
9 employed, available, or to be made available, in connection with
10 the functions vested in the Director of the Office of Civil and Defense
11 Mobilization by Executive Order 10460 of June 16, 1953, and
12 Executive Order 10705 of April 17, 1957, shall be transferred,
13 consonant with law to the Board.

14 APPROPRIATIONS

15 Sec. 6. There are hereby authorized to be appropriated such
16 sums as may be necessary and appropriate for the carrying out of
17 the provisions and purposes of this Act.

18 Sec. 7. This Act may be cited as the National Telecommunications
19 Act of 1959.

EXECUTIVE ORDER

CONFERRING UPON THE NATIONAL TELECOMMUNICATION BOARD THE RESPONSIBILITY FOR MOBILIZATION PLANNING TO CONTROL AND REGULATE NATIONAL TELECOMMUNICATIONS IN AN EMERGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et. seq.), and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is hereby ordered as follows:

Section 1. The National Telecommunication Board which is responsible for assisting and advising me pursuant to my responsibilities for the management of U. S. telecommunications, shall assume the additional responsibilities for mobilization planning to control and regulate national telecommunications in an emergency. These responsibilities shall include but not necessarily be limited to the following tasks:

(a) The Board shall formulate national telecommunication policies, plans and programs designed to assure maximum security to the United States in time of national emergency with a minimum of interference to continuing non-governmental requirements.

(b) The Board shall formulate plans for the adaption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war.

(c) The Board shall direct and coordinate the development by the several agencies of the executive branch of plans, programs and actions designed to carry out approved plans, programs and actions in an emergency.

(d) The Board shall formulate plans and directives for an emergency telecommunication agency to direct the control and priority of use of U.S. telecommunications in a national emergency.

(e) The Board shall formulate plans for the conversion of defense telecommunication services and facilities no longer required for defense purposes to the purposes of reconstruction, rehabilitation and peace.

Section 2. The Board, in the process of carrying out the foregoing responsibilities, will consult with the various government agencies and commercial enterprises as necessary to produce effective planning at the national level in order that individual agency plans may become integral parts of the whole. It will form such committees and Boards as are necessary to assist and advise it in discharging these additional responsibilities.

Section 3. The mobilization plans developed by the Board shall be consistent with the policy direction and program guidance established by the Director of the Office of Civil and Defense Mobilization.

DWIGHT D. EISENHOWER

The White House

_____
Date

STATE OF THE UNION MESSAGE

Changing technology, along with changing needs in Government and non-Government areas, present serious problems that require searching examination in the field of telecommunications, particularly as respects administration and use of the radio spectrum. These problems affect both the national security and the industrial and social welfare of the country. The present Government mechanism is not adequate to meet these problems. To correct this situation I will ~~institute~~ send to the Congress a bill requesting that a National Telecommunication Board consisting of three members be established in the Office of the President whose primary mission will be to ~~discharge~~ carry out the responsibilities imposed on the President by the Communications Act of 1934 ~~for management of the~~ in connection with national telecommunications resources, including management of the Government's use of the radio frequency spectrum.

Portions of
Draft # 3

(See Draft # 4
for missing pages)

12/9/58

Conclusion

SUBSTITUTE FOR PAGES 10 and 11 AFTER TITLE

In reviewing the structure as it has evolved the Committee was struck by the absence of adequate provision for high-level consideration of matters of vital national importance in the area of telecommunications. The FCC provides a vehicle for adequate consideration in the non-Government area. In striking contrast decisions in the area of Government use are made by compromises at the ~~third or fourth level~~ operational level of operations by ~~men~~ staff members who do not necessarily have the total picture of national interest. There is a glaring absence of anyone short of the President himself who has ~~the~~ authority to act and there is no available an organization to accumulate the information and experience upon which to base sound action. ~~Until this situation is corrected, we do not believe there will be any material improvement in the present confused situation.~~ We believe that ~~actual~~ improvement in the present ~~confusion~~ situation ~~is~~ is essential.

Insert 1

The type of organization we have in mind would have the following characteristics:

a. It would be established by Congress at the request of the President. This would give the organization a solid foundation and add prestige to its operations.

b. It would be established at a level to give it direct access to the President, ~~Congress~~ and the heads of Government agencies using telecommunications.

a conflict between government and non government not within field

c. It would have its own staff to the extent necessary to assure the objectivity of the information upon which it acts and the unbiased character of recommendations based upon that information.

d. It would have the authority to require any Government agency to produce any information and to provide any assistance which it believes necessary to a proper decision.

e. It would have continuity to facilitate the development of long-range policies.

f. It would be free of connection with any agency with responsibility for the operation of any telecommunications services.

Insert 1 ~~[illegible]~~

The current world situation is such that a sweeping untried change in our philosophy of telecommunication management should not be undertaken without extensive study and a well-planned course of action. However, the Committee feels that certain immediate steps can and should be taken to strengthen the Executive Branch side of telecommunication management. It believes that this strengthening can best be accomplished by separating the management function from any agency user of radio frequencies and by creating a Board, answerable to the President, to which would be delegated ~~the President's authority under the~~ the responsibilities under the Communications Act.

In the opinion of the Committee any sweeping change in our telecommunications management should be considered, if at all, only after extensive study and a well-planned course of action.

goes in prior to Conclusions

CONSIDERATIONS LEADING TO A CONCLUSION
(An Analysis of the Situation)

The basic problem giving rise to the appointment of this Committee is that in certain parts of the radio frequency spectrum the demand for frequencies exceeds the supply. The situation is complicated by the division of control determined by whether a proposed frequency use is for governmental or non-governmental purposes. It is important to keep in mind, however, that the basic problem will remain even if all the complications of dual control are eliminated. Some relief is possible but miracles should not be anticipated.

Suspicion is inevitable in the present divided control over the spectrum. Users of, and applicants for, non-government frequencies see a relatively easy solution to some of their problems if the government agencies would only surrender desirable blocks of frequencies now allocated for government use. From this it is an easy step to a conviction that the government departments are wasting frequencies--a step made all the easier by the secrecy which necessarily shrouds certain types of government operations. On the other hand it would be only human for government agencies concerned with national defense and with safety of life to think that all other frequency uses are decidedly secondary and thus feed the suspicion that they are not overly concerned with the problems of the non-government users. The absence of any effective agency short of the President himself to resolve

these questions in the national interest provides a climate in which doubt and suspicion flourish in a manner detrimental to the national interest.

As Commander-in-Chief of the Armed Forces as well as in his more general role of Chief Executive, the President of the United States has a responsibility for effective planning and execution for national defense which no one would wish to cripple in today's uncertain world. For a proper use of radio frequencies in this situation he is, of course, dependent upon his advisers. Sound planning requires close cooperation with the Federal Communications Commission which is charged with the administration of non-governmental uses of radio. This system of dual control has worked better than might reasonably be expected, due largely to the mutual respect shown for each other by the agencies involved. In our opinion, however, a continued reliance upon this system would be hazardous to the national welfare.

At this time two separate and fairly distinct steps are involved: (1) the establishment of a new agency (or an augmentation of the powers of an existing agency) to exercise an authoritative judgment in the matter of government and non-government requirements for frequencies; and (2) a review by that agency of the use made of frequencies as well as an assessment of prospective telecommunications requirements, both governmental and non-governmental.

Considerations Leading to a Conclusion (cont'd)

It has been suggested that

~~The only existing agency to which~~ additional powers in this area might logically be given to the FCC. In our opinion such an extension of the FCC's authority would not be a proper solution of the difficulty. That body is fully occupied with its regulatory functions. Dissent! ~~current duties. Furthermore, the public concern with sound and television broadcasting will inevitably compel the FCC to devote a disproportionate amount of its time to that field.~~ We fear that proccupation with the problems & non-problems ~~immediate~~ might prejudice the consideration for the future which the national well-being requires and is not now receiving. Hence, some other entity must be considered for carrying out these broad discretionary functions.

Insert!

The duties envisioned for this new agency, including the allocation of frequencies to good objectives, call for a different type of operation than that required ~~for~~ ~~by the~~ in ~~an~~ an agency concerned with the regulatory problems of non-governmental users.

(note on page 197)
PCPB Report

Talked about to others

December 8, 1958

THE CONCLUSION DISCUSSED
(Organization and Tasks)

In our view the type of discretion which we contemplate should be vested in a Board rather than a single individual. A wisely constituted Board can bring a variety of experiences and points of view to the challenging problems with which we are confronted in the area of telecommunications. While no magic attaches to a particular number, we believe that the desirable variation of viewpoints can be achieved with three properly selected individuals. This number is consistent with the exercise of speed of decision which may be desirable in some case.

The new Board which we suggest would not disturb the present functions of the FCC in determining which applicants shall receive assignments within bands set aside for non-governmental use. ~~Rather it would pass upon the competing demands for governmental and non-governmental users as well as requests by governmental users for specific assignments within the space allocated for government use.~~ It would necessarily be privy to the plans of all agencies, for both present and future use. Its operations would involve an assumption of complete security for all information which it receives. Its decisions would have a bearing upon war plans and upon the production of billions of dollars worth of civilian and military equipment. It would introduce a positive, planning factor into decisions which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

The Board's immediate task would be to consider and pass upon requests for changes in existing allocations as between government and non-government uses. It should also be responsible for the assignment of frequencies to the government users by preferring agencies. The Board should establish criteria of the kind and intensity of use of currently assigned frequencies compared both with the present uses of both military and civilian operations and operations which may have to be carried out in the future should the international problem itself be engaged thereby which necessitated such a step. It should be engaged thereby which necessitated such a step. It should be responsible for the allocation of new frequencies, both military and civilian, under the international telecommunications problem and also through other international problems and keep continually under consideration the entire field of telecommunications in order to adjust the frequency requirements of the various uses which it thinks they should have to afford the public benefit.

It is possible that a very liberal credit with generous allocations could result from those whose activities in the field have not been confined heretofore to the type of activity which we propose. Certainly the Bureau would be under some pressure which is inevitable in the allocation of a scarce resource. We believe the authority we believe that the Board should have the priorities which have been established by Congressional enactment subsequent to approval from the President. We see no merit in the objections to the objections to the decision of any such government

agency. More important to us is the fact that a national resource is involved, one which must be dealt with on the national level if at all. Inaction is an undesirable form of action for the nature of the medium dictates what can happen if national policy is not shaped as intelligently as possible. This is not a matter which ~~can be swept under the rug and forgotten.~~ cannot be set aside and ignored.

Stop here in letter to Jim

We have given some thought to the type of individual to serve on the proposed Board. Much of its work will be based upon scientific data and engineering considerations but its decisions must project far beyond such considerations. Scientists and engineers should certainly be seriously considered for appointment; but the fact that an individual is a scientist or an engineer is no assurance that he will have the type of ability, imagination and integrity required for the type of decisions the Board will be called upon to make. Nor does the fact that he may not be a scientist or an engineer necessarily mean that he does not know how to use their services as appropriate.

The Board will have great concern with national defense, yet we can not conclude that service in the armed forces is a necessary prerequisite to the formulation of sound judgments by the Board although retired military officers should be among those considered. The electronics and communications industries will have an effect upon, and be profoundly affected by, the Board's actions. Here again, we feel that experience in these fields, while useful, is not necessarily requisite to effective performance as a member of the Board.

As we see it, the members of the Board should, above all, be men of the highest integrity and intelligence. They should be men of ability and imagination. As we envision the Board, it will require all of these traits. Compared to these, the particular areas of training or experience are of much less significance. The Board must be able to build and direct a highly competent staff. It must be able to weigh dispassionately and separately the competing claims of activities, all of which may be highly meritorious but some of which must give way because not all can be accommodated. The Board members must be immune to influence or pressure, no matter what may be the source from which it emanates. They must accept Board membership as a commitment of vital national importance; it must not be regarded as a stepping stone to any other activity, public or private. Any person appointed to the Board should be prepared to serve the entire term for which he is appointed. ~~We should [illegible]~~

We would suggest that initial members be selected for six year terms, with the initial members serving terms of two, four and six years in order to lay the foundation for [illegible]. The [illegible] should be [illegible]

[illegible]

that the President be able to carry out his policies for national defense. There is the possibility of a potential conflict should the Board refuse to allocate frequencies deemed essential for the execution of a defense program adopted by the President. In such an event the President must prevail. It should be possible to devise language to protect members of the Board from removal except for cause, to be established in a fashion to protect the highly classified information upon which such action would necessarily be based.

Draft #2
(Mr. Cooley)
Incomplete
(Pages used for other drafts)

12/8/58

LETTER OF TRANSMITTAL

Date

Dear General Hoegh:

We have the honor and pleasure of sending to you for transmittal to the President the report and recommendations of the Special Advisory Committee on Telecommunications as called for by your letter of November 4, 1958 creating the Committee and setting forth its mission.

Since the initial meeting of the Committee which you convened on November 18th, we have reviewed and considered the administrative organization and procedures currently in force dealing with day-to-day matters relating to telecommunications management within the Executive Branch. We have also considered the overall problem. The results of our considerations are embodied in our report which you requested be completed and in your hands prior to January 1, 1959.

The Committee is unanimous in recommending to you the conclusions reached in the report.

Respectfully submitted,

W. Preston Corderman, Maj. Gen., USA (Ret.)
Frank G. Kerr
Erle Stewart
William G. Thompson
Vincent E. Conley, Chairman

Honorable Leo A. Hoegh
Director
Office of Civilian Defense Mobilization
Washington 25, D. C.

Allocation of the radio frequency
and the management of radio frequencies

INTRODUCTION

Telecommunications of the United States are essential to the national security, to the safety of life and property, to international relations and to the business, social, educational and political life of the country. As such they are one of the nation's most valuable assets in peace and provide vital and essential support in the prosecution of war.

The President in recognizing the importance of telecommunications in his letter to Speaker Rayburn dated July 28, 1958 declared that "changing technology along with changing needs in Government and non-Government areas present problems in the telecommunication field which require ~~searching~~ searching examination. The situation is becoming no less complicated by prospective developments in satellites and space vehicles as well as defense weapons systems. Thus it has seemed to me that a fresh examination of the role of the Federal Government in this field would be desirable.

The concern felt by the 85th Congress was indicated by the Senate's adoption of S. J. Res. 106 establishing a Commission to investigate the utilization of the radio and ~~telecommunications~~ television frequencies. This resolution was approved with amendments by the House Committee on Interstate and Foreign Commerce but did not come to a vote in the House.

Para (1) Industry's concern was evidenced ~~nonetheless~~ more than a year ago and reaffirmed this year through the adoption of a resolution by the Electronic~~s Industrial~~ Industries Association calling for a study of the spectrum, and commercial as well as other non-government users of the spectrum, particularly the broadcasters, have indicated ~~dissatisfaction with the unavailability of channels~~ a need for additional channels in certain frequency ranges, not now available.

Para (3) While landlines and submarine cable facilities ~~may be expanded without limit~~ are capable of expansion but such is not the case with the radio spectrum. There is only one such spectrum the usable band ~~extending~~ of which extends in the present state of the art to about 30,000 megacycles -- a frequency of 30 billion cycles per second. To the layman this figure may give the impression of permanent adequacy but this is not the case. Different parts of the spectrum have different characteristics, ~~many more useful than others while little use is made of some frequency areas.~~ many are very useful while others have little application currently. In consequence requests for frequencies having the most favorable characteristics for a particular purpose have not infrequently exceeded the supply. ~~Television offers an example -- there being more applications for frequencies in the normal VHF TV band than there are channels available.~~

pre - Other services are important and equally demanding.

(2) The importance of efficient use of the spectrum is emphasized from a national security standpoint by the expanding need of radio channels by the Department of Defense. Not only have all branches of the military become increasingly dependent upon spectrum use for communications but the operation and direction by radio is an integral part of the design of space vehicles and many of our most modern weapons. Thus it is vital to the welfare and security of the country that the radio spectrum be efficiently and effectively used.

(4) With these considerations in mind and being aware of his responsibilities in this field, the Director of OCDM on behalf of the President, created the Special Advisory Committee on Telecommunications to review the role of the Federal Government in the management of telecommunications. (The text of the Director's letter is attached as Appendix A)

~~Because of the known attitude of those principally interested and~~ In view of the study given the subject in recent years ~~and the valid data thus produced~~ the results of which are available, the committee felt it was not necessary to hold hearings to determine the existence, nature and scope of the problem assigned to it.

Also urgent is the increased need of frequencies for modern airplane operation.

(1)

OUR CURRENT MECHANISM

The Communications Act of 1934, as amended, provides for a division of responsibility between the President and the Federal Communications Commission for the assignment of radio frqeencies in the U.S. The Act delegates to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private ~~users~~ users, including state and local governments. Additionally, the Act vests in the President wartime authority over telecommunications.

The Government of the United States has from time to time established a succession of agencies to deal on a continuing basis with various aspects of telecommunication management which includes radio, land line and submarine cables. As the use of telecommunications has grown, with the Government itself a major user, existing Government mechanisms ~~would~~ have required and will continue to require ~~need~~ adjustment and strengthening.

The necessity for a mechanism to supervise and administer the Government's needs and usew of telecommunications ~~was~~ was stressed defined by the report of the President's Communication Policy Board in 1951. (Telecommunications - A Program for Progress).

(2)

The mechanism which was subsequently established consisted of a Telecommunications Adviser to the President. Later reorganization resulted in a downgrading of the Office, ~~the Adviser's duties being transferred to the Director of the Office of Defense Mobilization which agency, now merged with the Federal Civil Defense Administration, continues the function.~~ This important work is now assigned to a competent though numerically inadequate ~~so inadequate though competent staff with a small budget~~ under the direction of the Deputy Assistant Director for Telecommunications who reports to the Director of OCDM through the Assistant Director for Resources and Production. ~~In consequence~~ It has no established source of high-level direction from executives knowledgeable in telecommunications. ~~Its budget is approximately $200,000.~~

The Interdepartment Radio Advisory Committee, IRAC, is a committee of federal ~~agencies~~ agency experts which affords technical guidance in the assignment of radio frequencies to Government agencies. This committee reports to the Director of OCDM through the Deputy Assistant Director for Telecommunications, and has a separate annual budget of about $175,000 largely for the purpose of keeping records of radio frequency assignments. The IRAC is primarily a group of coequal users and is not qualified to act as a policy making body. ~~therefore not fitted to act in a policy making or independent judging body.~~

3

F-C-C- which succeeded

~~On the civil side~~ The FCC which ~~has been established since~~ the Federal Radio Commission ~~was abolished~~ in 1934, discharges ~~its statutory~~ regulates non-government ~~responsibilities for the regulation and management of other than Federal Government~~ telecommunications, including the assignment of radio frequencies, with a ~~sizable~~ staff ~~of~~ about one thousand people. ~~and an annual budget of about $3 million. It has an established source of high-level direction from six Commissioners and a seventh who is Chairman, who are knowledgeable in telecommunications, plus two advisory committees.~~

It has an established source of high level direction in the form of seven Commissioners

These various ~~pieces combined~~ segments form our national regulatory and control of telecommunications mechanism.

MEASURES RECOMMENDED

RECOMMENDATION IN SUMMARY

IT IS RECOMMENDED THAT a Board be established through legislation requested by the President in order to provide the President with an adequate instrument to carry out ~~discharge~~ his responsibilities in connection with ~~for~~ management of national telecommunications, ~~including the Government's use of the radio frequency spectrum~~; and to act for him in the discharge of his ~~additional~~ responsibilities arising from the Communications Act of 1934, as amended.

A draft Bill designed to accomplish the foregoing recommendation by establishing a National Telecommunications Board, is attached as appendix.

Mr. Plummer

DRAFT

December 3, 1958

Section ~~(e)~~ d

The Board shall, ~~as an additional special duty,~~ review the ~~current~~ national table of radio frequency allocations being employed ~~within the United States~~ by Federal Government and non-Federal Government users. This review shall be done in collaboration with the Federal Communications Commission to the end that a joint expression be reached in determining whether the current division of radio spectrum serves the National interest to an appropriate degree. The Board and the FCC will make ~~separate~~ reports a of findings; ~~the Board~~ to the President for transmission to ~~the~~ the Congress, ~~and the FCC directly to the Congress.~~ ~~Each~~ report shall contain, in addition to the findings resulting from the review, such recommendations as may be considered desirable and applicable. The report is ~~are~~ to be made within a period of two years from the qualification and appointment of the Board members.

DRAFT #5

December 8, 1958

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington, D. C.

A BILL

To provide the President with the means to discharge satisfactorily his responsibilities in connection with national telecommunication resources and for management of the Government's use of the radio frequency spectrum.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

NATIONAL TELECOMMUNICATIONS BOARD

Sec. 1. There is hereby established in the Executive Office of the President the National Telecommunications Board, hereinafter referred to as the "Board", which shall report directly to the President. The Board shall consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall be designated by the President and shall receive compensation at the rate of $20,500 per annum. The other two Board members shall receive compensation at the rate of $20,000 per annum. All actions of the Board except those relating to internal administrative matters shall be by affirmative vote of a majority of its members. The Chairman shall be responsible for the internal administrative direction of the Board and its staff.

Redraft by Committee at meeting on Dec. 8, 1958. (Later changed)

1 FUNCTIONS OF THE BOARD

2 SEC. 2. (a) The Board shall assist and advise the President
3 in the discharge of his responsibilities as President of the United
4 States in connection with U. S. telecommunication resources to
5 meet the changing demands of national security and welfare and
6 shall act for him in the discharge of his responsibilities arising
7 from the Communications Act of 1934, as amended, for management
8 of the Federal Government's use of the radio frequency spectrum
9 in such a way as to provide the optimum accommodation of present
10 and foreseen future needs of national security, safety of life and
11 property, international obligations, and the economic, social,
12 educational, and political life of the Nation and the general welfare
13 of the people.

14 (b) The Board shall formulate telecommunication policies,
15 plans, programs, and standards designed to assure efficient
16 telecommunication management within the executive branch of the
17 Government with due regard for the maintenance of sound and healthy
18 commercial telecommunications services, both domestic and foreign.
19 The Board shall coordinate the formulation of U. S. policies and
20 positions within the executive branch of the Government for
21 international telecommunications and advise the Secretary
22 of State in the projection independently of U. S. telecommunications

1 policies and practices. The Board shall provide policy guidance
2 for and direct the implementation of U. S. international telecommuni-
3 cations treaty obligations by the general agencies in the executive
4 branch of the Government.
5 (c) The Board shall carry out such policy making, planning
6 and executive functions as are required for the discharge of the
7 President's responsibilities arising from Section 305 of the
8 Communications Act of 1934, as amended, for the assignment of
9 radio frequencies to Government stations or classes of stations.
10 The Board shall formulate policies, criteria, engineering standards,
11 and procedures for the allocation and assignment of radio frequencies
12 to the general agencies of the executive branch of the Government
13 and for the use thereof. The Board shall maintain or cause to be
14 maintained suitable records of assignment of frequencies to
15 Government users and the publication of lists of Government
16 frequency assignments as appropriate.
17 (d) The Board shall review the general mode of radio frequency
18 allocations being adopted by Federal departments between private and
19 Government units. This review shall be done in cooperation with
20 the Federal Communications Commission to the end that a joint
21 approach be reached in determining whether the current division
22 of radio spectrum serves the National interest to an appropriate

1 degree. The Board and the FCC will make a report of findings
2 to the President for transmission to Congress. The report shall
3 contain, in addition to findings resulting from the review,
4 such recommendations as may be considered desirable and
5 applicable. The report is to be made within a period of two years
6 after the appointment and qualification of the Board members.
7 (d) The Board shall maintain continuing review of the national
8 and international telecommunications, including the National
9 Telecommunications Information Administration, for the purpose of learning of
10 appropriate fields of research upon behalf the Federal
11 Government, and shall formulate and recommend to the Federal
12 Government and the President a comprehensive long-range
13 plan for future use of the radio spectrum resource. The Board
14 shall encourage the development of new technologies,
15 improved equipment and methods to promote a more effective use
16 of the radio spectrum and to conserve radio frequencies.
17 (e) The Board shall, on a yearly basis, (1) study the role of the
18 telecommunications industry in the improvement of U.S. international trade,
19 (2) study the institutional arrangements for discharging the
20 Government's responsibilities with respect to the
21 International Telecommunication Union under the Communications Act of 1934,
22 as amended, and the Convention of the International Telecommunication Union,

1 years of the appointment and qualification of the Board members,
2 report to the President for transmission to the Congress the Board's
3 recommendations on what changes, if any, should be made in the
4 existing administrative organization.
5 (g) The Board shall carry out such other duties and responsibilities
6 as may be directed by the President from time to time.
7 (h) The Board shall establish and maintain liaison as required
8 with departments and agencies of the Federal Government and the
9 telecommunication industry, including but not limited to the
10 broadcasting, electronic, and communication services, with
11 particular reference to research and development and new manu-
12 facturing techniques and capabilities, for the purpose of improving
13 telecommunication services, the conservation of the spectrum, and
14 for increasing productivity of the total resource. The Board shall
15 encourage research and studies in those areas where the need exists.
16 (i) The Board shall, in the formulation and promulgation of
17 policies, plans, programs, criteria, standards, and procedures
18 of national import, consult as appropriate with the Federal
19 Government agencies.
20 (j) The Board is also authorized: (1) subject to the Civil Service
21 and classification laws, to select, employ, appoint, and fix the
22 compensation of such officers, employees, attorneys, and agents

1 as shall be necessary to carry out the provisions of this Act, and
2 to define their authority and duties; (2) to appoint such advisory
3 committees as shall be appropriate for the purpose of consultation
4 and advice to the Board in performance of its functions hereunder
5 and to obtain services as authorized by section 15 of the Act of
6 August 2, 1946 (5U. S. C. 55(a)), at rates not to exceed $100 per diem
7 for individuals; and (3) to place in grades 16, 17, and 18 of the General
8 Schedule established by the Classification Act of 1949, as amended,
9 not to exceed ten positions which shall be additional to the number
10 authorized by section 505 of that Act.

11 ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD

12 Sec. 3. The term of office of each member of the Board shall
13 be six years, except that (1) any member appointed to fill a vacancy
14 occuring prior to the expiration of the term for which his predecessor
15 was appointed shall be appointed for the remainder of such term;
16 and (2) the terms of office of the members first taking office after
17 the date of enactment of this Act shall expire, as designated by the
18 President at the time of appointment, one at the end of two years,
19 one at the end of four years, and one at the end of six years.
20 Two members shall constitute a quorum of the Board. Each member
21 of the Board shall be a citizen of the United States.

1 ANNUAL REPORT

2 Sec. 4. The Board shall make an annual report to the President
3 for transmission on or before the 15th of March of each year to the
4 Congress, summarizing the activities of the Board for the previous
5 calendar year and making such recommendations as it may deem
6 appropriate.

7 TRANSFER OF RECORDS, PROPERTY, PERSONNEL, AND FUNDS

8 Sec. 5. The records, property, personnel and funds used, held,
9 employed, available, or to be made available, in connection with
10 the functions vested in the Director of the Office of Civil and Defense
11 Mobilization by Executive Order 10460 of June 16, 1953, and
12 Executive Order 10705 of April 17, 1957, shall be transferred,
13 consonant with law to the Board.

14 APPROPRIATIONS

15 Sec. 6. There are hereby authorized to be appropriated such
16 sums as may be necessary and appropriate for the carrying out of
17 the provisions and purposes of this Act.

18 Sec. 7. This Act may be cited as the National Telecommunications
19 Act of 1959.

DRAFT

December 9, 1958

Dear Governor Hoegh:

At the first meeting of the Special Advisory Committee on Telecommunications you requested that we suggest the names of individuals who might be considered for appointment as members of a National Telecommunications Board if one should be created. After considerable discussion we have concluded that it would be more useful if we gave you our views as to the type of persons whom we believe should be asked to serve as members. We are in agreement that specific statutory provision can not be devised to cover those qualifications which we regard as most important.

~~We have given some thought to the type of individual to serve on the proposed Board.~~ Much of its work will be based upon scientific data and engineering considerations but its decisions must project far beyond such considerations. Scientists and engineers should certainly be seriously considered for appointment; but the fact that an individual is a scientist or an engineer is no assurance that he will have the type of ability, imagination and integrity required for the type of decisions the Board will be called upon to make. Nor does the fact that he may not be a scientist or an engineer necessarily mean that he does not know how to use their services as appropriate.

The Board will have great concern with national defense, yet we cannot conclude that service in the armed forces is a necessary prerequisite to

Distributed to Committee at meeting on 12/9/58

the formulation of sound judgments by the Board although retired military officers should be among those considered. The electronics and communications industries will have an effect upon, and be profoundly affected by, the Board's actions. Here again, we feel that experience in these fields, while useful, is not necessarily requisite to effective performance as a member of the Board.

As we see it, the members of the Board should, above all, be men of the highest integrity and intelligence. They should be men of ability and imagination. As we envision the Board, it will require all of these factors. Compared to them, the particular areas of training or experience are of much less significance. The Board must be able to build and direct a highly competent staff. It must be able to weigh dispassionately and accurately the competing claims of activities, all of which may be highly meritorious but some of which must give way because not all can be accommodated. The Board members must be immune to influence or pressure, no matter what may be the source from which it emanates. They must accept Board membership as a sacred trust of vital national importance; it must not be regarded as a stepping stone to any other activity, public or private. Any person appointed to the Board should be prepared to serve the entire term for which he is appointed.

We would suggest that Board members be selected for six year terms, with the initial members serving terms of two, four, and six years in order to lay the foundation for staggered terms. The members should be secure in their tenure in order better to resist the pressures to which they may be subject. Against this security must be weighed the necessity that the President be able to carry out his policies for national defense. There is the possibility of a potential conflict should the Board refuse to allocate frequencies deemed essential for the execution of a defense program adopted by the President. In such an event the President must prevail. It should be possible to devise language to protect members of the Board from removal except for cause, to be established in a fashion to protect the highly classified information upon which such action would necessarily be based.

Sincerely,

Victor E. Cooley

Honorable Leo A. Hoegh
Director
Office of Civil and Defense Mobilization
Washington 25, D. C.

CONSIDERATIONS LEADING TO A CONCLUSION
(An Analysis of the Situation)

The basic problem giving rise to the appointment of this Committee is that in certain parts of the radio frequency spectrum the demand for frequencies exceeds the supply. The situation is complicated by the division of control determined by whether a proposed frequency use is for governmental or non-governmental purposes. It is important to keep in mind, however, that the basic problem will remain even if all the complications of dual control are eliminated. Some relief is possible but miracles should not be anticipated.

Suspicion is inevitable in the present divided control over the spectrum. Users of, and applicants for, non-government frequencies see a relatively easy solution to some of their problems if the government agencies would only surrender desirable blocks of frequencies now allocated for government use. From this it is an easy step to a conviction that the government departments are wasting frequencies--a step made all the easier by the secrecy which necessarily shrouds certain types of government operations. On the other hand it would be only human for government agencies concerned with national defense and with safety of life to think that all other frequency uses are decidedly secondary and thus feed the suspicion that they are not overly concerned with the problems of the non-government users. The absence of any effective agency short of the President himself to resolve

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these questions in the national interest provides a climate in which doubt and suspicion flourish in a manner detrimental to the national interest.

As Commander-in-Chief of the Armed Forces as well as in his more general role of Chief Executive, the President of the United States has a responsibility for effective planning and execution for national defense which no one would wish to cripple in today's uncertain world. For a proper use of radio frequencies in this situation he is, of course, dependent upon his advisers. Sound planning requires close cooperation with the Federal Communications Commission which is charged with the administration of non-governmental uses of radio. This system of dual control has worked better than might reasonably be expected, due largely to the mutual respect shown for each other by the agencies involved. In our opinion, however, a continued reliance upon this system would be hazardous to the national welfare.

At this time two separate and fairly distinct steps are involved: (1) the establishment of a new agency (or an augmentation of the powers of an existing agency) to exercise an authoritative judgment in the matter of government and non-government requirements for frequencies; and (2) a review by that agency of the use made of frequencies as well as an assessment of prospective telecommunications requirements, both governmental and non-governmental.

-3-

The only existing agency to which additional powers in this area might logically be given is the FCC. In our opinion such an extension of the FCC's authority would not be a proper solution of the difficulty. That body is fully occupied with its current duties. Furthermore, the public concern with sound and saturation broadcasting will inevitably compel the FCC to devote a disproportionate amount of its time to that field. We fear that preoccupation with the immediate might prejudice the questions due for the future which the national well-being requires and to not are pressing. Hence, some other entity must be considered for carrying out these broad discretionary functions.

December 6, 1956

THE CONCLUSION DISCUSSED
(Organization and Tasks)

In our view the type of discretion which we contemplate should be vested in a Board rather than a single individual. A wisely constituted Board can bring a variety of experiences and points of view to the challenging problems with which we are confronted in the area of telecommunications. While no magic attaches to a particular number, we believe that the desirable variation of viewpoints can be achieved with three properly selected individuals. This number is consistent with the exercise of speed of decision which may be desirable in some case.

The new Board which we suggest would not disturb the present functions of the FCC in determining which applicants shall receive assignments within bands set aside for non-governmental use. Rather it would pass upon the competing demands for governmental and non-governmental uses as well as requests by governmental users for specific assignments within the space allocated for government use. It would necessarily be privy to the plans of all agencies, for both present and future use. Its operations would involve an assumption of complete security for all information which it receives. Its decisions would have a bearing upon war plans and upon the production of billions of dollars worth of civilian and military equipment. It would introduce a positive, planning factor into decisions which are now being made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

Note: Distributed to Committee at meeting on 12/9/58.

The Board's immediate task would be to consider and pass upon requests for changes in existing allocations as between government and non-government uses. It should also be responsible for the assignment of frequencies to the government group to particular agencies. At longer range it should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future requirements, both civilian and military; review the international telecommunications picture with a view to strengthening our international posture; and keep continually under consideration the entire field of telecommunications in order to advise the President and Congress of any actions which it thinks they should take to advance the public interest.

It is possible that if our Board would meet with success, if the entire institution from these three agencies in the field have not been subjected hereafter to the type of criticism which we suggest. Certainly the Congress can look to make more people happy; this is impossible in the situation of a course increase. In behalf the authority we believe that the Board should have the prestige which flows from establishment by Congressional statement following a report from the President. We are not unmindful of the objection to the adjustment in the creation of any new government

agency. Now important to us is the fact that a national resource is involved, one which must be dealt with on the national level if at all. Zoning is an admirable form of action for the benefit of the municipal district which will benefit if national policy is set shaped as intelligently as possible. This is not a matter which can be rough under the rug and forgotten.

We have given some thought to the type of individual to serve on the proposed board. Most of the work will be based upon scientific data and engineering considerations but the decisions must perforce be made by non-technical people. Consultants and engineers should certainly be extremely competent for appointment but the fact that an individual has obtained an engineer to be chairman does not mean that he will have the type of ability, imagination and integrity required for the type of decisions the board will be called upon to make. Now there the fact that he may not be a consultant or an engineer necessarily means that he does not have time to test their services as appropriate.

The board will have great capacity with national debate, yet we can not establish that capacity. The board therefore is a necessary participant in the determination of broad policy by the board through national military officers should be making their commitment, the statesmen and commissioning industries will have an effect upon and be profoundly affected by the benefits achieved. Employment are not that important in dear dollars, which could, in our immediately equitable by effective performance as a member of the board.

As we see it, the members of the Board should, above all, be men of the highest integrity and intelligence. They should be men of ability and imagination. As we envision the Board, it will require all of these talents, combined in them, the preferable course of training or experience will of much less significance. The Board must be able to hold and direct a highly competent staff. It must be able to weigh dispassionately and intensively the conflicting claims of activities, all of which may be highly meritorious but some of which must give way because not all can be accommodated. The Board members must be immune to influence or pressure, no matter what may be the source from which it emanates. They must accept Board membership for a stated term of civil national importance. It must not be expected that they will pursue other activity, public or private. Any person appointed to the Board should be prepared to serve the entire term for which he is appointed. He should also be prepared to step out at the end of that term and be amenable to future activity which would require him to have any direct or indirect contact with his former colleagues.

We would suggest that Board members be selected for six year terms, with the initial members serving terms of two, four and six years hence, so as to lay the foundation for staggered terms. The members should be spaces in their minds to enjoy fitness to resist the pressures to which they may be subject. Against this security must be weighed the necessity

[illegible] to carry out his policies for national defense, there is the possibility of a political conflict should the Board defend its objective independently against the executive of a defense program initiated by the President. In that instance it would be possible to devise language to permit members of the Board from regularly except for cause, to be established in a fashion to protect the highly classified information upon which such action would necessarily be based.

COPIES OF THE FOLLOWING MATERIAL WERE DISTRIBUTED TO EACH COMMITTEE MEMBER AT MEETING ON DECEMBER 8, 1958;

1. Draft of December 3, 1958, of Section (e) of draft "Bill", 1 page

2. Draft #2, Version #1, December 5, 1958, of "Language Designed to assist in preparing mention within the State of the Union message concerning the need for legislation in the telecommunication field, 2 pages

3. Draft #2, Version #2, December 5, 1958--Same subject as No. 2.

4. Memorandum for the President, Draft #2, December 5, 1958, 2 pages

5. Draft #2, December 5, 1958, of transmittal from the President to Congress, 2 pages

6. Organization Chart, 1 page; Summary of Requirements, 1 page; and Personnel Requirements, 2 pages; of the National Telecommunications Board.

NOTE: Employee copy of personnel action (appointment) included in the envelopes for Messrs. Corderman, Kear, Stewart, and Thompson.

DRAFT

December 3, 1958

Section (e)

The Board shall, as an additional special duty, review the current table of radio frequency allocations being employed within the United States by Federal Government and non-Federal Government users. This review shall be done in collaboration with the Federal Communications Commission to the end that a joint expression be reached in determining whether the current division of radio spectrum serves the National interest to an appropriate degree. The Board and the FCC will make separate reports of findings; the Board to the President for transmission to the Congress, and the FCC directly to the Congress. Each report shall contain, in addition to the findings resulting from the review, such recommendations as may be considered desirable and applicable. The reports are to be made within a period of two years from the qualification and appointment of the Board members.

DRAFT #2
VERSION #1

December 5, 1958

LANGUAGE DESIGNED TO ASSIST IN PREPARING MENTION WITHIN THE STATE OF THE UNION MESSAGE CONCERNING THE NEED FOR LEGISLATION IN THE TELECOMMUNICATION FIELD.

TO THE CONGRESS OF THE UNITED STATES:

Telecommunications of the United States are essential to the national security, to the safety of life and property, to international relations and to the business, social, educational, and political life of the country. As such, they are one of the Nation's most valuable assets in peace and war. Our economy and national defense today are highly dependent upon the continued smooth functioning of our national telecommunications services.

The rapid growth of radio, the increased demands of both existing and potential users of more spectrum space and the technical developments in electronics requires that careful planning and skillful administration are essential if we are to make effective use of this most valuable resource -- the radio frequency spectrum -- and advance the interests of the United States.

DRAFT #2
VERSION #2

December 5, 1958

LANGUAGE DESIGNED TO ASSIST IN PREPARING MENTION WITHIN THE STATE OF THE UNION MESSAGE CONCERNING THE NEED FOR LEGISLATION IN THE TELECOMMUNICATION FIELD.

TO THE CONGRESS OF THE UNITED STATES:

The development of national telecommunications policy has been of increasing concern to the Executive Branch during recent years. An adequate and healthy telecommunications system is the backbone of our complex national economy; it can promote mutual understanding and good will among the nations of the world, and is a valuable adjunct to our national security. Since the end of World War II marked progress has been made in technological methods which, in turn, has created technical and managerial problems requiring solution through intelligent appraisal, formulation of sound policies, and dynamic execution. Within the limitations of existing statutes, this effort is being pursued in the interest of maintaining a strong national telecommunications system.

In carrying out our telecommunications program, it has become eminently and increasingly clear that our national telecommunication resource lacks in modern managerial control methods. One of the most important elements of national telecommunications is the radio frequency spectrum. Within this spectrum operate, in turn, the many elements of our national telecommunication system such as radio and television broadcasting, international telephone and

[illegible]

Draft #2
December 6, 1978

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Review by the Special Advisory Committee on Telecommunications of the Role of the Federal Government in the Management of Telecommunications

During November 1978, at your request and on your behalf, I created a special temporary advisory committee to review the Federal Government's role in telecommunications management and to make recommendations on methods to bring about improvements in the use of telecommunications resources, including the allocation of the radio frequency spectrum.

The Committee has now completed its review of the current relationship within the Executive Branch, and as a result has recommended the establishment within the Executive Branch of a Federal Telecommunications Board. The Board would assume the task of discharging your telecommunications responsibilities including those set forth in the Reorganization Act of 1978, as amended, having to do with the management of frequencies to Government radio stations and control over telecommunications during the emergency. The Board would also be responsible for conducting, as a special step, comprehensive research without bias U. S. telecommunications management methods and, that

Draft #3
February 5, 1965

THE WHITE HOUSE

Dear _____ :

Acting under my Constitutional obligation to recommend to the consideration of the Congress such measures as I judge necessary and expedient, I transmit herewith the draft of a bill which would carry into the Independent Commission on International Educational and Cultural Affairs, recommended by my Secretary, _____, addressed to the Congress on the behalf of the Union.

I recommend that the Congress enact a measure such as that set forth in the draft bill. It is designed "To provide the President with the authority to discharge authoritatively his responsibilities for management of national international educational and cultural exchange and for support of the Commission's work of the Radio Frequency Spectrum."

The management of our vital national resources in the radio frequency spectrum is a matter of paramount importance. The importance of telecommunication and the radio spectrum - a publicly owned natural resource - has grown by leaps and bounds since our founding fathers gave them daily living.

It has long been agreed that the capacity of this reservoir is not adequate and that the effective utilization cannot be expected [illegible]. The development of telecommunications and use of the produce supplies as should planning and administration as any other national business.

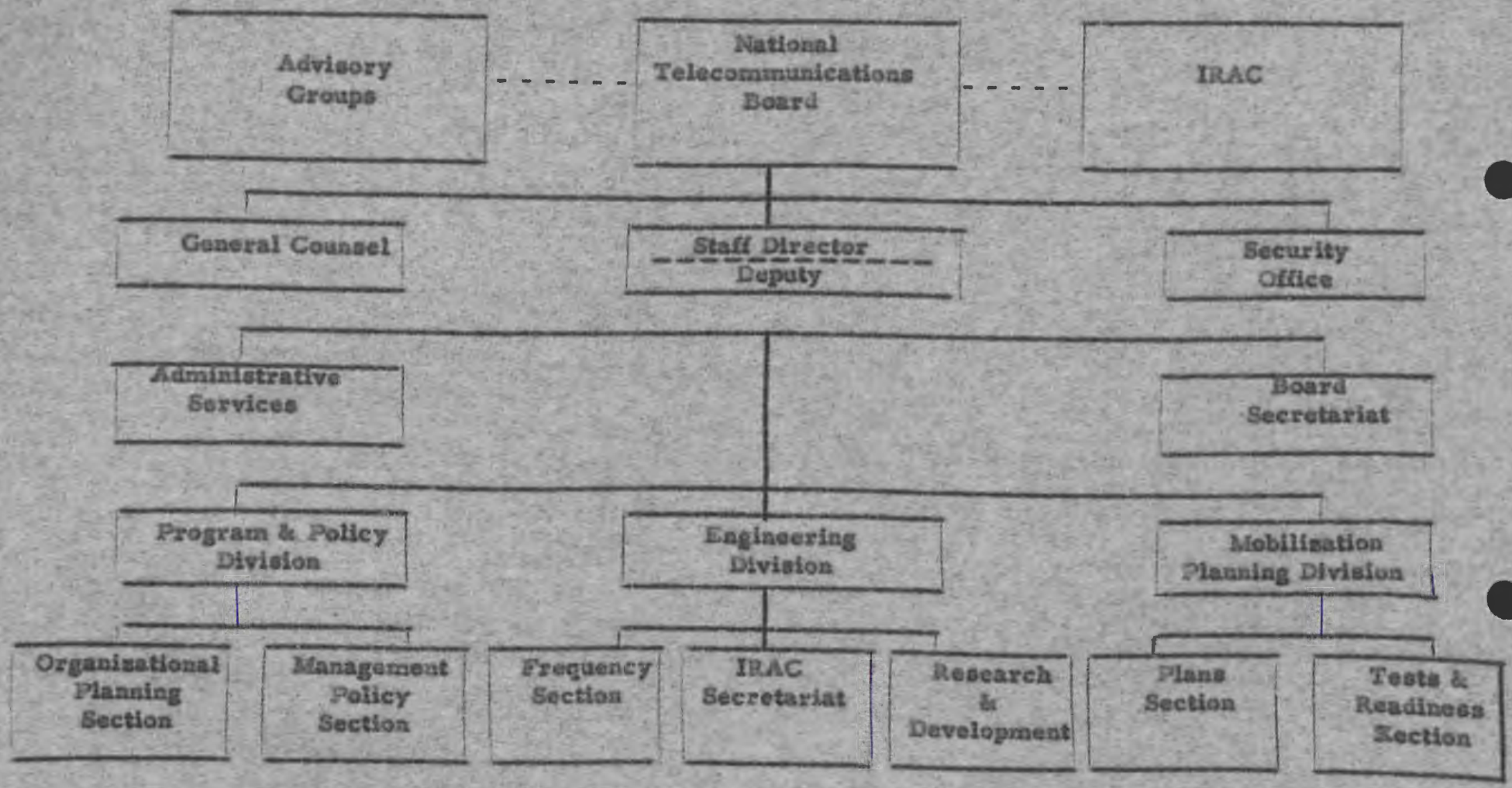
The programme contemplated in the draft bill will depend not only on adequate budgetary but also on adequate financial support. I shall shortly submit to the Congress an amendment to the fiscal year 1979 budget to provide funds that will be needed by the new Board in its first year of operation.

[illegible]

[illegible]

[illegible]

ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD



NATIONAL TELECOMMUNICATION BOARD

SUMMARY OF REQUIREMENTS

Total Number of Permanent Positions	71
Object Classification	
01 Personnel Services (6% lapse)	$588,490
02 Travel	9,415
03 Transportation of Things	1,300
04 Communication Services	6,600
05 Rents and Utilities	18,975
06 Printing and Reproduction	16,910
07 Other Contractual Services	40,165
08 Supplies and Materials	5,100
09 Equipment	3,350
11 Contributions to CS Retirement & Disability Fund	24,820
12 Federal Employees Group Life Insurance	2,065
13 Refunds, Awards, and Indemnities	300
15 Federal Insurance Contributions	560
TOTAL	$718,050

NATIONAL TELECOMMUNICATION BOARD

PERSONNEL REQUIREMENTS

Component	Position	Grade	Salary	Total
	Chairman	Appt	$ 22,500	$
	Member	Appt	20,000	
	Member	Appt	20,000	
	Administrative Asst. (Secretary)	GS-11	8,230	
	Administrative Asst. (Secretary)	GS-10	7,405	
	Administrative Asst. (Secretary)	GS-10	7,405	
				$ 85,540
	General Counsel	GS-17	19,375	
	Legal Assistant	GS-15	12,770	
	Administrative Asst. (Secretary)	GS-7	5,426	
	Secretary	GS-5	4,430	
				42,001
Staff Director	Staff Director	GS-18	17,500	
	Deputy Staff Director	GS-17	16,335	
	Administrative Asst. (Secretary)	GS-9	5,955	
	Administrative Asst. (Secretary)	GS-7	5,426	
				45,700
Board Secretariat	Staff Secretary	GS-15	15,150	
	Administrative Asst. (Secretary)	GS-7	5,500	
	Administrative Asst. (Secretary)	GS-5	4,430	
				25,110
Programs and Policy Division	Chief, Program & Policy Div.	GS-18	18,150	
	Head, Organizational Planning Sec.	GS-15	13,970	
	Head, Management Policy Sec.	GS-15	13,970	
	Secretary to Division Chief	GS-5	5,390	
	Secretary to Section Head	GS-5	4,945	
	Secretary to Section Head	GS-5	4,945	
				58,350
Engineering Division	Chief, Engineering Div.	GS-18	18,150	
	Head, Frequency Section	GS-15	13,970	
	Head, Research & Dev. Sec.	GS-15	13,970	
	Secretary to Division Chief	GS-5	5,390	
	Secretary to Section Head	GS-5	4,945	
	Secretary to Section Head	GS-5	4,945	
	Clerk Typist	GS-4	4,[illegible]	
	Clerk Typist	GS-4	4,[illegible]	
	NTAC Secretariat	Various	[illegible]	
				[illegible]

Component	Position	Grade	Salary	Total
Mobilization Planning Division	Chief, Mob. Planning Div.	GS-16	$ 15,150	
	Head, Plans Section	GS-15	13,970	
	Head, Tests & Readiness Sec.	GS-15	13,970	
	Staff Assistant	GS-12	8,570	
	Statistical Assistant	GS-11	7,510	
	Secretary to Division Chief	GS-6	5,390	
	Secretary to Section Head	GS-5	4,940	
	Secretary to Section Head	GS-5	4,940	
				74,440
Administrative Services	Administrative Officer	GS-14	11,835	
	Personnel Officer	GS-12	8,810	
	General Services Officer	GS-9	6,285	
	Personnel Documents/Processing	GS-7	5,880	
	Secretary	GS-5	4,940	
	Mail and File Clerk	GS-5	4,490	
	Clerk Typist	GS-4	4,040	
	Messenger	GS-1	3,245	
	Laborer	WB-3	3,200	
				52,725
Security Office	Security Officer	GS-15	12,770	
	Assistant Security Officer	GS-13	9,890	
	Administrative Asst. (Secretary)	GS-7	5,880	
				28,540
	Total	71 Positions		$626,050
	Less 6% Lapse ($37,560)			$588,490

December 2, 1958

MEMO NO. 6

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Mr. Cooley has suggested that the Committee may wish to give consideration to the possibility of assigning another task to the Board, in addition to the special duty set forth in the draft bill and in the draft report forwarded to you recently.

At Mr. Cooley's request, therefore, I am attaching two different versions of an additional task concerning the conduct of a comprehensive frequency usage study. One is designed to have the Board recommend whether a study should be made; the other assigns to the Board the duty of actually conducting a study.

These are "idea" papers only, and do not presume to constitute any suggested final language.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

RMObermiller/hrt
cc: Telecom. Records

P.S. Also attached is a brief item from the December 1, 1958, issue of BROADCASTING.

DRAFT #2
VERSION #1

December 2, 1958

COMMITTEE STUDY PAPER

SUBJECT: Additional Task for the National Telecommunications Board

ITEM : Determine Whether Frequency Study Should be Made

In the United States, dual management of the radio frequency spectrum, while not ideal, nevertheless appears to have afforded suitable frequency assignments to provide for the current needs of the Government, including the military, without creating any serious deficiencies.

However, increasing demands placed upon this single resource in the public domain presage little hope for their continuing satisfaction. Future denials of frequency assignments, brought about by demands in excess of the supply, will be almost unavoidable if the present trend continues.

In recognition of an almost inevitable situation, therefore, the Board in addition to its normal continuing functions, should:

a. Undertake an investigation into the U.S. allocation of the radio frequency spectrum with the objective of determining whether a detailed study should be made of the current use being made of the spectrum, and the benefits that would be derived therefrom if such a study is considered to be necessary;

b. In the event that the Board's investigations reveal the need for a study of radio frequency usage, the Board should recommend the magnitude or depth of the study, together with the estimated costs (in the broad sense), for carrying out such a program.

Note: Copy of Draft No. 1 of this version only handed to Mr. Cooley 12/1/58.

DRAFT #2
VERSION NO. 2

December 2, 1958

COMMITTEE STUDY PAPER

SUBJECT: Additional Task for the National Telecommunications Board

ITEM: Conduct a Frequency Usage Study

In the United States, dual management of the radio frequency spectrum--while not ideal--nevertheless appears to have afforded suitable frequency assignments to provide for the current needs of the Government, including the military, without having created any serious deficiencies.

However, increasing demands placed upon this single resource in the public domain presage little hope for their continuing satisfaction. Future denials of frequency assignments, brought about by demands in excess of the supply, will be almost unavoidable if the present trend continues.

In recognition of an almost inevitable situation, therefore, the Board in addition to its normal continuing functions, should:

a. Conduct a thorough and comprehensive study and investigation of current radio frequency assignments to the various agencies and instrumentalities of the Federal Government with a view to determining:

1. Whether such frequencies are being utilized in the national interest and to the maximum degree possible;

2. Whether any frequencies or bands of frequencies assigned or allocated to the Federal Government may, without jeopardizing the public interest, be relinquished for assignment or allocation to non-governmental purposes; and

3. Determine the estimated future requirements of the various agencies and instrumentalities of the Federal Government for assignments in the useful portion of the radio frequency spectrum.

Extract from BROADCASTING, December 1, 1958 (Closed Circuit)

ADVICE WANTED -- If broadcasters have any ideas on how radio spectrum should be managed or administered, they should send them to Telecommunications Advisory Committee, c/o Office of Civilian & Defense Mobilization, Washington 25, D. C. That is retort of one member of committee who bridled at reports broadcasters are uneasy because they aren't represented on committee. Committee is looking for ideas from all segments of telecommunications industry, he emphasized.

* * * * *

DEC 1 1958

MEMORANDUM FOR HONORABLE ROBERT MERRIAM
Deputy Assistant to the President
for Interdepartmental Affairs

SUBJECT: Special Advisory Committee
on Telecommunication

For your information I am attaching a copy of the press releases for Monday, November 24, 1958, from three trade magazines -- TV Digest, Broadcasting, and Telecommunications Reports -- which resulted from the formulation of the Special Advisory Committee on Telecommunication.

SIGNED

Leo A. Hoegh

Attachments

FCAlexander/hrt/11/25/58/3271
Telecommunications
cc: Records - 2
Telecom. Room 408 Winder
Director
Mr. Price

Mr. John S. Patterson

Attached are copies of the press releases for Monday, November 24, 1958, from three trade magazines -- TV Digest, Broadcasting, and Telecommunications Reports -- which resulted from the formulation of the Special Advisory Committee on Telecommunication.

Attachments

F. C. Alexander Nov. 25, 1958

Dr. James R. Killian

For your information, attached are copies of the press releases for Monday, November 24, 1958, from three trade magazines -- TV Digest, Broadcasting, and Telecommunications Reports -- which resulted from the formulation of the Special Advisory Committee on Telecommunication.

Attachments

F. C. Alexander
Deputy Assistant Dir.
for Telecommunications, OCDM

Nov. 25, 1958

Extract from TELEVISION DIGEST - Vol. 14: No. 47 - November 22, 1958

PUZZLING PRESIDENTIAL COMMUNICATIONS GROUP: A study leading to neither study -- that's how just about everyone characterizes President's new Special Advisory Committee on Telecommunications, the long-awaited "spectrum study" group appointed this week by Leo A. Hough, director of Office of Civil & Defense Mobilization.

SACT has such a short life -- must report by end of this year -- that we can't see how it can do any more than recommend how further studies should be conducted. Matter of fact, a lot of people are asking: "Why was it appointed?" Best guess is that President's advisers wanted to have a "polished position" when Congress convenes and reconsiders question of military-civilian division of the spectrum.

What started it all was Sen. Potter's (R-Mich.) doubts that military is making best use of its vast spectrum, and his belief it might readily transfer some of it to TV. To find out the score, he introduced bill (S. Res. 166) to establish a spectrum study commission but it was defeated by industry pressure (Vol. 14:39).

SACT is a high-level self-appointed group, all right, though it doesn't give TV-radio industry much of a shake. Albeit the member most closely associated with TV-radio is one of the best -- Dr. Frank Kear, Washington consulting engineer.

Chairman of 5-man group is Victor E. Cooley, retired chairman of Southwestern Bell, until early this year the deputy director of OCDM's predecessor Office of Defense Mobilization, "second in command to Gordon Gray." The other members are: Dr. Irvin Stewart, FCC member 1936-1937, dean emer. of W. Va. U.; now on fellowship in Hawaii. He's cited for distinguished work as chairman of President Truman's Communications Policy Board, which issued 238pp. report "Telecommunications -- A Program for Progress" after a year's study (Vol. 7:13). Wm. G. Thompson, retired AT&T asst. v.p., in charge of overseas radio & cable communications. Brig. Gen. W. Preston Corderman (USA, ret.), 1955-1957 Deputy Chief Signal Officer, now v.p. of Litton Industries, major manufacturer of military electronic equipment. Committee past Nov. 19-19, meets again in about 3 weeks.

Extract from TELEVISION DIGEST

Ever since Congress killed Potter resolution to establish a study commission, after broadcasters lobbied against it for fear it would be stacked against them (Vol. 14:32), there's been speculation the President would appoint his own -- but he delayed it so long that it was assumed he's leave next move up to Congress.

Hoegh said the main task of SACT "is to recommend methods to bring about improvements in the use of telecommunications resources. It will examine the existing governmental policies, use of facilities, and administrative arrangements and procedures for the allocation, management and control of telecommunications including the radio frequency spectrum for govt. & non-govt. use."

Committee won't be concerned with FCC's powers & procedures, said Hoegh, nor will it make studies of detailed problems such as radio frequency usage.

Both industry and FCC are puzzled by Hoegh's statement. One commissioner asks: "How can it study non-govt. spectrum use without concerning itself with the "powers & procedures of the FCC"? I think it's just a gesture."

EIA was obviously disappointed. H. Leslie Hoffman, chairman of its spectrum study committee, wrote to Cooley, expressing hope that this week's move is "the first step toward a long-range study of the military & civilian uses of the radio spectrum and its administration," designed to promote more efficient use of radio. He again offered industry's help in any such study.

Placement of 2 former AT&T men on SACT irks manufacturers no end, for several are now feuding with AT&T over mobile radio, which they claim AT&T is trying to monopolize. They wouldn's have cavilled at one ex-AT&T man -- but 2 is "too many."

Note: FCC meets again on its own vhf-uhf allocations problems Nov. 24. Again at full strength with return of Chairman Doerfer from Europe with considerable staff-prepared material before it. Commission may make decisive moves.

Extract from BROADCASTING, November 24, 1958

DOES PRESIDENT WANT A SUPER-FCC?
He Orders Report by Dec. 31 on How to Reorganize Spectrum Management

The first step in a complete re-evaluation of the radio spectrum and how it is administered and managed has been taken by President Eisenhower.

Last week the President, through Leo A. Hoegh, director of the executive level Office of Civilian & Defense Mobilization, appointed a special telecommunications advisory committee "to review the role of the federal government in the management of U. S. telecommunications."

The committee comprises two retired AT&T executives, a political scientist, a practicing radio consulting engineer and a retired Army Signal Corps general.

It is headed by Victor E. Cooley, former deputy director of ODM and retired Southwestern Bell Telephone Co. executive. Others are William G. Thompson, retired AT&T assistant vice president in charge of long lines; Dr. Irvin Stewart, former FCC commissioner, State Dept. telecommunications aide and until this summer president of W. Virginia U.; Frank G. Kear, Washington radio consulting engineer, and Maj. Gen. W. Preston Corderman, USA (ret.), former Deputy Chief Signal Officer. (See box this page.)

The committee was given a hurry-up assignment. Target date for its report is Dec. 31.

It is expected that the report will deal primarily with administration. A recommendation for a further study on a long range basis also may emerge.

The announcement stated that the committee's main task is to recommend methods to bring about improvements in the use of telecommunications resources. "It will examine the existing government policies, use of facilities and administrative arrangements and procedures for the allocation, management and control of telecommunications," the announcement read, "including the radio frequency spectrum for government and non-government use."

It is felt that this is the President's method of accomplishing an all-embracing study of the radio spectrum. A similar proposal failed to pass in the last Congress.

There, a resolution by Sen. Charles Potter (R-Mich.) to appoint a commission to examine government usage of the radio spectrum passed the Senate. In the House, the Administration prevailed in revising the resolution to require the commission to investigate both non-government and government use of the spectrum. This was reported out by a House committee in the closing days of the 85th Congress but it was never brought to the floor for a vote.

Extract from BROADCASTING, November 24, 1958

Broadcasters opposed the amended Potter resolution. Shortly after Congress adjourned, it was reported that the President was considering the appointment of a White House committee to investigate the spectrum (Closed Circuit, Sept. 15; Government, Sept. 22).

Among other recent activities which may have spurred the President into seeking proposals to revise the present structure of radio spectrum management are the revelations of the House Legislative Oversight Committee, including off-the-record wire-pulling at the FCC, allegations of attempted bribery and solicitations of bribery, and general laxity in official conduct.

In announcing the appointment of the five-man committee, Mr. Hoegh stated that the rapidly changing technology and needs in both government and non-government areas "are presenting increasingly difficult problems in telecommunications management."

This situation, Mr. Hoegh continued, is becoming "no less complicated" by developments in satellites and space vehicles, as well as military weapons systems and civil defense communications.

The OCDM announcement also contained a paragraph stating that the committee "will not be concerned with existing regulatory powers or procedures of the FCC, nor will it make studies of detailed problems of radio frequency usage."

Mr. Cooley stated last week that the committee has no plans to get into the question of specific radio assignments. Another member of the committee was more down-to-earth: "We don't intend to get into the nuts and bolts part of telecommunications."

The committee has met twice, on Nov. 18 and 19. Another meeting will take place in mid-December, Mr. Cooley said.

Present at the Nov. 18 meeting was FCC Chairman John C. Doerfer, it was learned. Individual members of the committee have been given assignments in preparation for the next meeting.

The request for a Dec. 31 report is seen as lending credence to reports that the President desired to be ready for possible congressional activity in the field of telecommunications when the new Congress assembles Jan. 7.

There have been definite reports that Congress intends to take up anew the matter of a study of the radio spectrum.

Extract from [illegible], [illegible] 28, 1970

[illegible] Rep. [illegible] (D-[illegible]) declared that he would [illegible] to study the [illegible]. At the same time the [illegible] of the House [illegible] Committee [illegible] should [illegible] government and non-government use of the spectrum.

Under the 1934 Communications Act, the President is the final authority in licensing government stations. The FCC is empowered to regulate all non-government use of the radio spectrum. The President's responsibilities are carried out through the Interdepartment Radio Advisory Committee, on which sits a representative of each department and agency of the federal government which uses radio frequencies.

The Communications Act is silent, however, on a supreme arbiter for the apportionment of frequencies between the government and civilian use. This has been accomplished through a "gentlemen's agreement" between the White House and the FCC.

The latest expression of this [illegible] the FCC's [illegible]

This has sparked a lengthy court [illegible] has asked the appellate court to force the FCC to [illegible] under the Communications Act. The Commission ordered the change in allocations [illegible] a hearing. [illegible] When [illegible] The [illegible] was held in the U. S. Court of Appeals in Washington, D. C.

Actually the FCC order [illegible]

[illegible]

Extract from BROADCASTING, November 24, 1958

Aside from military weaponry, a vast upsurge in demands for spectrum space by industrial users has also inundated the FCC in recent years.

The Commission has under way a study of the entire spectrum beginning at 25 mc. This is in two phases, 25-890 mc (this includes tv and fm), and above 890 mc.

In evaluating the import of the establishment of the new presidential advisory committee, there have been recent, regulatory straws-in-the-wind pointing to a possible outcome. These are the recent establishments of "super" agencies--one dealing with aviation and the other with space.

The Federal Aviation Agency was established last August. It is headed by retired Air Force Lt. Gen. Elwood R. Quesada and has jurisdiction over both government and non-government aviation. This includes military aviation.

The FAA was layered over the existing Civil Aeronautics Board-Civil Aeronautics Authority establishment precisely because of the same difficulties plaguing the radio spectrum--divided authority.

Similarly, the National Aeronautics & Space Administration was organized last September to take over astronautical projects involving satellites, lunar probes and other space age developments.

The last telecommunications advisory committee was the President's Communications Policy Board, appointed by President Truman in February 1950. Members of that committee included Dr. Stewart as chairman, and Lee A. DuBridge, president of Cal Tech; William L. Everitt, U. of Illinois; James R. Killian Jr., then MIT president, now science advisor to the President, and David H. O'Brien, retired vice president of the Graybar Electric Co.

In March 1951 it issued its report, the 226-page "Telecommunications, A Program for Progress." It advocated the establishment of a three-man Telecommunications Advisory Board to advise and assist the President. It recommended that this board be empowered to require all government users to justify and periodically to rejustify their need and use of the radio spectrum. It recommended that this board, in cooperation with the FCC "supervise the division of spectrum space between government and non-government users."

It also called for the FCC to be strengthened in funds and structure.

Extract from BROADCASTING, November 24, 1947

THE AUTHORITY COMMITTEE ON TELECOMMUNICATIONS

(Photos of each member)

Walter Edward Gidney served as deputy director of OWI from 1943 to 1945. A graduate of Cornell University, he started his telephone career with the Pacific Telephone & Telegraph Co. in San Francisco, moved with Southwestern Bell Telephone Co. left Bell for the press, and was 20 years working for the Associated Press with the Bell Telephone Co., working in their publicity & director and member of the executive committee. In 1945 Mr. Gidney organized Southwestern Bell in operating the production and distribution, then spent two years as vice president and chief operating officer of Bell. He was born near Oxford, Kansas, in 1896.

Seth Thomas is a native Indiana with the U.S. Chamber of Commerce in Washington for four years, and then returned to West Virginia to a business. In 1935 he was appointed chief Federal Power Commission, which post he held until he joined the Interstate Commerce Commission. A graduate of Bucknell University, he served two years in the Navy during World War I. He served two years in France. Thus he is the only man to have had practical experience in telephone, telegraph, and broadcasting. He was born Washington, Pa. in 1896. During World War II he served as chairman of the Committee on Transportation of the Chamber of Commerce of the United States, and as president of West Virginia U. He was a member of the Committee on Transportation of the Chamber of Commerce of the U.S. of America, Washington, D.C. and in 1945.

Frank Stanton, president of the Columbia Broadcasting System, joined CBS in 1935 as a research director. He became vice president in charge of research in 1938, and became president in 1946. He was born in Dayton, Ohio, in 1908, and received his A.B. degree from Ohio Wesleyan University in 1930, and his Ph.D. degree from Ohio State University in 1935. He was a member of the faculty of Ohio State University from 1935 to 1937, teaching psychology and statistics. He was also a member of the Ohio State University Research Foundation. He was a member of the Committee on Transportation of the Chamber of Commerce of the U.S. of America, Washington, D.C. and in 1945.

Extract from BROADCASTING, November 24, 1958

William Glasgow Thompson has spent his entire adult life with AT&T, and, with only a short exception, all in the Long Lines Dept. He is a native New Yorker, was graduated from The Citadel, Charleston, S.C., and during World War I was in what was then called the Aviation Section of the U. S. Army Signal Corps. He joined AT&T's Long Lines Dept. in 1914 as a rate clerk and when he retired last June he was assistant vice president in charge of overseas radio and cable communications. He is 65.

Maj. Gen. William Preston Corderman, USA (ret.), former deputy chief signal officer, is now vice president of Litton Industries, Los Angeles, Calif., electronics manufacturer of navigation and guidance equipment, radar, computers, components, and other equipment. A native of Hagerstown, Md., Gen. Corderman was graduated from the U. S. Military Academy in 1926, served in various Signal Corps posts in the U. S. and its territories and in the European Theatre of Operations. He is 54.

Extract from BROADCASTING, November 24, 1958

The Electronic Industries Assn. last week renewed its recommendation for a long range study of the military and civilian uses of the radio spectrum. EIA's statement was issued last Thursday, following the announcement earlier in the week of the establishment of a Presidential Telecommunications Advisory Committee.

In a letter to Victor E. Cooley, chairman of the advisory committee, H. Leslie Hoffman, chairman of EIA's spectrum study committee, expressed the hope that the committee's appointment was the first step toward launching an overall investigation of the spectrum.

Last September the EIA board formally urged the establishment of a commission to study the spectrum and its uses by both government and non-government users. Some segments of the electronics industry have been advocating such a probe for the last year or more.

EIA has not suggested how this should be done, but it has recommended that a commission be appointed for this purpose.

* * * * *

Extract from BROADCASTING, December 24, 1956 (Editorial)

A BOARD COMMITTEE?

The addition of the newly appointed Special Advisory Committee on Telecommunications is an unusual means of tidying up the government's housekeeping in the communications field.

Definitely, it would homogenize the media. The FCC by Congressional mandate, through discussion and thinking both sides of the questions which those used by the federal government. The substantial part of the questions used by government has made the Minister's control. Politics of management problem handling.

Clearly as a matter of good administration it would make sense to have some kind of agency with general authority over questions therefore.

But what kind of agency should it be?

It is that question which will decide whether there they receive the recommendations of the telecommunications advisory committee that we published last week. It includes two former members of the telephone company, a retired Army signal officer and an industrialist who, as a previous government assignment, looked communications which broadcasters did not find particularly reassuring. The only member with a broadcasting background is Frank Kear, a consulting engineer.

The number two will therefore say to the committee is influenced by background. Some broad communications need of the questions have already been made. But broadcasters there may be further concern in the response primarily left by Frank Kear, of the Office of Civil and Defence Mobilization, and the government's consultant. There is a quite strong this representation.

This though will that implies changes in thinking and changes which in turn presumed and may generate some new problems, particularly difficult problems in interdepartmental management. The committee in such its business up here complicated by departments in addition and agencies in which the defence requirements spheres and civil defence communications.

Why did we feel the time necessary any reference to the Department of Transport and radio broadcasting which also are different problems in interdepartmental management.

Extract from BROADCASTING, November 28, [illegible] (Closed Circuit)

FASTER THAN SOME EYES -- That Telecommunications Advisory Committee appointed last week by OCDM to advise President (page 40) caught trade associations by surprise. Electronic Industries Assn. had inkling that committee's formation was in process because it had been asked to recommend some names (none of whom, incidentally, was chosen), but NAB was caught flatfooted. Both EIA and NAB officials are [illegible] and likely to be [illegible]. That's because [illegible] [illegible] wholly [illegible] manufacturers or broadcasters in group, although Gen. [illegible] is vice president of electronics firm Litton Industries Inc., and Dr. [illegible] may be considered associated with broadcast [illegible] through his consulting engineering firm.

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Extract from TELECOMMUNICATIONS REPORTS, Volume Twenty-Four, No. [illegible]
November 24, 1958

SPECIAL COMMITTEE NAMED TO ADVISE PRESIDENT ON METHODS TO IMPROVE NATION'S TELECOMMUNICATIONS RESOURCES; COOLEY TO SERVE AS CHAIRMAN OF GROUP WHICH HAS BEEN TOLD TO SUBMIT RECOMMENDATIONS BY DEC. 31

A Special Advisory Committee on Telecommunications, whose main task will be to recommend to President Eisenhower methods to bring about improvements in the use of telecommunications resources, was established last week.

The committee, which held its first meetings in Washington Tuesday and Wednesday of last week and is expected to meet again in early December, has been asked to make its recommendations by Dec. 31, according to Leo A. Hoegh, Director of the Office of Civil & Defense Mobilization, who announced establishment of the group on behalf of the President.

The short period of time allotted to the committee makes it apparent that it will take a broad-range view of the subject and, if it so decides, recommend that a "permanent" committee be set up to delve into the subject.

By taking last week's action, the administration is picking up the ball "fumbled" by Congress in its final days last summer when the House failed to act on a resolution providing for a study of government and non-government uses of the radio spectrum. The Dec. 31 deadline set last week for the new committee's report makes it likely that it will be taking a definite step forward before Congress reconvenes.

It had been expected that Congress would take up the matter for consideration anew in the 86th Congress, but the principal proponent of such a study on the Senate side, Sen. Charles E. Potter (R., Mich.), was defeated in his bid for reelection.

Victor E. Cooley, former Vice President and Chairman of the Board of the Southwestern Bell Telephone Co., and Deputy Director of the Office of Defense Mobilization from 1953 to 1958, was named Chairman of the committee whose function, according to Mr. Hoegh, will be to analyze the role of the federal government in the management of all telecommunications resources, including the allocation of the radio spectrum.

The group will consider existing government policies, use of facilities, and administrative arrangements and procedures for the allocating, administration, and control of telecommunications, including the radio frequency spectrum for government and non-government use.

Extract from TELECOMMUNICATIONS REPORTS, November 24, 1969

Nevertheless, the committee will not be concerned with solving regulatory problems implications of the FCC, but will be more studied in detailed problems such as radio frequency, as was specifically pointed out.

Mr. Hough said that "highly charged technology and complex issues in high frequency and communications cannot not presenting increasingly difficult problems in telecommunications regulation. The situation is becoming so large complicated by developments in satellites and space vehicles as well as of channels, frequency spectrum and other considerations."

Starting with Mr. Hough are the candidates are: John Cassock, a member of the FCC since 1967 and was President of Ball State University, also was chairman of the President's Communications Policy Board in 1968 which wrote the so-called "Bennett report." Mr. Hough has written in addition about making a study of new theories and techniques in political science.

Mr. Hough said, in consulting with engineers with the firm of Ware & Associates, he has been engaged in general consulting engineering practice since 1934.

William H. Thompson, without mentioned was President of the American Telephone & Telegraph Co. long lines department, formerly in charge of operations of research units and other communications, Mr. Thompson also serves as an advisor to the Defense Department on communications matters and problems.

Mr. Gen. W. Preston Goldsborough, a member of the US Army Signal Corps since 1941 as well, and having held higher officers from 1955 to 1967, Goldsborough may be retirement from the Army earlier this year, is also a Vice President of Ford Motorcoach, Inc.

The Congressional source for a frequency study established with the prestige by the Senate in lieu of a joint resolution which would have established a Congressional commission to investigate use of the radio spectrum by the Federal government.

The Senate resolution directed the commission to study the subject with a view to determining whether the present procedures for allocating the radio spectrum between Federal government and private users are adequate to meet the requirements of the future. The commission would also be directed to study the feasibility of the Federal government making more use of the radio spectrum by the private sector, and to study the feasibility of making more use of the radio spectrum by the Federal government.

Excerpt from TELECOMMUNICATIONS REPORTS, November [illegible], 1960

Subsequently, the House Interstate & Foreign Commerce Committee adopted administration proposals that any study to be made of the spectrum should include non-government as well as government uses.

The House, however, failed to act on the resolution during the final days of Congress. No formal explanation was given for tabling the resolution at the House calendar, but strong opposition had been voiced in broadcasting circles to the move on the House side to expand the study to include non-government uses.

Although Senator Pastore will not be returning to Washington, some other members of the Interstate Commerce Committee are expected to pick up his proposal in the 87th Congress. Rep. William G. Bray (R., Ind.) has been the principal advocate of such a study on the House side, and others have also strongly supported the plan.

Chief among these is Chairman Oren Harris (D., Ark.) of the House Interstate Commerce Committee, who in an address after Congress had adjourned declared that the time had arrived "where unified control of the spectrum space will become necessary."

* * * * *

December 1, 1958

MEMO NO. 5

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

The following is an extract from a letter received today from Dr. Stewart which is self-explanatory:

"Here is evidence of the way I spent Thanksgiving day. I suggest that you have the enclosure copied for members of the Committee to look at. It will be too late for you to give it general circulation in advance of the meeting, but you might get it into the hands of as many members as possible. It was prepared without the benefit of your longer and more detailed draft which is probably on its way to me. It contains some general statements of philosophy at which I should like to have the Committee look, irrespective of what action it may take."

As requested, the enclosure has been reproduced and is attached herewith.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

HRT
cc: Telecom. Records

Note: No attachment with Dr. Stewart's copy of memo.

The basic problem giving rise to the appointment of this committee is that in certain parts of the radio frequency spectrum the demand for frequencies exceeds the supply. The situation is complicated by the division of control determined by whether a proposed frequency use is for governmental or non-governmental purposes. It is important to keep in mind, however, that the basic problem will remain even if all the complications of dual control are eliminated. Some relief is possible but miracles should not be anticipated.

The members of this committee have varying backgrounds but all have some degree of familiarity with the subject. It was apparent at the outset that the time allotted for the committee's report precluded the thorough study needed for a comprehensive report. On the other hand, there is ample evidence of the existence of a serious problem. In March 1951 A Communications Policy Board appointed by President Truman a year earlier presented a 238 page report under the title "Telecommunications: A Program for Progress." Much of that report is valid today. In our view, had the recommendations in that report been carried out, appointment of the present committee might not have been necessary.

The concern felt by 85th Congress was indicated by the Senate's adoption of S. J. Resolution 196 introduced by Senator Potter. This resolution was approved with amendments by the House Committee on Interstate and Foreign Commerce but did not come to a vote in the House of

Representatives. Industry concern was evident in the adoption of a resolution by the Electronic Industries Association calling for a study of the spectrum. Under the circumstances the committee felt that it was not necessary to hold any hearings to determine the existence, nature or scope of the problem assigned to it.

Suspicion is inevitable in the present divided control over the spectrum. Users of, and applicants for, non-government frequencies see a relatively easy solution to some of their problems if the government agencies would only surrender desirable blocks of frequencies now allocated for government use. From this it is an easy step to a conviction that the government departments are wasting frequencies--a step made all the easier by the secrecy which necessarily shrouds certain types of government operations. On the other hand it would be only human for government agencies concerned with national defense and with safety of life to think that all other frequency uses are decidedly secondary and that from the suspicion that they are not overly concerned with the problems of the non-government users. The absence of any effective agency short of the President himself to resolve these questions in the national interest provides a climate in which doubt and suspicion flourish in a manner detrimental to the national interest.

As commander-in-chief of the armed forces as well as in his other general role as chief executive, the President of the United States has a responsibility

for effective planning and execution for national defense which no one would wish to cripple in today's uncertain world. For a proper use of radio frequencies in this situation he is, of course, dependent upon his advisers. Sound planning requires close cooperation with the Federal Communications Commission which is charged with the administration of non-governmental uses of radio. This system of dual control has worked better than might reasonably be expected, due largely to the mutual respect shown for each other by the agencies involved. In our opinion a continued reliance upon this system would be hazardous to the national welfare.

At this time two separate and fairly distinct steps are involved: (1) the establishment of a new agency (or an augmentation of the powers of an existing agency) to exercise an authoritative judgment in the matter of government and non-government requirements for frequencies; and (2) a review by that agency of the use made of frequencies as well as an assessment of prospective telecommunications requirements, both governmental and non-governmental.

The only existing agency to which additional powers in this area might logically be given is the FCC. In our opinion such an extension of the FCC's authority would not be a proper solution of the difficulty. That body is fully occupied with its current duties. Furthermore, the public concern with sound and television broadcasting will inevitably compel the FCC to devote a disproportionate amount of its time to that field. We fear that preoccupation

with the immediate might neglect the foundation for the future which the national well-being requires and is not now receiving.

In our view the type of discretion which we contemplate should be vested in a Board rather than a single individual. A wisely constituted Board can bring a variety of experiences and points of view to the challenging problems with which we are confronted in the area of telecommunications. While no magic attaches to a particular number, we believe that the desirable variations of viewpoints can be achieved with five properly selected individuals. This number is consistent with the exercise of speed of decision which may be desirable in some cases.

The new Board which we propose would not disturb the present functions of the FCC in determining which applicants shall receive assignments within bands set aside for non-governmental use. Rather it would pass upon the competing demands for governmental and non-governmental uses as well as requests by governmental users for specific assignments within the space allocated for government use. It would necessarily be privy to the plans of all agencies, for both present and future use. Its operations would involve the assumption of responsibility for all information which it receives. Its decisions would have a [illegible] on plans and upon the production of billions of dollars worth of civilian and military equipment. It would introduce a positive, planning factor into decisions which are now being

made on the basis of insufficient information as to present plans and probable future developments, scientific and otherwise.

The Board's immediate task would be to consider and pass upon requests for changes in existing allocations as between government and non-government uses. It should also be responsible for the assignment of frequencies in the government group to particular agencies. At longer range it should undertake studies of the kind and intensity of use of currently assigned frequencies; acquaint itself with the present state of both military and civilian operations and research which may have a bearing upon the future demand for frequencies; prepare itself to suggest areas in which additional research might be undertaken in the light of probable future requirements, both civilian and military; review the international telecommunications picture with a view to strengthening our international relations; and keep continually under examination the entire field of telecommunications in order to advise the President and Congress of any actions which it thinks they should take to advance the public interest.

It is possible that a new Board would meet with passive, if not active, resistance from those whose activities in the field have not been subjected heretofore to the type of scrutiny which we suggest. Certainly the decisions are bound to make some people unhappy; this is inevitable in the allocation of a scarce resource. To bulwark its authority we believe that the Board should have the prestige which flows from establishment by Congressional

enactment following a request from the President. We are not unmindful of the objections to the creation of any new government agency. More important to us is the fact that a national resource is involved, one which must be dealt with on the national level if at all. Inaction is an undesirable form of action for the nature of the medium dictates what can happen if national policy is not shaped as intelligently as possible. This is not a matter which can be swept under the rug and forgotten.

We have given some thought to the type of individual to serve on the proposed Board. Much of its work will be based upon scientific data and engineering possibilities but its decisions must project far beyond such considerations. Scientists and engineers should certainly be seriously considered for appointment; but the fact that an individual is a scientist or an engineer is no assurance that he will have the type of ability, imagination and integrity required for the type of decisions the Board will be called upon to make. Why does the fact that he may not be a scientist or an engineer necessarily mean that he does not know how to use their services as appropriate.

The Board will have great concern with national defense, yet we can not conceive that service in the armed forces is a necessary prerequisite to the formulation of sound judgments by the Board although retired military officers should be seriously considered. The electronic and communications industries will have an direct stake, and be personally

affected by, the Board's actions. Here again, we feel that experience in these fields, while useful, is not necessarily requisite to effective performance as a member of the Board.

As we see it, the members of the Board should, above all, be men of the highest integrity and intelligence. They should be men of ability and imagination. As we envision the Board, it will require all of these factors. Compared to them, the particular areas of training or experience are of much less significance. The Board must be able to build and direct a highly competent staff. It must be able to weigh dispassionately and accurately the competing claims of activities, all of which may be highly meritorious but some of which must give way because not all can be accommodated. The Board members must be immune to influence or pressure, no matter what may be the source from which it emanates. They must accept Board membership as a sacred trust of vital national importance; it must not be regarded as a stepping stone to any other activity, public or private. Any person appointed to the Board should be prepared to serve the entire term for which he is appointed. He should also be prepared to step out at the end of that term and to undertake no future activity which would require him to have any direct or indirect contact with his former colleagues.

We would suggest that Board members be selected for six year terms, with the initial members serving terms of two, four and six years in order to lay the foundation for staggered terms. The members should be secure in their

tenure in order better to resist the pressures to which they may be subject. Against this security must be weighed the necessity that the President be able to carry out his policies for national defense. There is the possibility of a potential conflict should the Board refuse to allocate frequencies deemed essential for the execution of a defense program adopted by the President. In such an event the President must prevail. It should be possible to devise language to protect members of the Board from removal except for cause, to be established in a fashion to protect the highly classified information upon which such action would necessarily be based.

Irvin Stewart

November 28, 1958

C
O
P
Y

apartment 1105, Rosalei Apts
445 Kaiu St.,
Waikiki, Hawaii
Nov 28, 1958

Dear Alex:

Here is evidence of the way I spent Thanksgiving day. I suggest that you have the enclosure copied for members of the Committee to look at. It will be too late for you to give it general circulation in advance of the meeting, but you might get it into the hands of as many members as possible. It was prepared without benefit of your longer and more detailed draft which is probably on its way to me. It contains some general statements of philosophy at which I should like to have the Committee look, irrespective of what action it may take.

The reports of blizzards in some parts of the mainland make an interesting backdrop to the swimming I plan for this afternoon.

See you on December 8

Irene Stewart

November 28, 1958

MEMO NO. 4

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

You will find attached an outline of a suggested format which may be helpful in reaching the final format of your report to the President through Governor Hoegh.

In putting together this material we have attempted to visualize all of the documents and attachments that would ordinarily accompany a full response to such a request for your review and recommendations.

In any event, we hope that it is sufficient material to enable you to firm up your ideas.

We have not attempted to prepare a Presidential message to Congress as yet, feeling that such a message should more properly reflect the words in a final version of your report. Also, we have not drafted a letter of transmittal to the President.

We are ready to reproduce language that you may send us, or such drafts as you suggest.

We have produced, for our own amazement (as well, perhaps, of yours), an organizational chart of the proposed Board, as well as some detail in staffing, including a tentative budget.

Memo No. 4

These will be available for your next meeting if you wish them. Please indicate whatever you want done.

Hope you all had a nice Thanksgiving.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

FCA/hrt
cc: Telecom. Records

DRAFT #2
11/28/58

REPORT OF THE

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATIONS

This document consists of 33 pages no. 6 of 6 copies, series.
File Copy

CONTENTS

~~THE PROBLEM POSED~~

INTRODUCTION

Telecommunications of the United States are essential to the national security, to the safety of life and property, to international relations and to the business, social, educational, and political life of the country. As such, they are one of the Nation's most valuable assets in peace and provide vital support in the prosecution of war.

The President, and the Director of the Office of Civil and Defense Mobilization, in recognizing the importance of telecommunications declared that "The rapidly changing technology and changing needs in Government and non-Government areas are presently increasingly difficult problems in telecommunication management." The Director of the Office of Civil and Defense Mobilization, therefore, on behalf of the President, created the Special Advisory Committee on Telecommunications to review the role of the Federal Government in the management of telecommunication. The text of the Director's letter is attached.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington, D. C.

Office of Director

November 4, 1958

(See Attached List of Addressees)

Dear

On behalf of President Eisenhower, I write to invite you to serve as member of a temporary Special Advisory Committee on Telecommunication to the President and me. This committee is created to review the role of the Federal Government in the management of telecommunication and, based on such review, to make recommendations to me which I may submit to the President, on actions essential to improve the allocation, management, and control of radio and television frequencies for government and non-government use. It is thought the Administration should be in a position to recommend to the Congress that a Commission be appointed to advance specific recommendations in this vital field. Other persons invited today to be members of the committee are as listed on the attachment to this letter.

Our economy and national defense today are highly dependent upon the smooth functioning of our national telecommunication services. The rapidly changing technology and changing needs in government and non-government areas are presenting increasingly difficult problems in telecommunication management. The situation is becoming no less complicated by developments in satellites and space vehicles as well as defense weapons systems.

It would be genuinely appreciated if you will accept this invitation and attend the initial meeting of the committee on November 18 and 19, 1958, at 10:00 A.M. on November 18, in my office, Room 100, Executive Office Building, 17th and Pennsylvania Avenue, N. W., Washington, D. C. It is my opinion this assignment will not be too arduous or require you to be away from your normal responsibilities an undue amount of time.

Because early action in the field is needed, it is my hope the committee will be able to complete its assignment and have its recommendations in my hands prior to January 1, 1959.

In the execution of your mission, you will receive the full cooperation and assistance of the Office of Civil and Defense Mobilization and other agencies of the Federal Government concerned.

You will be compensated for services rendered as a member of this committee as indicated on the attached transmittal sheet.

Your willingness to give us the benefit of your knowledge and experience by accepting this important assignment will be of great assistance in our effort to solve the many important problems in our communication service which is so vital to our Nation.

Sincerely yours,

(Signed)

Leo A. Hoegh

Attachments

Members of Special Advisory Committee of Telecommunication

Mr. Victor E. Cooley

Major General W. Preston Corderman, USA (Ret.)

Dr. Frank G. Kear

Dr. Irvin Stewart

Mr. William G. Thompson

Compensation for Members of Above Special Advisory Committee

Pursuant to existing statutory authority, the Office of Civil and Defense Mobilization will compensate you at the rate of $50.00 a day while you are engaged in the official business of the committee. Also, you will be paid a subsistence allowance of $15.00 a day while away from your home and your regular place of business, and the OCDM will defray the cost of your transportation in connection with your work on this committee. Information concerning the procedure to be followed in obtaining reimbursement for travel expenses is enclosed.

THE CURRENT ARRANGEMENT

The Communications Act of 1934, as amended, provides for a division of responsibility between the President and the Federal Communications Commission for the assignment of radio frequencies in the U.S. The Act delegates to the President the responsibility for assigning radio frequencies to the Federal Government agencies, and to the Federal Communications Commission the responsibility for assigning frequencies to commercial and private radio channels (non-Federal Government). Additionally, the Act requires the President seek advice from the Commission.

The Commission established under the Act has been used to have established a procedure for coordinating its actions with various aspects of telecommunications management which include radio, land line and telecommunications. As the use of telecommunications has grown, with the Government itself a major user, it is natural to find that existing Government mechanisms need adjustment and strengthening.

The necessity for a mechanism to consider the Government's needs and uses of telecommunications was defined by the report of the President's Communications Policy Board in 1951. (Telecommunications - A Program for Progress)

The mechanism which was subsequently established consisted of a Telecommunications Advisor to the President. Later reorganization resulted in the Advisor's duties being transferred to a small office. This office continues to function and it has an annual budget of about $100,000 to support a staff of 4 professionals dealing with all phases of telecommunications, under the terms of an Executive Order (EO 10460) which delegates to the Director, OCDM, the responsibility for assisting and advising the President in this field. It reports to the Director of OCDM through the Assistant Director for Resources and Production. It has no established source of high-level direction from executive boards upon the subject of telecommunications.

The IRAC, a committee of Federal agency experts which affords technical guidance in the management of radio frequencies also reports to the Director of OCDM through the telecommunications office. The IRAC has a separate annual budget of about $175,000 largely for the purpose of keeping records of radio frequency assignments.

On the civil side the Federal Communications Commission, which has been established since the Federal Radio Commission was abolished in 1934, discharges its legislated responsibilities in the form of regulation and management of other than Federal Government telecommunications, including assignment of radio frequencies, with a direct staff of about 2 thousand people and an annual budget of about $8 million.

It has an established source of high-level direction in the form of six Commissioners and a Chairman who are indistinguishable in telecommunications-land because it is their primary field of responsibility.

These actions place another form our national telecommunication regulatory mechanisms.

EVALUATION OF OUR CURRENT MECHANISM

In reviewing the structure which has evolved under the dictates of the Communications Act of 1934, as amended, the Committee was impressed by the degree of imbalance in both size and capability, as between the mechanism on the civil side and the Federal Government side. While admittedly there is a far greater area of regulation that should be covered in other than Federal Government control of telecommunications, nevertheless, the structure and its capabilities on the Federal Government side is inadequate by comparison.

In order to illustrate this point, it appears vital to the formulation of a satisfactory regulatory mechanism for telecommunications, Are set forth as follows:

a. That a regulatory mechanism should be created by legislation in order to provide it with continuity of purpose, an unfluctuating and recognized source of authority, but the kind of activity that national conditions shall be addressed upon a discretionary agency is provided with purposeful direction legislated by the Congress;

b. That high-level understanding and direction of the regulatory effort is provided regardless of the degree of technical complexity involved; and

c. That an extremely high degree of objectivity, made possible by statutory limitations and decisions influenced through the self-interest of the greatest number of citizens being regulated, must exist.

In applying the foregoing criteria against the two parts of our existing regulatory mechanism, the Committee found that the mechanism for regulation on the other than Federal Government side qualified very well; the mechanism on the Federal Government side -- not at all.

The administrative organization within the Executive Branch is neither sufficiently staffed nor clothed with authority adequately to discharge its responsibility for telecommunications management in a reasonable manner. These administrative organizational deficiencies can and should be overcome.

The original world situation is such that a swinging, wanted change in our philosophy of telecommunications management should not be undertaken without a sensible, slow and well-planned course of action. However, certain immediate steps can and should be taken to improve our ability to manage telecommunications within the Executive Branch of the Government.

CONCLUSION

The Special Advisory Committee on Telecommunications, as the result of its review and consideration of the existing administrative arrangements and procedures for the management of U.S. telecommunications, has reached the conclusion that strengthening of the capabilities within the Executive Branch for telecommunications management is both necessary and desirable. It is believed that this strengthening can best be accomplished by separating the management function from any agency head of telecommunications and creating a Board responsible to the President, and to which is delegated the President's authority under the Communications Act. Such a Board should be responsible for Government telecommunications management, including necessary coordination with the Federal Communications Commission. The Board should also be given the responsibility for testing the telecommunications management within the Federal Government and for presenting and hearing the test plans before the appropriate committees of Congress, if any.

[redacted]

RECOMMENDATION IN SUMMARY

IT IS RECOMMENDED THAT a Board be established through legislation requested by the President in order to provide the President with an adequate instrument to discharge his responsibilities for supervision of national telecommunications, including the Government's use of the radio frequency spectrum, and to act for him in the discharge of his additional responsibilities arising from the Communications Act of 1934, as amended.

A draft Bill designed to accomplish the foregoing recommendation by establishing a National Telecommunications Board, is attached.

ESTABLISHMENT OF A NATIONAL TELECOMMUNICATIONS BOARD

There should be established in the Executive Office of the President a National Telecommunications Board which reports directly to the President. The Board should consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman should be designated by the President and should receive compensation at the rate of $[illegible] per annum. The other two Board members should receive compensation at the rate of $[illegible] per annum. All actions of the Board, except those relating to internal administrative matters, should be by affirmative vote of a majority of the members. The Interdepartment Radio Advisory Committee (IRAC) should report to and assist the Board in the performance of the Board's functions as the Board may direct.

OBJECTIVE OF THE BOARD

To provide the President with the means to discharge satisfactorily his responsibilities for management of national telecommunications resources and for management of the Government's use of the radio frequency spectrum.

FUNCTIONS OF THE BOARD

The Board should assist and advise the President in the discharge of his responsibilities as President of the United States for management of U.S. telecommunications resources to meet the changing demands of national security and welfare, and should not be bound in the discharge of his responsibilities arising from the Communications Act of 1934, as amended, for management of the Federal Government's use of the radio frequency spectrum in such a way as to provide satisfactory accommodation of general and economic needs of national security, safety of life and property, international relations, and of the business, social, educational, and personal life of the nation.

The Board should formulate telecommunications policies, plans, programs, and strategies designed to assure high standards of telecommunications management within the Executive Branch of the Government. The Board should formulate policies and criteria for the establishment and operation of Government owned or operated telecommunications systems with due regard for the maintenance of a sound and healthy commercial telecommunications system for both domestic and foreign service. The Board should coordinate the formulation of U.S. policies and positions within the Executive Branch for international negotiations dealing with matters which are the responsibility of the U.S. Government under the Constitution, laws and treaties. The Board should provide

policy guidance for and direct the implementation of U.S. international telecommunication treaty obligations by the several agencies in the Executive Branch of the Government.

The Board should carry out such policy making, planning, and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board should formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the Executive Branch of the Government and for the use thereof. The Board should maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate. The Board should maintain continuing review of the National Table of Frequency Allocations, coordinating with the Federal Communications Commission (FCC), for the purpose of arriving at an appropriate division of spectrum space between the Government and non-Government users. The Board should formulate and coordinate the development of long-range plans for future U.S. use of the radio spectrum resource. The Board should encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

The Board should, as a special duty,

a. Study the role of the federal Government in the management of U.S. transportation;

b. Study the relative responsibilities for discharging the Government's responsibilities, with particular reference to the division of responsibility under the Communications Act of 1934, as amended; and

c. Report to the President the recommendations of the Congress and labor therefore proper of the requirements and capabilities of the United Nations, the Board recommends, as this changes, it may, should be made in the existing transportation organization.

The Board should carry out such other duties and responsibilities as may be assigned by the President from time to time.

The Board should establish and maintain liaison as required with departments and agencies of the Federal Government and with transportation industry, with particular reference to research and development programs, techniques and capabilities, and programs of transportation systems that have relevance to the Government's problems of the Cold Emergency. The Board should establish and maintain liaison with the Cold Industry.

The Board should, in the formulation and promulgation of policies, plans, programs, criteria, standards, and procedures of national impact, consult as appropriate with the Federal Government agencies, including the Federal Communications Commission.

[illegible] PLANNING RESPONSIBILITY FOR CONTROL OF TELECOMMUNICATIONS IN A NATIONAL EMERGENCY

The Board shall [illegible]

1. Formulate national telecommunications policies, plans, and programs designed to assure maximum security in the United States in time of national emergency with a minimum interference to challenging non-defense/civil requirements;

2. Formulate plans for the adaption of non-defense telecommunications services and facilities to the requirements of defense in a national emergency or war;

3. Direct and coordinate the development by the several agencies of the Executive Branch of plans, procedures and actions designed to carry out approved plans, programs and policies in an emergency;

4. Formulate plans and directives for an emergency telecommunications agency to direct the control and priority use of U.S. telecommunications in a national emergency; and

5. Formulate plans for the development of private telecommunications services and facilities no longer required for defense purposes in the interest of reconstruction, rehabilitation and peace.

In order to avoid duplication, even in a mild form, while adding legislation concerning the rehabilitation planning function which is already a legislated responsibility of OCDM, it appears preferable to exclude this function from the draft bill and provide, in the form of a draft Executive Order, for Presidential delegation of this planning responsibility.

APPENDICES

This document consists of 3 pages no. 6 of 6 copies, series.

DRAFT #2
11-27-58

EXECUTIVE ORDER

CONFERRING UPON THE NATIONAL TELECOMMUNICATIONS BOARD THE RESPONSIBILITY FOR MOBILIZATION PLANNING TO CONTROL AND REGULATE NATIONAL TELECOMMUNICATIONS IN AN EMERGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061, et. seq.), and as President of the United States and Commander in Chief of the armed forces of the United States, it is hereby ordered as follows:

Section 1. The National Telecommunications Board which is responsible for assisting and advising me pursuant to my responsibilities ~~for the~~ in connection with ~~management of~~ U.S. telecommunications, shall assume the additional responsibilities for mobilization planning to control and regulate national telecommunications in an emergency. These responsibilities shall include but not necessarily be limited to the following tasks:

(a) The Board shall formulate national telecommunication policies, plans and programs designed to assure maximum security to the United States in time of national emergency with a minimum of interference to continuing non-governmental requirements.

(b) The Board shall formulate plans for the adaption of non-defense telecommunication services and facilities to the requirements of defense in a national emergency or war.

(c) The Board shall direct and coordinate the development by the overall agencies of the executive branch of plans, programs and actions designed to carry out approved plans, programs and actions in an emergency.

(d) The Board shall formulate plans and directives for an emergency telecommunications agency to direct the control and priority of use of U.S. telecommunications in a national emergency.

(e) The Board shall formulate plans for the conversion of defense telecommunication systems and facilities no longer required for defense purposes to the purposes of reconstruction, rehabilitation and peace.

Section 2. The Board, in the pursuance of carrying out the foregoing responsibilities, will consult with the various government agencies and commercial enterprises as necessary to develop, effective planning in the national best in order that individual enterprises may become integral parts of the whole. It will form such committees and Boards as necessary to assist and advise it in discharging these additional responsibilities.

Section 3. The mobilization plans developed by the Board shall be consistent with the policy direction and program guidance established by the Director of the Office of Civil and Defense Mobilization.

D. D. E.

_____
Date

November 25, 1958

Dr. Irvin Stewart
The Rosalei Apartments
445 Kaiolu Street
Waikiki, Hawaii

Dear Dr. Stewart:

Thank you for your note. I certainly hope you had a nice trip back. You missed this "rash" of strikes by a whisker, which was a blessing. Now I hope that they will be settled prior to your next trip.

Certainly you may proceed as you wish in your travel with or without a TR, so do what you decide is more convenient. We will send you a TR and you may use it or not.

Thank you for your nice comment. However, you fellows are giving my staff and me a bigger lift than we could ever give you. We were pretty low!

Hope to get you out some papers today so you can start some action. I guess you have the trade press items by now. They seemed about what would be expected.

Look forward to seeing you soon again.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

It was certainly a boost to see you when the committee met. My biggest concern about the assignment was about possible staff work. With you on the job I am hopeful that we may produce something worth while.

Sincerely yours
Irvin Stewart

Hawaiian flight via United Air Lines

Nov. 20

Dear Fred:

Here is the coupon covering my trip to Washington. I shall appreciate your adding it to my voucher and putting it through for payment.

I have decided that I would prefer not to have a TR for the December trip. There are several possible variations and I shall be somewhat freerer to pick and choose at the last minute if I pay cash and then put in for the actual payment. I may possibly want to go up to New York for a few hours before returning to Hawaii. That decision may be made at the last moment and it might throw the airlines and the GAO into a tail spin if the original ticket were bought on a TR.

Of course, if the current rules require use of a TR, I shall gladly go along with that.

November 25, 1958

MEMO NO. 3

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Pursuant to the decision at your meeting November 19, 1958, there is attached a draft Bill which attempts to reflect the ideas which you set forth.

This draft proved to be the least painful method by which your staff could produce a nucleus around which to prepare the subsequent papers requested. You will recall that they were:

a. Background paper setting forth what you found and the reasoning behind your conclusions;

b. The draft Bill attached; and

c. A paper which would assist the President in preparing his transmittal message accompanying the Bill to the Congress.

a and c are in process of preparation and will reflect the premises set forth by you in b attached.

There has been informal assistance of an expert nature in the preparation of this draft in the areas of both government administration and law. The assistance was given to me personally on a confidential basis.

Memo No. 3

It will be noted that mobilization planning for telecommunication control in an emergency is not included in the list of functions within the draft Bill. This was not in the nature of an oversight but I was advised that a procedure which legislated mobilization planning functions could be viewed as duplication. This is because of the broadly legislated responsibilities of OCDM itself for mobilization activities.

Accordingly, the mobilization planning function for telecommunication was removed from the language of the draft Bill and is being re-done at this time in the form of a draft Executive Order which should accompany the draft bill in your report, with a suitable explanation.

I do not know at this time whether the draft Executive Order will be ready in time to be mailed today with the draft Bill. If not, you will receive it later.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

P.S. Also enclosed are three more excerpts from Broadcasting Magazine which were omitted from the press releases sent to you with Memo No. 2.

Enclosures

FCA/hrt
cc: Telecom. Records

This document consists of pages number 6 of 6 copies series 7
File Copy

FOR OFFICIAL USE ONLY

DRAFT #4
11/25/58

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
Washington 25, D. C.

A BILL in connection with [redacted]

To provide the President with the means to discharge satisfactorily his responsibilities ~~for management of~~ national telecommunication resources and, for management of the Government's use of the radio frequency spectrum.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the National Telecommunications Act of 1959. ← move to end of Bill

NATIONAL TELECOMMUNICATIONS BOARD

Sec. 2. There is hereby established in the Executive Office of the President the National Telecommunications Board, hereinafter referred to as the "Board", which shall report directly to the President. The Board shall consist of three members to be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall be designated by the President and shall receive compensation at the rate of $20,500 per annum. The other two Board members shall receive compensation at the rate of $20,000 per annum. All actions of the Board except those relating to internal administrative matters shall be by affirmative vote of a majority of its members. The Chairman shall be responsible for the internal administrative direction of the Board and its staff.

FUNCTIONS OF THE BOARD

Sec. [illegible] The Board shall assist and advise the President in the discharge of his responsibilities as President of the United States, in connection with [illegible] U.S. telecommunication resources to insure the security, safety of national security and welfare and, shall act for him in the discharge of his responsibilities arising from the Communications Act of 1934, as amended, for management of the United States Government use of the radio frequency spectrum to permit the optimum [illegible] utilization of present and future requirements of national security, safety of life and property, international relations, and of the business, social, educational life of the nation and the general welfare of its people.

[illegible] telecommunication policies, efficient plans, programs and objectives designed to achieve high technical [illegible] compatible with the protected health of the Government, the general public and industry. [illegible] services.

[illegible]

the executive branch of the government for international negotiation and shall assist and advise the Secretary of State in the projection internationally of U. S. telecommunication policies and positions. The Board shall provide policy guidance for and direct the implementation of U. S. international telecommunication treaty obligations by the several agencies in the executive branch of the Government.

(c) The Board shall carry out such policy making, planning and executive functions as are required for the discharge of the President's responsibilities arising from Section 305 of the Communications Act of 1934, as amended, for the assignment of radio frequencies to Government stations or classes of stations. The Board shall formulate policies, criteria, engineering standards, and procedures for the allocation and assignment of radio frequencies to the several agencies of the executive branch of the Government and for the use thereof. The Board shall maintain or cause to be maintained suitable records of assignment of frequencies to Government users and the publication of lists of Government frequency assignments as appropriate. (d) Document The Board shall maintain continuing review of the National Table of Frequency Allocations, coordinating with the Federal Communications Commission (FCC), for the purpose of ~~securing an improved~~ maintaining an appropriate division of spectrum

space between the Government and non-Government users. The Board shall formulate and coordinate the development of long-range plans for future use of the radio spectrum resource. The Board shall encourage the operational application of new techniques, improved equipment and methods to promote a more effective use of the radio spectrum and to conserve radio frequencies.

(d) The Board shall, as a special duty (1) study the role of the Federal Government in the management of U.S. telecommunications, (2) study the administrative organization for discharging the Government's responsibilities with particular reference to the division of responsibility under the Communications Act of 1934, as amended, and the Terms of this act, and (3) report to the President for transmission to the Congress not later than two years of the appointment and qualification of the Board members, the Board's recommendations on what changes if any should be made in the existing administrative organization.

(e) The Board shall carry out such other duties and responsibilities as may be directed by the President from time to time.

(f) The Board shall establish and maintain liaison as required with departments and agencies of the Federal Government and industry and labor and the broadcast, electronic and communication services the telecommunication industry, with particular reference to research and development and new manufacturing techniques and

capabilities, for the purpose of improving telecommunication services, the conservation of the spectrum, and for increasing productivity of the total resource. The Board shall encourage research and studies in those areas where the need exists.

(g) The Board shall, in the formulation and promulgation of policies, plans, programs, criteria, standards, and procedures of national import, consult as appropriate with the Federal Government agencies ~~including the Federal Communications Commission.~~

(h) The Board is also authorized: (1) subject to the Civil Service and classification laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provision of this Act, and to define their authority and duties; (2) to appoint such advisory committees as shall be appropriate for the purpose of consultation and advice to the Board in performance of its functions hereunder and to obtain services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55(a), at rates not to exceed $100 per diem for individuals; and (3) to place in grades 16, 17, and 18 of the General Schedule established by the Classification Act of 1949, as amended, not to exceed ten positions which shall be additional to the number authorized by section 505 of that Act.

1 ORGANIZATION OF NATIONAL TELECOMMUNICATIONS BOARD

2 Sec. 3. The term of office of each member of the Board
3 shall be six years, except that (1) any member appointed to fill
4 a vacancy occuring prior to the expiration of the term for which
5 his predecessor was appointed shall be appointed for the remainder
6 of such term; and (2) the terms of office of the members first
7 taking office after the date of enactment of this Act shall expire,
8 as designated by the President at the time of appointment, one at
9 the end of two years, one at the end of four years, and one at the
10 end of six years, after the date of enactment of this Act. Two
11 members shall constitute a quorum of the Board. Each member
12 of the Board shall be a citizen of the United States.

13 ANNUAL REPORT

14 Sec. 4. The Board shall make an annual report to the
15 President for transmission on or before the 15th of March of
16 each year to the Congress, summarizing the activities of the Board
17 for the previous calendar year and making such recommendations
18 as it may deem appropriate.

19 TRANSFER OF RECORDS, PROPERTY, PERSONNEL AND FUNDS

20 Sec. 5. The records, property, personnel and funds used
21 held, employed, available, or to be made available in connection with

1 the functions vested in the Director of the Office of Civil and
2 Defense Mobilization by Executive Order 10460 of June 16, 1953
3 and Executive Order 10705 of April 17, 1957, shall be transferred,
4 consonant with law to the Board.

5 APPROPRIATIONS

6 Sec. ~~7~~ 6. There are hereby authorized to be appropriated
7 such sums as may be necessary and appropriate for the carrying
8 out of the provisions and purposes of this Act.

sec 5

sec 7

Id 6

[illegible] Journal WASHINGTON, December 24, 1970

The Electronic Industries Assn. has made renewed its recommendation for a long range study of the military and civilian uses of the radio spectrum. EIA's statement was issued last Thursday following the announcement earlier in the week of the establishment of a Presidential Telecommunications Advisory Committee.

In a letter to Walter H. Cronky, chairman of the advisory committee, E. Leslie Simon, chairman of EIA's spectrum study committee, suggested that the committee's initial work on this key issue should benefit the overall development of the spectrum.

Land mobile use of the spectrum currently impact the availability of a dimension of radio the spectrum, and the need by land mobile and land operations users. Some segments of the industry have been contending such a point for the last year or more.

EIA has not suggested how this should be done, but it has recommended that a committee be appointed for this purpose.

• • • • •

Extract from BROADCASTING, November 24, 1958 (Closed Circuit)

FASTER THAN SOME EYES -- That Telecommunications Advisory Committee appointed last week by OCDM to advise President (page 68) caught trade associations by surprise. Electronic Industries Assn. had inkling that committee formation was in process because it had been asked to recommend some names (none of whom, incidentally, was chosen), but NAB was caught flatfooted. Both EIA and NAB officials are fretful and little bit alarmed. That's because there isn't wholly-oriented electronics manufacturer or broadcaster in group--although Gen. Corderman is vice president of electronics firm Litton Industries Inc. and Dr. Kear may be considered associated with broadcast business through his consulting engineering firm.

* * * * *

[illegible] from BROADCASTING, November [illegible] (Editorial)

A LOADED COMMITTEE?

The mission of the newly appointed Special Advisory Committee on Telecommunications is to recommend means of tidying up the Government's housekeeping in the communications field.

Admittedly, present arrangements are untidy. The FCC, by Congressional mandate, manages allocations and licensing in all areas of the spectrum except those used by the federal government. The substantial parts of the spectrum used by government are under the President's control, [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

November 25, 1958

NOTE TO ACCOMPANY FILE COPY OF MEMO NO. 3
TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Additional material was included in some envelopes as noted below:

Mr. Victor E. Cooley

Envelope from EIA postmarked Nov. 21, 1958
Envelope from Technicolor Corporation
Message from Miss Fitzpatrick re Assn. of Maximum Service Telecasters

Dr. Frank G. Kear

Envelope from Technicolor Corporation

Dr. Irvin Stewart

Envelope from EIA

Mr. William G. Thompson

Envelope from EIA
Envelope from Technicolor Corporation

SPECIAL NOTE: Copy 1 of 1, Series B, of draft Bill handed to Mr. Cooley, Friday 11/28/58.

November 24, 1958

MEMO NO. 2

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE
ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Attached are the press releases for Monday, November 24, 1958, from TV Digest, Broadcasting Magazine, and Telecommunications Reports, as requested.

The daily newspapers did not pick up and print the release on the formulation of the Committee. This is not unusual, however, as the daily press never has considered communication items to be particularly newsworthy.

Sincerely,

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

FCA/hrt
cc: Telecom. Records

THE AUTHORITATIVE WEEKLY NEWS DIGEST FOR EXECUTIVES OF THE VISUAL BROADCASTING AND ASSOCIATED RADIO & ELECTRONICS ARTS AND INDUSTRIES
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Television Digest with ELECTRONICS REPORTS

Wyatt Building • Washington 5, D. C. • Telephone Sterling 3-1755 • Vol. 14: No. 47

SUMMARY-INDEX OF THE WEEK'S NEWS — November 22, 1958

INFLUENCE Rx: 'PUNCTILIO OF JUDICIALITY': Probably most salutary effect of the vast volume of influence charges & countercharges, headline hunting, buck-passing by the Congressmen who are brashest pressurers extant -- is the arousing of the hitherto latent consciences of practitioners before the regulatory agencies, including FCC.

What has long been mere common teacup talk -- "something ought to be done about it" -- congealed into action this week as attorneys came forward with their ideas in the special Nov. 18-19 panel sessions conducted by Rep. Harris' committee. The sessions marked a new high in Harris' free-wheeling activities after they had hit new low earlier in week during hearings on Pittsburgh "bribery" charges (p. 5).

"Anti-influence" laws seem almost certain upshot of it all -- as battery of top-notch attorneys from industry, Govt. and universities gave Harris group a lot of free and sometimes long-winded advice. There was considerable agreement among lawyers that there's got to be a law with teeth in it before agency ethics are much improved. Lawyers also agreed on one simple truth: The best way to get good administration is to appoint good officials.

One of most important presentations was that of David W. Peck, former N.Y. Supreme Court judge, who is chairman of American Bar Assn. committee to draft a code of agency conduct. He recommended establishment of a code for govt. officials, private attorneys and parties, to attain the "punctilio of judiciality." He said:

"As a code of this character will gain standing and force through the Congressional imprimatur, it should be an enactment of Congress rather than a declaration of the agencies themselves" (for his further recommendations, see p. 6).

James M. Landis, wily old wheelhorse of the New Deal, who once headed both

CAB & SEC and now practices law in New York, got off a lot of suggestions. He was particularly critical of law which requires President to have last word on CAB and Tariff Commission rulings, said this puts a "premium on lobbying in its worst characteristics." He attacked the "very casual" way President appoints men to agencies, "generally on the basis of political considerations."

Landis suggested that members of agencies elect their chairmen, said that annual rotation of chairmanship is "the worst practice of all," recommended that the agency member who drafts a decision put his name on it -- as substitute for the general practice of issuing decisions anonymously.

Landis also slipped in a commercial for pay TV -- since he's counsel for Skiatron. He aimed a crack at Rep. Harris himself by saying that Congressional committees should stick to legislation, not "interfere in the shaping of policy by the administrative agencies." One of most "patent" cases of such interference, he said, "is the recent action of the House Committee on Interstate & Foreign Commerce in the setting aside of a carefully worked out program of the FCC in the field of subscription TV. True, Congress as a whole can change and alter laws that it has enacted but for a committee of the Congress to threaten reprisals in the event that its conceptions and predilections are not carried out is to attempt to destroy the very concept of the independent commission." Harris didn't comment.

* * * *

Govt. and non-govt. lawyers seemed divided on concept of taking "judicial" jobs away from agencies and giving them to special courts. Govt. attorneys see little advantage in it. Robert W. Ginnane, ICC gen. counsel, went so far as to say: "Since 1930, there have been more cases of outright purchase and sale of justice in the courts than in administrative agencies." Private practitioners, individually and through ABA, argued for special courts, claimed parties will feel they're getting better break that way. Donald Beelar asserted that "you don't get a fair decision in a political environment." John Cragun said present practice makes agencies "judge, jury & executioner." Retired FCC examiner Fanney Litvin argued for the setting up of special courts for such things as comparative TV decisions.

We asked one FCC commissioner for his views: "Let's look at the motives," he said. "What would produce more litigation and delays -- and more business for the outside lawyers? Courts, of course. It's the same motivation that produced the McFarland amendments to the Communications Act. Outside lawyers forced them through over our protests." He couldn't agree that govt. lawyers, on other hand, might be loath to see their agencies shorn of their major functions.

PUZZLING PRESIDENTIAL COMMUNICATIONS GROUP: A study leading to another study -- that's how just about everyone characterizes President's new Special Advisory Committee on Telecommunications, the long-awaited "spectrum study" group appointed this week by Leo A. Hoegh, director of Office of Civil & Defense Mobilization.

SACT has such a short life -- must report by end of this year -- that no one sees how it can do any more than recommend how further studies should be conducted. Matter of fact, a lot of people are asking: "Why was it appointed?" Best guess is that President's advisors wanted to have a bolstered "position" when Congress convenes and reconsiders question of military-civilian division of the spectrum.

What started it all was Sen. Potter's (R-Mich.) doubts that military is making best use of its vhf spectrum, and his belief it might readily transfer some of it to TV. To find out the score, he introduced bill (S. Res. 106) to establish a spectrum study commission but it was defeated by industry pressure (Vol. 14:30).

SACT is a high-level and experienced group, all right, though it doesn't give TV-radio industry much of a shake, albeit the member most closely associated with TV-radio is one of the best -- Dr. Frank Kear, Washington consulting engineer.

Chairman of 5-man group is Victor E. Cooley, retired chairman of Southwestern Bell, until early this year the deputy director of OCDM's predecessor Office of

Defense Mobilization, second in command to Gordon Gray. The other members are: Dr. Irvin Stewart, FCC member 1934-1937, ex-pres. of W.Va. U, now on fellowship in Hawaii. He's noted for distinguished work as chairman of President Truman's Communications Policy Board, which issued 238pp. report "Telecommunications -- A Program for Progress" after a year's study (Vol. 7:13). Wm. G. Thompson, retired AT&T asst. v.p. in charge of overseas radio & cable communications. Maj. Gen. W. Preston Corderman (USA, ret.), 1955-1957 Deputy Chief Signal Officer, now a v.p. of Litton Industries, major manufacturer of military electronics equipment. Committee met Nov. 18-19, meets again in about 2 weeks.

* * * *

Ever since Congress killed Potter Resolution to establish a study commission, after broadcasters lobbied against it for fear it would be stacked against them (Vol. 14:32), there's been speculation the President would appoint his own -- but he delayed it so long that it was assumed he'd leave next move up to Congress.

Hoegh said the main task of SACT "is to recommend methods to bring about improvements in the use of telecommunications resources. It will examine the existing governmental policies, use of facilities, and administrative arrangements and procedures for the allocation, management and control of telecommunications including the radio frequency spectrum for govt. & non-govt. use."

Committee won't be concerned with FCC's powers & procedures, said Hoegh, nor will it make studies of detailed problems such as radio frequency usage.

Both industry and FCC are puzzled by Hoegh's statement. One commissioner asks: "How can it study non-govt. spectrum use without concerning itself with the 'powers & procedures of the FCC'? I think it's just a gesture."

EIA was obviously disappointed. H. Leslie Hoffman, chairman of its spectrum study committee, wrote to Cooley, expressing hope that this week's move is "the first step toward a long-range study of the military & civilian uses of the radio spectrum and its administration," designed to promote more efficient use of radio. He again offered industry's help in any such study.

Placement of 2 former AT&T men on SACT irks manufacturers no end, for several are now feuding with AT&T over mobile radio, which they claim AT&T is trying to monopolize. They wouldn't have cavilled at one ex-AT&T man -- but 2 is "too many."

Note: FCC meets again on its own vhf-uhf allocations problems Nov. 24. Again at full strength with return of Chairman Doerfer from Europe and with considerable staff-prepared material before it, Commission may make decisive moves.

TELEVISION DIGEST SOLD—Statement by Martin Codel: "It is with pride and confidence that I announce the sale of Television Digest Inc. to Triangle Publications Inc., newspaper & magazine publishers and operators of a group of TV-radio stations.

"Television Digest will join TV Guide in Triangle's TV Publications Div. As most of you know, TV Guide is one of the current phenomena of the publishing industry, having achieved in little more than 5 years a circulation exceeding 6,500,000 for its 51 regional editions -- largest circulation of any weekly in America.

"The new publishers of The Digest, with their greater resources, will be able not only to continue the authoritative & objective editorial approach of The Digest but will be able to insure improved and expanded service to its readers, who generally are the top executives of the TV-radio broadcasting and related amusement-electronic arts and industries.

"These factors, plus my own need to slacken my working pace after some 40 years of strenuous journalistic activities, 32 of them as a specialist in radio and television, prompted my decision to sell The Digest.

"I shall remain as an associate publisher -- and it goes without saying that I'm proud to be associated with Triangle and with Mr. Walter H. Annenberg, its president, who was good enough to say that, as a reader of The Digest almost from its

inception, he has always been impressed by its record of service to the industry and by its high reputation for originality, accuracy and integrity. As our readers know, these have been The Digest's motivating force from the time it was founded in 1945 after my return from wartime service overseas with the American Red Cross. In 1944, as many will recall, I sold Broadcasting Magazine, which I also founded and which I published for 15 years, to its present owners.

"The staff of Television Digest will be retained. Triangle takes over as of the end of this month. After a vacation, I shall have my own private office in Washington to continue some writing and to handle my personal business affairs."

TV OWNERSHIP—THE OLD ORDER CHANGING: Still more of TV's "founding generation" are stepping aside in favor of new capital and sometimes younger operators confident of the present profitability and future potential of telecasting. This week, another multi-million dollar station sale deal was disclosed, about the 200th since we began keeping track of them in 1949 (see TV Factbook No. 27, pp. 323-329).

KFRE-TV, Fresno, Cal. (Ch. 12), only vhf in pioneer uhf-saturated area, has been sold by founder-pres. Paul R. Bartlett & associates for $3,000,000, purchase price including their 50-kw radio KFRE (940 kc). Both are CBS-affiliated. Buyer is Walter Annenberg's Triangle Publications Inc., Philadelphia (Philadelphia Inquirer, TV Guide, et al), which already operates 4 vhf's, one uhf, 4 AMs (Factbook, p. 387). Triangle's TV-radio v.p. Roger Clipp said no changes in Fresno personnel or policies are contemplated. Broker in deal was Howard Stark.

Formally announced this week, too, was sale of KBET-TV, Sacramento, Cal. (Ch. 10), without any radio adjunct, to John Hay Whitney's Corinthian group, operator of 3 vhf's, one uhf, 2 radios; like Triangle, it wants to acquire full allowable limit of 5 vhf's, 2 uhf's, 7 radios (for present holding, see Factbook, p. 385). As previously reported (Vol. 14:43), price is $4,550,000 cash. Corinthian is headed by 40-year-old Whitney partner C. Wrede Petersmeyer, himself a Californian.

Definitely on the block is WJAR-TV, Providence (Ch. 10) with its radio WJAR (5-kw, 920 kc) -- but they're so inextricably intertwined in their banker-controlled parent Outlet Co., dept. store operator, that few want to tackle job of separating the package, said to be acquirable for around $12,000,000. N.Y. realtor Roger L. Stevens, best known as backer of Broadway shows who was once identified with ownership of Empire State Bldg., has option on Outlet (traded on N.Y. Stock Exchange) and is trying to develop 2 purchasers -- one for TV-radio, other for store. Broker Allen Kander has purchased some stock, has indicated deal may be near, but buyers and valuation allocated for the stations aren't revealed.

* * * *

These big projected deals come in wake of $6,000,000 cash purchase by Cowles TV-radio-publishing group (Factbook, p. 386) of Hoyt Wooten's WREC-TV, Memphis (Ch. 3) with radio WREC (5-kw, 600 kc), which pends FCC filing (Vol. 14:45); $2,800,000 purchase of pre-freeze WKTV, Utica, N.Y. (Ch. 13, shifting to Ch. 2) and radio WKAL, Rome, N.Y. (250-w, 1450 kc) by Paul Harron & associates (Vol. 14:46); transfer of WITI-TV, Whitefish Bay-Milwaukee (Ch. 6), with no radio adjunct, purchased by Storer for $4,462,500 (Vol. 14:46) and approved by FCC last week.

Scarcely a TV station owner has not had offers to buy, and more deals are in the making secretly as entrepreneurs scour the hustings in quest of properties -- apparently with more buyers than sellers. Only ones revealed as being negotiated, but nothing definite yet, are KPTV, Portland, Ore. (Ch. 12) and WMUR-TV, Manchester, N.H. (Ch. 9) and it won't be surprising if they change hands soon (Vol. 14:45). And many overtures have been made to acquire San Francisco Chronicle's KRON-TV (Ch. 4), most notably by NBC which wants TV outlet in that city so badly (it already has AM) that it would willingly dispose of WRC-TV, Washington (Ch. 4) under 5-limit; but any prospective buyer is told KRON-TV cannot be had without also buying the newspaper.

Pittsburgh Smog (Cont.): Ex-FCC chairman George C. McConnaughey had his delayed day in House "influence" subcommittee's court this week, testifying under oath to what he did & didn't do in much-befogged 1957 Pittsburgh Ch. 4 "bribery" case (Vol. 14:46). He tried to dispel ugly rumors involving him, left investigators still mired in gossip & innuendoes they themselves had spread publicly.

Unsubstantiated reports that his Ch. 4 vote had been up for sale were "the most unbelievable, inconceivable, vicious things I ever heard of," said McConnaughey, who now is in private law practice with son in Columbus, O. "Nothing ever hurt me or my family like this."

McConnaughey acknowledged that he had lunched privately in Washington's Mayflower Hotel in spring of 1957—while Pittsburgh award was pending—with pres. Earl F. Reed of applicant TV City, which subsequently joined with Hearst's WCAE to win WTAE grant. But if anything irregular occurred, McConnaughey told Commerce legislative oversight subcommittee, it was this:

"Mr. Reed said he represented some clients in Ohio, National Steel & other clients, and that he might be in a position to throw my son some law business. When he made that statement it was a shocking thing to me. I changed the subject as rapidly as I could."

* * * *

But former FCC chief swore that there was nothing to vague allegations of wrongdoing by him which the headline-happy subcommittee obtained in Sept. from investigator Oliver Eastland and again last week from Reed and assorted other principals & lawyers in Ch. 4 proceedings. Specifically—and vehemently—McConnaughey denied that:

(1) He had let it be known, directly or indirectly, that he would switch his vote from Hearst to TV City for $50,000 fees from latter. (2) He had received offer from Hearst of $20,000 per year for 5-10 years as legal retainer. (3) He was source of Commission "leak" to Reed & other principals that FCC had been tied 3-3 in case. (4) He has been paid any money or given any law business by any Ch. 4 principal since he left FCC June 30, 1957.

When McConnaughey's testimony was over, Rep. Wolverton (R-N.J.), ranking minority subcommitteeman, observed: "I have sympathy for someone charged with an offense who can only say 'I am not guilty.'" Wolverton said that so far as he had been able to find out, all "bribery" talk in Ch. 4 case "comes down to an alleged telephone call [to Reed] by an unknown person."

Subcommittee planned one more try Nov. 24 to rescue itself from tangle of testimony before giving up on Pittsburgh. Reed and George A. Sutton, Washington attorney for TV City who teamed up briefly for law business with McConnaughey after he left FCC, were recalled for more questions. Also called was Wm. G. Matta, of Matta Enterprises, one of Ch. 4 applicants who withdrew to leave field to TV City & Hearst.

Best that acting subcommittee Chairman Williams (D-Miss.) could think of to do next was to toss rumors to Justice Dept. to see if it could make anything actionable out of them. Williams thought that maybe Justice could start "criminal libel" proceedings against yet-unidentified originators of rumors if it found no basis for bribery case.

But Justice Dept. spokesman told reporters later: "No testimony was given at the subcommittee hearings which had not previously been given to the grand jury [which recessed without any action in Pittsburgh case]. Unless some new evidence is developed there is no reason or intention to resubmit it to the grand jury."

Note: Scoring subcommittee's "boobery" and "hunger for cheap notoriety," *Washington Post* said editorially that McConnaughey committed "gross impropriety" by meeting privately with Reed—but as for "bribery":

"The most logical next stop for the free-wheeling subcommittee would be some sort of wailing wall where it could repent of its indiscretion. It ought to take a candid look at the ridiculous spectacle it has made of itself." *St. Louis Post-Dispatch* said McConnaughey "offended the proprieties" by having lunch with Reed, but that: "If the investigators had no evidence or no prospect of evidence to support a charge so scandalous, they should have heard the reports in executive session only."

Miami Case in Stern's Hands: Judge Horace Stern's initial decision in Miami Ch. 10 "influence" case, which he expects to issue by Dec. 1 following this week's oral argument, is expected to be endorsed by FCC with almost no change. That won't end the case, of course. It's bound to get back to Court of Appeals, sooner or later, either under pending appeals or new ones—no matter which way FCC votes. Grand finale is still months off—though Stern's forthcoming recommendations may well foreshadow it.

Attorneys for parties elaborated and punctuated the briefs they filed last week (Vol. 14:45)—generally using stronger language orally than they were willing to commit to the cold type of legal documents.

FCC assoc. gen. counsel Edgar Holtz led off with demand National Airlines' CP be cancelled; that 3 of the 4 applicants be disqualified, or that black marks be put on their escutcheons in any further comparative consideration—National Airlines, WKAT & North Dade Video. He made no attack on L. B. Wilson Inc., though he asserted Justice Dept. had no right to suggest that FCC accept L. B. Wilson's and new applications in a new proceeding for Ch. 10. He insisted examiner can't recommend that.

Holtz also noted that his brief hadn't mentioned Congressional pressures, but he urged that "your decision make clear they're no different from anyone else." With a wry smile, Stern said: "You mean that the courtesy you extend them doesn't apply to the examiner?"—bringing gleeful snickers from hearing room audience. Holtz ended with declaration that Stern's decision could be a "landmark, a touchstone."

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WKAT counsel Paul Porter insisted that pres. A. Frank Katzentine did everything he could "to protect FCC processes" when he and his friends contacted ex-Comr. Mack and Congressmen in effort to persuade Mack "to vote on the merits." Porter's plea was a climate-of-the-times approach, saying in effect that Katzentine did what the "mores of the community" demanded in attempting to nullify efforts being made on behalf of National Airlines. "If he'd gone to the Justice Dept.," Porter said, "he prob-

ably wouldn't have got past the front door." He said it would be "unrealistic" to apply an "ex post facto" condemnation to Katzentine.

L. B. Wilson counsel Paul Segal, agreeing that National's CP should be declared dead, went on to say that WKAT's argument seems to be this: "It may be wrong to fix a case, but it's not wrong to unfix a case." Such argument, he said, "is adolescent." As for North Dade Video, he lambasted "the intrinsically incredible testimony of Bob Jones." He was referring to pro-North Dade document which ex-FCC Comr. Robert Jones said he had given Comr. T. A. M. Craven after Ch. 10 final decision was rendered. Segal claimed the document just didn't have the appearance of one tendered for "academic" purposes, as Jones said it was.

Judge Stern appeared quite dubious about Segal's claims, stating that there was no evidence that Jones' document was presented before the decision. Regarding Jones' efforts to get Congress to block grants of TV franchises to airlines, Stern said there was nothing "clandestine" about the efforts; that "suspicion doesn't take the place of facts."

Nathan David, arguing for North Dade, emphasized that none of his principals attempted to contact commissioners; that Jones' efforts on Capitol Hill "didn't try to focus the attention of Congress on the case, as such"; that Craven couldn't have voted because he'd served as engineering consultant to Storer Bcstg. Co., which had been involved in case at one time.

* * * *

National Airlines counsel Norman Jorgensen went further than ever to disassociate his principals from Thurman Whiteside, the attorney who had interceded with Mack. He admitted that National sought to hire Whiteside. However, he said, when Whiteside declined to become counsel, he went on to play several sides of the fence. Jorgensen asserted that Whiteside not only made a pitch for National but at same time sought to persuade Katzentine that he was "unpledging" Mack from National. Jorgensen said Whiteside did this to get insurance business from National and to get Katzentine to grant concessions in a certain "Foster Trust case," in which Whiteside and Katzentine were opposing counsel.

Jorgensen wrapped up his argument with a big blast at Justice Dept. "The Justice Dept.," he stated, "was in haste to get an Administration face-scrubbing before the public and to restore its prestige." Justice Dept. attorney Robert Bicks said Dept. would rest on its brief, and he offered no oral statement.

Reporters asked Judge Stern if he would preside at any more "influence" hearings such as upcoming Boston Ch. 5, which presumably FCC will designate for hearing by Dec. 15. Stern declined to answer either way, leaving distinct impression he may well handle more. Until end of year, however, he expects to be heavily occupied as vice chairman of a special Pa. committee considering revision of State's constitution. He's retired chief justice of State Supreme Court.

TV Prober Praises It: Chairman Harris (D-Ark.) of House Commerce Committee and its legislative oversight subcommittee (see pp. 1 & 5) thinks American TV system is "best & freest yet devised." In National TV Week statement released by NAB he pointed to TV's "potential for the future welfare of this nation and other nations," predicted that "more & more TV will become a medium not only of entertainment but of information & education."

Laws For a Code of Ethics: New legislation, providing penalties for violations, are a "must" if influence-peddling is to be curbed, according to David W. Peck, former presiding justice of N. Y. Supreme Court appellate div., representing American Bar Assn. Participating in Nov. 18-19 panel discussions before Rep. Harris' investigative subcommittee (p. 1), he stated:

"The only problem really is in defining the type of proceedings in which a code should apply. In their legislative and executive operations the members and staffs of the agencies should be approachable by citizens and by public officials. The difficulty of definition is that there is not always a sharp line between a legislative or executive function on the one side and a judicial function on the other. But the possible nicety of distinction is no excuse for failing to reach a definition of the area in which a code should be applicable."

He suggested that code apply to all proceedings "where the agency is determining, as between contending parties, public or private, any right, privilege, license, obligation, liability, sanction or status of a person or persons."

Written *ex parte* communications, Peck said, should be returned to senders "with due reference to the code" and copies placed in public file. In case of oral pitches: "The speaker should be advised at the outset of the violation involved and the conversation should be quickly terminated. If the speaker should persist, the agency official addressed should make a fair written summary of the conversation and place it in the public file, with notice to all interested parties."

Thereafter, Peck said, "an adequate opportunity should be afforded all interested persons to make seasonable reply to any *ex parte* communications. But all such communications should be ignored in considering a case."

Punishment: "Violations could well be made a crime with appropriate penalties; lawyers could be barred from practicing before the agency; and sanctions such as a denial of standing or recognition of any asserted claim or interest might be invoked against any principal in whose behalf the code was violated."

Indianapolis Retake: New FCC vote on Indianapolis' Ch. 13, now occupied by Crosley's WLWI, will be made without Comr. Craven, who bowed out of case as Commission scheduled oral argument (with Crosley & WIBC as competitors) in compliance with Court of Appeals order (Vol. 14:39, 42). Commission also granted Crosley's request for authority to continue operating pending new decision, turned down WIBC's petition for joint operation by the 2 contestants. Court had vacated CP on grounds Craven shouldn't have voted to break 3-3 tie because he hadn't heard oral argument. Court didn't rule on charge that Craven was further disqualified from voting because he had been engineering consultant for WIRE (now out of the case) before joining FCC. This week, Craven stated flatly that he won't participate again, not even if there's another deadlock—unless courts say he can. Originally, gen. counsel Warren Baker had advised him it was his legal duty to vote. In one of this week's orders in the proceeding, Craven's colleagues stated: "The Commission desires to express the high regard which it holds for Comr. Craven's irreproachable character and unimpeachable integrity." With Craven out of picture, Comr. Doerfer remains sole member who voted for Crosley. Mack & McConnaughey are gone; Hyde, Bartley & Lee voted against Crosley. Ford & Cross will be able to vote after hearing oral argument—date not yet set.

Retreat in Manitowoc: A forlorn rebel surrendered —and all was quiet again this week on the rarely-breached broadcasting-liquor industry front set up voluntarily at Prohibition's end to guard the air against whisky commercials.

In Manitowoc, Wis. owner-mgr. Francis M. Kadow of 250-watt radio WOMT pulled down his liquor rate-card flag. He had hoisted it last month, stirring up some excitement in industry but winning no radio or TV recruits for his revolt against broadcasting tradition—and no liquor accounts, either (Vol. 14:43-44).

Kadow signaled his retreat in WOMT's *Station Breaks* house organ, proclaiming in "Notice to Interested Parties" that:

"We have reversed our position on the acceptance and the broadcast of 'HARD LIQUOR' advertising on WOMT.

"I can give you any one of 60 or more reasons for the change of our position in this matter. However, the one re-occurring argument advanced by interested parties who are not in radio broadcasting industry but who were interested in what we proposed to do and that was—

"'Such advertising as we proposed to carry is all right in magazines & newspapers, as these mediums do not have the absorption, persuasiveness or the impact of radio.'

"Re-evaluating our medium, it maybe is for the best interests of all that the great force of radio be kept in restriction.

"It's unfortunate that the 5 words in our rate card No. 25 ['All alcoholic beverage advertising accepted'] were blown to the proportions they were."

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Kadow put it more succinctly to us. Just before he publicly conceded defeat he said: "If I give this thing up, it will be for only one reason. It will be because liquor advertisers aren't interested. And if they're not interested, why should we be?"

He told us that station boycott voted by group of local clergymen in protest against his bid for whisky sponsors "didn't amount to a hill of beans," that WOMT had lost no accounts or known listeners because of it. He also said he has no intention of making peace with NAB, from which he resigned after pres. Harold E. Fellows accused him of "selling his birthright for a $20 bill." But he admitted unhappily that his liquor-revenue cause got nowhere.

NAB's TV & radio code committees haven't deigned to acknowledge that any threat to their self-regulating rules against whisky commercials had been raised by the minor furor caused by Kadow. They called no emergency meetings, didn't even bother to reaffirm codes. And—as expected —Distilled Spirits Institute board, meeting in regular session this week in N. Y., acted to keep its own TV-radio liquor ad ban intact in revised voluntary regulations, which were relaxed to permit illustrations of women in ads.

At week's end, the quiet on the liquor front nationally was disturbed anew only by a fringe movement. Bottlers of Schweppes soda, thru Ogilvy, Benson & Mather, were proposing radio commercials which would suggest that Schweppes goes good in such combinations as gin-&-tonic. Agency said it had had "heavy" response from stations willing to accept such commercials. But no final decision on campaign was reported.

* * * *

Note: FCC sentiment—both at high & low echelons—on TV-radio acceptance of liquor commercials, which has been agitated by only one trade paper, is epitomized by FCC Comr. Hyde's remark: "I think the broadcasters have more sense than that" (Vol. 14:44). However, Comr. Lee said Nov. 15 on *Closeup* panel program on KMOX-TV, St. Louis, that he'd have no objection to such commercials so long as they're presented at "suitable time" and "in good taste." Lee emphasized this was his opinion, not FCC's.

TV—Only Bright Spot: All national media except network TV dropped in Sept. from Sept. 1957 levels, general decrease of 19% for month being offset only by TV's 4% gain, according to *Printer's Ink's* National Advertising Index. For 9 months of 1958, while cumulative index for all media was down 4% from same period last year, network TV gained 11%, only other medium in plus column being direct mail, up 4% for first 8 months, Sept. figures not available. Network radio was off 18% in Sept. from Sept. 1957, magazines 12%, newspapers 17%, business papers 11%. PI Index doesn't include estimates of TV or radio spot. These are figures for Sept. & Jan.-Sept.:

Medium	Index Sept. 1958	Sept. 1957	% change from 1 month ago	% change from 1 year ago	% cumulative change
General Index	175	215	—12	—19	— 4
Total Magazines	145	165	— 4	—12	— 7
Weekly	163	189	— 6	—14	— 8
Women's	107	131	— 4	—18	— 8
General Monthly	175	176	+ 2	— 1	— 4
Farm	87	108	0	—19	—19
Newspapers	182	220	— 1	—17	—10
Network Television	399	383	— 2	+ 4	+11
Network Radio	27	33	+13	—18	— 6
Business Papers	199	224	+ 5	—11	— 7
Outdoor	150	154	— 8	— 3	— 2

All indexes have been seasonally adjusted. The index shown for each medium is based on estimated total advertising investments in the medium, including talent, production and media costs. For each medium, the base (100) is an average of total investments in the years 1947-49 except for the TV base which covers the years 1950-52. "Cumulative change" in the last column refers to the change, from same period last year, of the index average from Jan. through Sept. 1958. Direct mail index for Sept. is not available.

'ABC-TV Has Come of Age': Network maturity has been reached by ABC-TV, pres. Oliver Treyz assured 125 executives of primary affiliates at fall meeting this week in N. Y. He and other network officials, developing "ABC-TV Has Come of Age" theme, boasted that: (1) "Average evening commercial program" this season has 1,500,000 more homes in viewing audience than last season. (2) Commercial hours sold this year total 48 vs. 27 in 1957-58 season. (3) More sponsors are on ABC-TV—63 now vs. 50 year ago—than ever before. (4) "Operation Daybreak" is 95% sold. (5) More evening programs lead in their time periods. (6) New shows will be added to schedule in spring. Participants in presentation of ABC-TV success story included John Daly, v.p.-news; Thomas W. Moore, v.p.-programming; Wm. P. Mullen, v.p.-sales; Donald W. Coyle, v.p.-gen. sales mgr.; Alfred R. Beckman, v.p.-station relations.

TV Critics Hit Again: CBS-TV pres. Louis G. Cowan, who recently lit into newspaper derogators of TV in speech to Pittsburgh Ad Club (Vol. 14:38), resumed his counterattack this week. He told Minneapolis Ad Club that columnists who sneer that TV is geared to 12-year-old mentalities don't know what they're talking about. He said he welcomes "responsible criticism" by press of TV programming, but that he knew of "no feeling on the part of anybody" in industry that presumes viewers have low mentalities.

Valuable Marketing Guide: Vital statistics on 7 major media—newspapers, magazines, farm papers, network TV, spot TV, business papers, outdoor—with analyses of their respective status and trends are provided in 346pp. *Advertisers' Guide to Marketing for 1959* released by *Printers' Ink* as Section 2 of its Oct. 31 edition (635 Madison Ave., N. Y. $2.50). It's the most comprehensive such compilation yet produced, valuable alike for evaluating respective media and charting media use trends. Unlike the monthly Printers' Ink Index, prepared in collaboration with McCann-Erickson Research Dept., the media covered do not include huge direct mail (1957 volume estimated at nearly $1.5 billion). Breakdowns for radio (total SRA-estimated 1958 volume $576,000,000) also aren't carried.

Figures are devoted to the all-important $1,000,000-or-higher national advertisers, for main part, and the top 10 for all media in 1957 are shown as: General Motors, $104,066,030; Procter & Gamble, $90,511,850; Ford Motor, $68,652,181; Chrysler, $58,725,019; Lever Bros., $43,482,-670; General Foods, $41,759,576; Colgate-Palmolive, $40,-558,614; American Home Products, $28,564,219; General Electric, $27,761,387; R. J. Reynolds, $25,748,112. The "100 top" are further tabulated, total as well as by media, as are the 383 "millionaires" which in 1957 invested a record total of $1,970,728,000, up 8.1% from 1956 and representing 63% of all the advertising in the measured media.

Listed, too, are the leading network TV, spot TV and radio advertisers—all figures previously released by their respective trade associations and generally published in the trade press but here put together in one volume and ready-reference format for first time.

■

Wm. S. Paley, CBS chairman, Wm. S. Hedges, NBC v.p. for general services & Carl Haverlin, BMI pres., given special awards Nov. 20 by N. Y. chapter of Broadcast Pioneers for contributions to radio & TV.

ADVERTISING AGENCIES: J. R. Pearshall becomes pres., Charles Dallas Reach is chairman of Reach, McClinton & Pearshall, formed from merger of Reach, McClinton, N. Y. & J. R. Pearshall Co., Chicago . . . Edward L. Bond, Young & Rubicam v.p., promoted to head of contact dept., succeeding Harry Harding, recently named exec. v.p. . . . Howard Shank, ex-Benton & Bowles v.p., named v.p. of Grey Adv., succeeding Arkady Leokum, retired . . . Harry Wayne McMahan resigns as v.p. of Leo Burnett Co. to set up Cupid Inc., production firm, with producer Jerry Fairbanks . . . Christy Walsh, ex-Ted Bates, joins Ogilvy, Benson & Mather to head new Hollywood office to be opened in Feb. . . . Henry L. Hayden, ex-Buchanan & Co. exec. v.p., joins Norman, Craig & Kummell, N. Y. . . . Paul E. Mathias resigns as BBDO v.p. to join F. L. Bradflure & Sons as v.p. . . . Herb Zeltner promoted to v.p. & asst. media director, Lennen & Newell . . . Harold Davis, Grey Adv. v.p., named asst. to pres. Arthur F. Fatt . . . Alfred C. Gary heads new Dallas office of Kenyon & Eckhardt (Meadows Bldg.) . . . Edward W. Karthaus promoted to v.p. of Erwin Wasey, Ruthrauff & Ryan . . . Shelley Hull, ex-Henry Jaffe Enterprises, joins Ted Bates Hollywood office as a production supervisor . . . Paul Keller named research director of Reach, McClinton & Co., succeeding Edward Stover, now handling special national research projects . . . Peter A. Cavallo Jr., resigns as v.p. of TV-radio dept. of D'Arcy Adv., Chicago, planning to go into radio station operation . . . Walter O. Wegner, ex-A. C. Nielsen Co., named marketing-research director, Cortez F. Enloe Inc.

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Lee H. Bristol, chairman of Bristol-Myers, and Lewis Gruber, pres. of Lorillard, both pioneers in radio & TV advertising, will be honored for outstanding contributions to American advertising at testimonial dinner by adv., publishing & communications divs. of Federation of Jewish Philanthropies Dec. 4 in the Waldorf-Astoria, N. Y.

Fabulous British TV Growth: As if to underline our analysis of commercial TV development in Britain—which showed that it now reaps 47% as many advertising dollars as whole newspaper-magazine field, compared with 27% in U. S. (Vol. 14:42)—one of the 10 commercial contractors has issued report showing what the increase has meant to individual investors. Associated TV Ltd., releasing plan covering conversion of stock, showed that chairman Prince Littler's $2500 investment increased in value to $560,000; deputy chairman (ex-BBC program chief) Norman Collins' $6300 to $1,404,900; managing director Val Parnell's $2800 to $624,000. Firm lost money first year, achieved $560,000 profit second year, $10,262,000 last year, is expected to exceed $14,000,000 in 1958. Independent TV Authority, which oversees commercial operations, is seeking a second commercial channel to cover the country; if it's authorized, additional contractors will be selected. [For directory of the 10 contractors, with officers, addresses, etc., see *TV Factbook No. 27*, p. 310.]

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Network TV evening audience increased 8% in first 10 months of 1958 compared with same 1957 period and the gain in daytime viewers was 9%, TvB reports on basis of Nielsen ratings. Evening programs in Jan.-Oct. this year reached average of 620,000 more homes than in Jan.-Oct. 1957, weekday daytime programs reached 276,000 more homes, according to TvB.

ITC has contracted with *Saturday Evening Post* for 39 half-hour film shows; producer is Robert J. Enders.

Instantaneous TV rating systems such as American Research Bureau's "Arbitron" and Nielsen's upcoming "Audimeter" (Vol. 14:44) are mixed blessings to programmers & sponsors, NBC research director Dr. Thomas E. Coffin told 3rd annual seminar of Broadcasters' Promotion Assn. in St. Louis this week. In slide-illustrated address on "By the Numbers" at 3-day session, Dr. Coffin showed how varied rating techniques operate to provide "a yardstick—and only one yardstick" of program values. And new instant ratings, he said, share with older systems "both the promise of new understandings and the danger of new confusions. The very fact of their immediacy & excitement tempts people to jump on their horse and ride off in all directions." In another key speech to 225 station promotion executives attending BPA meeting, Westinghouse stations pres. Don McGannon warned that "broadcasting, as the branch of show business that reaches most people most often, lives in a world of criticism"—with newspaper competitors as chief critics. He urged broadcasters to use own promotional facilities to build "corporate image" of TV & radio as the "dynamic sales media [which] can market products more efficiently & more economically than any other media."

Rate increases: WRGB, Schenectady, Sept. 1 added Class AA hour (7:30-10:30 p.m. daily) at $1250, min. at $225 (no discount on spots), Class A hour remaining $1100. KUTV, Salt Lake City, Nov. 1 added Class AA hour (6:30-10 p.m. daily) at $650, min. at $180, Class A hour going from $600 to $450.

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TV and AM-FM Addenda Published Weekly

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Personal Notes: Harvey Struthers, recently gen. mgr. of CBS's discontinued uhf WHCT, Hartford, soon to be revived by ex-WNHC-TV gen. mgr. **Edward D. Taddei** (Vol. 14:46), named director of station services for CBS-TV stations div., effective Dec. 8, serving as liaison between stations and that div., headed by v.p. **Craig Lawrence**, also between stations and CBS network, engineering, building & construction, labor relations, etc. . . . **Lamont L. (Tommy) Thompson**, onetime FBI agent, ex-CBS-TV Spot Sales in Chicago & N. Y., recently sales mgr. of WHCT, Hartford, named director of newly established client relations dept. of Spot Sales in N. Y.; **Sherman Adler**, onetime WMCT, Memphis, promoted from account exec. to Chicago director of same dept. . . . **Davidson Taylor**, who has been public affairs v.p. of both NBC & CBS, has been appointed consultant to the Lincoln Center Committee of the N. Y. Public Library to work on plans for a Library Museum of the Performing Arts . . . **Leonard H. Goldenson**, AB-PT pres., reelected chairman of United Cerebral Palsy Assns., which he helped found in 1950 and served as pres. for 5 years . . . **Patricia Ann Lee**, daughter of FCC Comr. Robert E. Lee, married Nov. 22 to Army Lt. Martin C. Fisher, Yorktown, Va., stationed at Ft. Belvoir, Va. . . . **Halsey V. Barrett**, ex-TvB director of national sales, named TV business development mgr. of rep Katz . . . **Harold A. Dorschug**, ex-WHCT, Hartford, named engineering director of WTIC-TV & WTIC, also Hartford . . . **John Esau**, ex-gen. mgr. of KWWL-TV, Cedar Rapids, named eastern sales mgr., **Norman J. Ostby**, ex-MBS, west coast sales mgr., of Jack Wrather's Programatic Bcstg. Service Inc. (automation programming system) . . . **Warren L. Braun**, asst. gen. mgr. of Transcontinent's WSVA-TV & WSVA, Harrisonburg, Va., adds duties of engineering director . . . **Hal Chase**, onetime gen. sales mgr. of KNTV, San Jose, also ex-MCA-TV Ltd., promoted to San Francisco office mgr. of H-R Representatives, succeeding **James Alspaugh**, now H-R radio sales mgr., N. Y. . . . **F. Greer Parkinson**, ex-program chief of WBNS, Columbus, named mgr. of Hearst's radio WCAE, Pittsburgh . . . **Mitchell S. Cutler**, 1958 George Washington U Law School graduate, joins Washington firm of Welch, Mott & Morgan . . . **Charles F. Holden**, ex-Hollywood CBS-TV, named production mgr., Videotape Productions of N. Y. . . . **Albert S. Goustin**, ex-Ziv, named director of sales of Paramount TV Productions and Paramount Sunset Corp., TV subsidiaries of Paramount Pictures . . . **John P. Rohrs**, ex-Gross-Krasne, MCA-TV & Pearson reps, appointed central div. mgr. of Telestar Films . . . **Sidney G. Deneau**, western sales mgr. of Paramount Film Distributing, named also a v.p. . . . **Dan Chamberlain**, ex-MGM-TV, named special public relations projects coordinator of Colgate & Co. . . . **Walt Plant** resigns as eastern div. mgr. of Independent Television Corp. to form own Hollywood production firm . . . **Burton I. Lippman** promoted to NTA comptroller, succeeding **Leonard S. Holstad**, resigned . . . **Carl A. Russell**, ex-Ziv & WBKB-TV, Chicago, named ITC mgr. of regional sales, headquartering in Chicago but reporting directly to pres. **Walter A. Kingsley**.

Obituary

Edward Harvey Long, 60, treas. of Huntington Publishing Co. (*Huntington Herald-Dispatch* and *Advertiser*) and its subsidiary WSAZ Inc. (WSAZ-TV & WSAZ), died Nov. 18 of cancer. His brother Walker is secy. of the firm and father-in-law of Lawrence H. (Bud) Rogers II, pres. & gen. mgr. of the stations and active in TV industry affairs. Among survivors are widow and father, Col. J. H. Long, latter now over 95.

Sydney B. Loewenberg, 47, until a few months ago v.p. of Joseph Katz Adv., died Nov. 18 at Phelps Memorial Hospital, Croton-on-Hudson, N. Y. Surviving are widow, 2 sons.

M. L. Nelson, 49, managing news editor of WHO-TV & WHO, Des Moines, died of a heart attack Nov. 16.

Broadcasters' Promotion Assn. at St. Louis convention (see p. 8) elected: Charles A. Wilson, adv. & sales promotion mgr. of WGN-TV, Chicago, as pres. to succeed Elliott W. Henry Jr., ABC western div. publicity & promotion director; Gene Godt, WCCO-TV, Minneapolis, first v.p.; Burt Toppan, WTVJ, Miami, 2nd v.p. New directors for 3-year terms: Janet Byers, radio KYW, Cleveland; Harvey Clarke, radio CFPL, London, Ont.; L. Walton Smith, WROC-TV, Rochester, N. Y.; Austin Heywood, KNXT, Los Angeles. BPA board named Don B. Curran, KTVI, St. Louis, as director to fill out 2 years of term of Ed. M. Morrissey, KIMA-TV & KIMA, Yakima, Wash., resigned.

More electees to public office from the broadcasting industry (Vol. 14:45): J. B. Fuqua, owner of WJBF, Augusta, Ga. (Ch. 6), elected in field of 4 candidates to full 2-year term in Georgia House of Representatives, where last term (he was first elected in 1957 to fill an unexpired term) he was actively identified with administration of Gov.-elect Ernest Vandiver. Ray T. Miller Jr., pres. of radio WERE, Cleveland, elected State Senator. Raymond Motley, commercial mgr., WMOH, Hamilton, O., elected to Ohio General Assembly.

FCC chairman John C. Doerfer, just returned from international conference in Geneva, is so full of information about European TV that he couldn't help telling colleagues about it in meeting this week, finally leading Comr. Robert E. Lee to josh: "John, we're going to have to set aside an afternoon for you to talk. Until then, please hold off." Doerfer will participate in "First Institute on Practical Problems Before Administrative Agencies" Dec. 11-12 at Mayflower Hotel, Washington, as member of panel on "Conduct of Administrative Proceedings—Pre-Trial Discovery Role of the Examiner." On Feb. 4, he addresses Radio & TV Executives Society of N. Y.

Freeman F. Gosden, the "Amos" of radio's famed *Amos 'n' Andy* team, now living in Beverly Hills, Cal., has been named by President Eisenhower, along with Secy. of State Dulles, Milton Eisenhower and 6 other delegates, as U. S. representatives attending Nov. 28 inauguration of Mexico's new President Adolfo Lopez Mateos in Mexico City.

TvB board of directors upped 1959 budget to $940,000 from this year's $860,000; elected as v.p.'s: George Huntington, gen. mgr.; John Sheehan, sales; Howard Abrams, retail sales; Leon Arons, research.

Drumbeatnicks and Hucksters: Latest of the crop of novels relating to advertising (Vol. 14:41), *The Insider*, by Ellington & Co. v.p. James Kelly, published by Holt, has drawn critical acclaim from *Time*, which says it's "several grades better [than] other ad fictioneers" and from *Saturday Review*, which says it's "by a wide margin, the best of the current crop of Madison Avenue exposes." It's about an adv. agency heel on a drug account, married to the client's daughter, who gets caught up in the huckstering maelstrom, cheats on his wife, is written off by his father-in-law, is found expendable by the agency. And add to the TV-background novels previously reported on—*The Hot Half Hour* by BBDO's Robert Foreman (Criterion Books) and *The Merger*, by ABC Chicago v.p. Sterling Quinlan (Doubleday)—these other new stories about admen, stimulated perhaps by Frederick Wakeman's 1946 hit *The Hucksters*: *The Detroiters*, by Harold Livingston ex-D.P. Brothers Co., about frenzied admen for the auto industry (Houghton Mifflin); *A Twist of Lemon*, by Edward Stephens, of Dancer-Fitzgerald-Sample, about what *Time* calls "drumbeatniks" (Doubleday); *The Admen*, by Shepherd Mead, ex-Benton & Bowles (Simon & Schuster). The public relations field is setting for 2 other new novels: *Pax*, by Middleton Keifer, ex-Charles Pfizer & Co. (Random House) and *A Really Sincere Guy*, by Robert Van Riper, of N. W. Ayer & Son (McKay). Note: Both the Foreman and Quinlan novels have been purchased for Broadway production, with movie plans under way also. Hollywood writer-producer Alex Gottlieb has been engaged to do a play of *The Hot Half Hour*, and producer John Wildberg has taken over *The Merger*. Wildberg reports that a play with similar theme to Quinlan's, titled *Any Other Business*, is a current hit in London.

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Andrew G. Haley, Washington TV-radio attorney who has pursued rocketry as a hobby and sideline business for some 20 years, is author of *Rocketry and Space Exploration: The International Story*, being published Dec. 18 by Van Nostrand (288 pp., $6.75). It's history of rocketry from beginnings in medieval China to present-day missiles, forecasts rockets eventually propelled by ions, also manned satellites. Onetime pres. of American Rocket Society, Haley is currently serving second term as pres. of International Astronautical Federation.

Another starter on booklists is *So Early in the Morning* by Jack Sterling (with Wm. C. Vance), who runs 5:30-9 a.m. show on CBS's N. Y. radio WCBS (Crowell). No fictional expose, it's engagingly-written story of Sterling's life (and sometimes tough times) in broadcasting, starting in 1939 at WMBD, Peoria.

Lee Cooley, exec. director of programming, KTLA, Los Angeles, ex-producer of *Perry Como Show*, has written a first novel, *The Run for Home*, based on his experiences in the merchant marine; published by Doubleday.

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Attack on XETV, Tijuana, Mex. (Ch. 6) for advertising itself as identified with San Diego area was made by KFMB-TV, San Diego (Ch. 8) in letter to FCC, asking that Commission start action to revoke ABC-TV's permission to "locate, use or maintain a broadcast studio or other place or apparatus in the U. S. for the production of programs to be transmitted or delivered" to XETV.

Alfred I. DuPont Awards nominations, to be announced in March, must be submitted by Dec. 31 to O. W. Riegel, Washington & Lee U, Lexington, Va. Peabody Awards nominations close Jan. 10, must be made to U of Georgia School of Journalism.

CBS Inc.'s European Setup: New foreign units of CBS Inc., CBS (Europe) SA, with headquarters in Zurich, and CBS Ltd., London, will be headed by Michael Burke as managing director, with Anthony C. Bartley as director of sales for CBS Ltd. Burke is the onetime U of Pa. All-America football player, who as a naval officer assigned to OSS during the war won both the Navy Cross and Silver Star for his exploits in German-occupied Italy & France. He has been director of CBS-TV network programs in London for last year. Both he and Bartley will sit on board of directors of CBS Ltd., other directors being Merle S. Jones, Richard S. Salant & Samuel Dean. Jones, pres. of CBS-TV stations div., will sit on board of CBS (Europe) SA with Dr. Paul Gmur, Swiss attorney, and Robert H. Lutz, of Swiss Credit Bank. Said Jones: "We have great faith in the growth and development of TV program sales in the British Isles and on the continent of Europe. These companies will be engaged in the licensing and distribution of CBS Films and other TV properties." The Swiss firm will also be interested in production of films for TV.

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Sweeping court ban on all news pictures or sound recordings of principals in Atlanta embezzlement trial—even on sidewalks & streets adjoining courthouse—has been protested by NAB pres. Harold E. Fellows. In telegram to Judge Durwood Pye, who imposed rule for trial of Ga. Revenue Comr. T. V. Williams on charges he stole $46,928 in state funds, Fellows said: "Unreasonable limitations upon media of communications are inconsistent with the basic right of the people to full information." Protests also were filed with judge by Ga. Press Assn. & Sigma Delta Chi, while Atlanta Newspapers Inc. (WSB-TV) challenged rule in county appeals court. Earlier, NAB chief attorney Douglas A. Anello told Maine Radio & TV Broadcasters Assn. in speech on issue that "if the people demand a change" restrictions on TV-radio coverage of trials will be lifted. Anello said "giant steps towards this goal of equality" of broadcasters with press already are being taken by American Bar Assn. (Vol. 14:44) and some judges.

Is TV 'Gossip' News? Marie Torre, *N. Y. Herald Tribune* TV-radio columnist, is not a newspaper reporter but the conductor of a "gossip" department which doesn't qualify for "freedom of the press" privileges, U. S. Supreme Court was told this week. Asking dismissal of appeal by Miss Torre from contempt of court conviction arising out of $1,000,000 defamation suit by Judy Garland against CBS (Vol. 14:44), singer's lawyer Lionel S. Popkin maintained in brief filed with Court that Miss Torre can't withhold source of derogatory comment about Miss Garland which was quoted in column. Popkin argued: "The press is in no danger because the writer of a 'gossip' column is required to state the name of the person who made libelous statements to her, which she in turn repeated." Moreover, said Popkin, such a columnist has no more "freedom of the press" protection from "testifying to a matter in litigation" than such other newspaper employes as linotypists or engineers.

Start of $18,000,000 audio-visual research program set up by last Congress in National Defense Education Act (Vol. 14:46) was postponed this week pending appointment of 14-member advisory board. Office of Education had been scheduled to announce makeup of group representing National Science Foundation, public, teachers, communications technicians, etc., but selection of members wasn't completed.

New & Upcoming Stations: Week's status reports on new starters were highlighted by unexpected debut of satellite KALA, Wailuku, Maui, Hawaii (Ch. 7), which began Nov. 19 picking up NBC-TV from parent KONA, Honolulu (Ch. 2), 90 mi. distant. Also reported, belatedly, was demise of 10-month-old KTRX, Kennewick-Pesco, Wash. (Ch. 31), which left air Nov. 5. Dropout of latter leaves only 83 uhf stations still on air, less than half of those starting since freeze was lifted—but over-all on-air total remains 538.

KALA is named after Haleakala crater on which transmitter is located, has 2-kw RCA transmitter and GE antenna. Hitherto KMVI-TV, Wailuku (Ch. 12), owned by Walter Cameron, has been rebroadcasting KONA. KONA-KALA owners are *Honolulu Advertiser* (50%) and John D. Keating & J. Elroy McCaw (50%). KALA is sold as bonus to KONA, which has $350 base hour. Rep is NBC Spot Sales.

KTRX left air after equipment failure, and present majority stockholder Dr. Phillip Berman states that financial problems and need for new transmitter "necessitated rushing through the proposed sale of the majority of the stock" to new owners, names withheld. Ben W. Roscoe is agent for buyers.

Next new starter is expected to be WGTE-TV, Toledo (Ch. 30, educational), with Nov. 27 target; also revived WWOR-TV, Worcester, Mass. (Ch. 14) is definitely scheduled to begin Dec. 1 (Vol. 14:45) as satellite of Wm. Putnam's highly successful uhf WWLP, Springfield (Ch. 22). Others with Dec. 1 dates are WKBW-TV, Buffalo (Ch. 7); WTOL-TV, Toledo (Ch. 11); KNOP, North Platte, Neb. (Ch. 2); KVKM-TV, Monahans, Tex. (Ch. 9); KOED-TV, Tulsa (Ch. 11, educational).

Pittsburgh's 2nd educational outlet on Ch. 16, granted to operator of WQED (Ch. 13, educational), has Jan.-Feb. target, writes gen. mgr. William C. Dempsey. GE transmitter has been ordered and 500-ft. Blaw-Knox tower will be used.

CHAB-TV, Moose Jaw, Sask. (Ch. 4) has ordered 6-kw RCA transmitter for delivery by end of year, plans programming "early in 1959," writes mgr. Sid Boyling for owner J. D. Moffat. Bids have been asked on studio-transmitter building and 440-ft. tower with 12-slot antenna will be used. Base hour will be $200. Rep will be Television Representatives.

Single application for TV station filed with FCC this week was for Ch. 8, Greensboro-High Point-Winston-Salem, N. C. by Southern Bcstrs. Inc., owned by principals of WTOB, Winston-Salem (who also own 80% of WAPA-TV, San Juan, P. R.; off-air uhf WTOB-TV, Winston-Salem; WSGN, Birmingham, Ala. and 50% of Ch. 42 grantee there) and by owners of off-air uhf WNAO-TV, Raleigh, N. C. Both groups would dispose of their present TV holdings upon grant of this application. Applications for new TV stations pending now total 90 (23 uhf). [For details, see *TV Addenda 27-L*.]

Experimental vhf booster, sought by WTEN, Albany (Ch. 10) for No. Greenbush, N. Y. (Vol. 14:45), shouldn't be granted until FCC finishes its inquiry on boosters, translators, etc., Assn. of Maximum Service Telecasters urged in statement to Commission this week. However, AMST said, if FCC doesn't want to defer granting the 500-watt co-channel booster, it should require WTEN to provide a "firm safeguard against interference" and get permission of co-channel WJAR-TV, Providence (Ch. 10).

Indifference to Conelrad exercises, displayed by some broadcasters who are "annoyed" by national defense demands on their stations, was scored by FCC Comr. Lee in speech to Missouri Broadcasters Assn. in St. Louis. He said he's "pessimistically confident" that many station operators haven't read Communications Act, don't know that "public interest" requirement carries obligation to cooperate with Govt. in national defense. "With their licenses safe for 3 years," Lee said, "they turn their full attention and resources to the making of as much money as they can in the shortest time possible consistent with minimal public interest standards." He warned that license renewals are "contingent upon their operating in the public interest [including] cooperation with duly constituted authorities in responsible defense planning."

Translator power ceiling was raised from 10 to 100 watts this week effective Dec. 26, FCC finalizing rulemaking as expected—no opposition having been raised (Vol. 14:46). Large number of applications is expected from both existing translators and new applicants. Commission also granted 2 new translator CPs: Ch. 80, Spirit Lake, Ia., to Spencer Area TV Inc.; Ch. 83, Palmerton, Pa., to Upper Lehigh Translator Service Corp. Palmerton grant is conditioned on termination of operations in event regular station begins on any channel too close from engineering standpoint.

St. Louis Ch. 4 & Ch. 11 status remained unchanged this week, as U. S. Supreme Court denied writ of *certiorari* to St. Louis Amusement Co., one of original 5 Ch. 11 applicants. FCC had ruled applicant had defaulted by failing to participate in hearing; Court of Appeals agreed —and so does Supreme Court. St. Louis Amusement still has pending before FCC its charges that CBS engaged in attempted "influence" when Tex McCrary asked Commission members about status of case before decision was reached (Vol. 14:42). CBS won Ch. 11, transferred it to 220 TV Inc., bought KWK-TV (Ch. 4), now KMOX-TV.

Martha Rountree is selling her 50% interest in WKTF, Warrenton, Va. (5-kw D, 1420 kc) for $30,000 to Dr. Fred J. Crescente, Paterson, N. J. physician and real estate investor, according to application filed with FCC this week. Sportcaster Harry Wismer recently acquired other 50% (Vol. 14:27), Rountree Productions Inc. and columnist Ruth Montgomery each selling Wismer 25%. [For week's other radio station sales & transfers, see *AM-FM Addenda UU*.]

Ted Oberfelder, ex-WCAU & WFIL, Philadelphia and WJZ & WABC-TV, N. Y. has sold his 25% interest in WKIX, Raleigh, N. C. (850 kc, 10-kw D, 5-kw N, ABC), along with holdings of Norman Glenn, publisher of *Sponsor*, and Louis Randell, N. Y. theatrical attorney; purchasers, for reported $125,000 plus assumption of indebtedness, are gen. mgr. Hugh Holder, owner James Stephenson of WFVG, Fuquay Springs, N. C., et al.

FCC belatedly amended rules to comply with an old agreement with Canada providing that no U.S. uhf station be permitted to operate with more than 1000 kw within 250 mi. of border. FCC had inadvertently authorized several stations in Pa. to go to slightly more than 1000 kw—but they all reduced voluntarily upon informal notification by Commission staff. Ceiling is 5000 kw elsewhere in U. S.

Radio coordination procedures during national emergency, covering govt. users, are spelled out in new order IX-4 issued by Office of Civil & Defense Mobilization, which emphasizes that they don't affect private frequency users controlled by FCC. Text of new order is contained in Nov. 20 *Federal Register*.

Television Digest with ELECTRONICS REPORTS
WYATT BUILDING WASHINGTON 5, D. C. • TELEPHONE STERLING 3-1755
Trade Report
November 22, 1958

FEWER MAKING TVs, MORE MAKING RADIOS-PHONOS: Time was -- and not so long ago -- when there were more than 90 U.S. companies in the business of making TV sets. Our Television Factbook No. 16, issued in Jan. 1953, listed 93, although admittedly some were merely assemblers who scarcely merited the name of manufacturer. There's been a steady attrition since, until the current TV Factbook No. 27, off the press last Sept., lists but 38 in the U.S., 15 in Canada (p. 461).

TV industry may never get down to "Big Three" -- like automobiles -- nor does there seem to be any serious threat yet of TV receiver imports, but there's no denying that a few big makers will soon dominate the market. In "guesstimating" 1958 TV production by the major manufacturers for us last Aug. (Vol. 14:31), TV-electronics financial consultant Edgar N. Greenebaum, of Chicago, figured that 11 companies will account for about 90% of TV production this year.

Trend toward concentration was highlighted last week by Hotpoint's withdrawal from highly competitive, low profit TV business after a 2½-year effort to make dent in the market (Vol. 14:46). Recent demise that also comes to mind was pioneer set & tube manufacturer DuMont Labs, which gave up its lines of consumer products last July (Vol. 14:27), selling its TV & hi-fi business to Emerson where they are now the "Cadillacs" of the Emerson lines and reportedly doing right well. And Magnavox just a few months ago abandoned its Sentinel & Spartan lines (Vol. 14:10).

Among other onetime big names that have gone out of TV are Arvin, Capehart-Farnsworth, Fada, CBS-Columbia, Crosley, Hallicrafters, Kaye-Halbert, Raytheon, Sparton, Stewart-Warner, Stromberg-Carlson, Tele-Tone.

Bucking TV trend toward fewer companies are both radio & phonos. Our TV Factbook No. 27 (p. 473) lists 49 radio set makers (many of them overlapping with TV), 57 makers of hi-fi & standard phonos (p. 471), as complete a list as we know of. Yet we're sure there are many in burgeoning hi-fi field about whom we haven't heard yet. There's heavy foreign competition, too, in the phono field.

Two major diversification moves stand out prominently in news of the radio & phono trade this week. Delmonico International Corp. (Adolphe Juviler, chairman), big importer of West German and Japanese hi-fi sets and radios, which also does some assembling in this country, was acquired by the prominent engineering-architectural firm of Thompson-Starrett, N.Y. As an autonomous div. of Thompson-Starrett, we're told, Delmonico is in for major expansion, may add importantly to its already long lines of imported West German hi-fi brands.

Also branching out is Blonder-Tongue Labs, Newark (Isaac S. Blonder, pres.), big closed-circuit TV & equipment manufacturer, which announced it is entering the audio field for first time with a new FM-AM radio priced at $64.50 to be offered through 100 franchised wholesalers with full line of tuners, amplifiers & speakers.

Motorola Breaks Price Barrier: First to raise prices this year, Motorola took the critical step Friday of this week by boosting prices on four basic models by $10 & $20. Said exec. v.p. Edward R. Taylor: "We are committed to high standards of quality in our lines. In recent months there has been increasing pressure from rising costs of materials and labor. An increase in prices was necessary to maintain our standards of performance and dependability."

Price increase has been long anticipated but nobody, apparently, was ready to take the initial step. Now, with the barrier broken, industry leaders we were able to reach at presstime expressed the opinion most major manufacturers would follow Motorola's lead promptly. Only one willing to be quoted, Philco v.p.-marketing Henry E. Bowes, said: "We're looking at the cost situation and studying possibility of an increase. I don't see how we can hold the price line much longer."

Latest Stirrings in Stereo: New EIA National Stereophonic Radio Committee, set up to recommend stereo broadcast standards to FCC -- just as did the National TV System Committee for both black-&-white and color TV -- is slated for formal organization at EIA's winter meeting in N.Y., Hotel Roosevelt, Dec. 4. It will be headed, as was NTSC, by ex-EIA pres., retired GE v.p. Dr. W.R.G. Baker, now research v.p. of Syracuse U. Chairman of all-important Systems Analysis Panel has not yet been found. This group will assign jobs to specific task forces.

"We will study all stereo systems including those which have been tried to date and several still in development stage," said Dr. Baker. "The best one may now be in existence or it may be a combination of several. After it has been approved by industry, we will present our choice to the FCC for approval."

Requisites of a suitable stereo system, according to Baker: (1) Compatibility so receiver can receive regular FM broadcasts as well as stereo. (2) Easy for the public to buy. (3) Not too expensive to operate.

Comprehensive industry representation is being sought for all panels. Every company which has a major interest in stereo will be invited to be represented on one or more panels. It's too early to tell who will be guiding lights on important panels and Dr. Baker says few acceptances have been received to date. EIA engineering dept. mgr. Virgil M. Graham will serve as secretary. Also, Murray Crosby, pres. of Crosby Labs, Syosset, N.Y., developer of a multiplex system, and Peter C. Goldmark, pres. of CBS Labs, have agreed to serve on the Systems Analysis Panel, along with Wm. J. Morlock, gen. mgr. of GE's technical products dept.

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Good examples of laymen's introduction to stereo are ad-laden 20pp. special section in Nov. 16 N.Y. Times, and 16pp. section in N.Y. Herald Tribune same Sunday. Former includes articles with headlines such as these: "Stereo: Eventually 90 Per Cent," "All at Once or Bit by Bit," "Battle of Decibels & Decor." Latter features: "The Stereo Story: Hi-Fi Hits a New High," "Stereo Tunes in to the Customer," "Q & A -- What Stereo Is, What It Does, How It Works," "For Wives Whose Husbands Are Married to Stereo." This is pattern of news (and advertising) coverage in other major dailies throughout country, stimulated by local hi-fi & stereo shows.

TV-Radio Production: TV output was 112,202 sets in week ended Nov. 15 vs. 111,554 preceding week and 138,831 same week last year. Year's 45th week brought year's total production to 4,290,305 sets vs. 5,549,641 last year. Radio production was 364,943 for week ended Nov. 15 (113,309 auto) vs. 344,204 (117,585 auto) preceding week and 390,435 (120,234 auto) same week last year. Radio production for 45 weeks was 9,614,982 (2,912,431 auto) vs. 12,033,125 (4,613,652 auto) last year.

DISTRIBUTOR NOTES: **R. C. Hawley** heads new Hotpoint distribution dept., Bellwood, Ill., under GE v.p. & Hotpoint gen. mgr. **Wm. C. Wichman**; it will run all 21 Hotpoint distributorships, staff including **A. L. Lacey** as mgr. of distributor sales administration; **E. E. Pile**, mgr., employe relations; **J. M. Whelan**, mgr., finance & operations; **D. E. Bamford**, counsel . . . **Norton Spitzer**, ex-Admiral Distributors, Chicago, named adv. & sales promotion mgr., RCA Victor Distributing Corp. there . . . **Hamburg Bros.**, Pittsburgh (RCA), elects Lester A. Hamburg pres., succeeding his father, Elmore A. Hamburg, now chairman . . . **Admiral** appoints Stratton & Terstegge, Louisville, for all consumer products, replacing Peaslee-Gaulbert Corp. . . . **Hoffman** appoints Cumberland Distributing Co., Nashville; Lolynco Appliances, Jacksonville, for TV-radio-phonos . . . **Hitachi** (Japanese transistor radios) appoints Corwin Hall Distributing, Los Angeles . . . **Charles Hakimian**, ex-mgr. of Philco's Chicago factory branch, named gen. mgr. of Philco Distributors Inc., succeeded in Chicago by **George R. Hickmon**, promoted from district representative.

EIA formally protested to Labor Dept.'s wage & hour div. this week against a proposal by aircraft manufacturers and their unions to blanket missile workers in with aircraft workers under definitions of the Walsh-Healy Act. (Vol. 14:44). Reclassification of missile workers in electronics plants as aircraft workers just because they are working on missile guidance systems would substantially boost manufacturing costs of equipment for the defense program as well as civilian goods such as TVs, radios, etc. Said EIA: "The objective sought by Aircraft Industries Assn. and the unions, if attained, could add without any reasonable justification an estimated billion dollars a year to the cost of the national defense program. What they are asking the Dept. to do is to render a wage determination which would disrupt the wage structures in the manufacturing establishments of an industry wholly unrelated to aircraft production, but which is the prime source of guidance systems and other electronic equipment intended for govt. and commercial application. The net result of this scheme would be to increase tremendously the cost of making such systems and equipment."

Trade Personals: Charles P. Baxter, former v.p. & gen. mgr. of RCA Victor TV div., has established management consultant business as Charles P. Baxter Associates, 457 Derwyn Rd., Drexel Hill, Pa . . . **Bond Geddes**, who retired in 1951 as RMA exec. v.p. and is still advisory counsel for EIA, has been discharged from Georgetown Hospital, Washington, where he was gravely ill for 3 weeks; now 75, he's confined to his home, 20 Grafton St., Chevy Chase, Md. . . . **G. K. Bryant**, marketing mgr. of RCA Victor TV div., promoted to special projects mgr., reporting to exec. v.p. **P. J. Casella**; **A. Robert Baggs**, ex-marketing mgr. of radio & Victrola div., named merchandising mgr., succeeding Justin L. Albers, now on special assignments . . . **A. B. Pollock**, ex-RCA Bloomington (Ind.) plant mgr., named gen. mgr. of all RCA TV & radio-Victrola div. plants; **F. R. Demmerly** promoted to controller, **P. R. Slaninka** to personnel mgr., RCA consumer products administrative services units . . . **Gordon G. Hoit**, Stromberg-Carlson exec. v.p., elected director at large of Empire State Chamber of Commerce . . . **Clark Lambert** promoted to sales administration mgr., Olympic Radio, succeeding **Sy Lipper**, resigned . . . **Michael J. James** promoted to sales mgr.-entertainment products, Philco's Lansdale Tube div. . . . **J. E. Schoner**, ex-Easy Laundry, named Admiral regional mgr. at Atlanta . . . **E. H. Hayes**, chief engineer of Northern Electric Co.'s communications equipment div., Montreal, named director of planning, being succeeded by **C. B. Woodley**, ex-communications systems supt.

Max F. Balcom, retired chairman of Sylvania Electric Products, ex-EIA pres., named chairman of EIA legislative policy committee. Other members: **Ben Adler**, Adler Electronics; **E. C. Anderson**, RCA; **Wm. F. Ballhaus**, Northrop Aircraft Notronics div.; **Roland M. Bixler**, J-B-T Instruments; **Sidney R. Curtis**, Stromberg-Carlson; **L. Berkley Davis**, GE electronic components div.; **Philip Dechert**, Philco gen. counsel; **J. B. Elliott**, Tele-Dynamics Corp.; **Robert W. Galvin**, Motorola; **H. Leslie Hoffman**, Hoffman Electronics; **W. F. Joyce**, Texas Instruments; **Robert C. Sprague**, Sprague Electric.

ELECTRONICS PERSONALS: Rear Adm. **Carl F. Stillman** (USN ret.) joins General Instruments Corp. as head of new value engineering dept., overseeing defense production at its 7 plants from Brooklyn headquarters . . . **Dr. Wm. L. Everitt**, U of Ill. engineering dean, elected pres. of Engineers Council for Professional Development, embracing the 8 major professional engineering societies . . . **Harry B. Henshell**, director of Bulova research & development labs, named also exec. v.p. of parent Bulova Watch Co. . . . **Henry F. Schoemehl**, chief sales engineer, promoted to gen. sales mgr. of Hoffman Electronics Corp.'s semiconductor div., Evanston, Ill., **Roy J. Herter** becoming asst. director of marketing . . . **Albert E. Keleher** promoted by Raytheon to new post of mgr. of marketing planning, govt. equipment div.; replacing him as product sales mgr., communications systems, is **Raymond Kendall**, ex-Motorola . . . **Richard D. Evans**, ex-govt. sales mgr. for Sylvania's special tube operations at Woburn, Mass., named asst. technical liaison mgr. for Sylvania's Waltham Labs . . . **F. X. Rettenmeyer** promoted to mgr. of Philco's new Space Communication Systems lab . . . **Frank S. Greene** promoted to RCA market mgr., airborne systems dept. . . . **E. S. Willis** promoted to gen. mgr. of Erie Resistor's electromechanical div.

Obituary

George A. Long, 89, telephone pioneer, holder of many patents and inventor of first pay telephone, died Nov. 20 at his home in Bloomfield, N. J. He was founder-pres. of Gray Telephone Pay Station Co., which in 1939 became Gray Mfg. Co., Hartford (electronic equipment).

Dr. Ernst Weber, pres. of Polytechnic Institute of Brooklyn, elected 1959 pres. of Institute of Radio Engineers, succeeding Donald G. Fink, Philco research director. Donald B. Sinclair, v.p. & chief engineer of General Radio, West Concord, Mass., named v.p., succeeding Carl-Eric Granqvist, director of Svenska Aktiebolaget Gasaccumulator, Stockholm, New directors elected: Prof. Ferdinand Hamburger Jr., Johns Hopkins U, and Bernard M. Oliver, research & development v.p. of Hewlett-Packard.

TV & Radio Shipments: TV shipments to dealers in Sept. were ahead of Aug. but continued to lag behind the same month a year ago. EIA reports that Sept. shipments jumped to 663,073 sets vs. 499,857 in Aug. and 789,675 in Sept. 1957. First 9 months shipments totaled 3,498,118 sets vs. 4,249,775 for the same 1957 period. Radio shipments for first 39 weeks of 1958, ending Oct. 3, were 5,182,851 vs. 5,844,280 in same 1957 period. First 9-mo. TV-radio shipments by States:

State	TV	Radio	State	TV	Radio
Ala.	46,582	59,913	N. J.	126,799	214,058
Ariz.	24,661	30,341	N. M.	14,863	14,596
Ark.	28,319	27,162	N. Y.	389,155	762,909
Cal.	349,243	399,721	N. C.	71,173	85,983
Col.	30,865	38,250	N. D.	10,071	16,120
Conn.	57,243	70,453	Ohio	187,795	293,804
Del.	10,025	10,933	Okla.	45,745	49,569
D. C.	38,455	61,691	Ore.	35,594	65,748
Fla.	123,089	132,045	Pa.	252,497	384,553
Ga.	66,580	92,041	R. I.	19,897	34,814
Ida.	10,648	17,665	S. C.	28,271	37,935
Ill.	208,971	407,756	S. D.	10,847	11,735
Ind.	87,890	89,087	Tenn.	54,378	70,466
Ia.	43,131	59,299	Tex.	174,728	242,710
Kan.	41,469	59,264	Utah	16,626	20,949
Ky.	53,187	67,891	Vt.	6,865	11,108
La.	57,557	64,187	Va.	60,082	81,990
Me.	17,764	31,431	Wash.	55,906	73,577
Md.	52,183	107,347	W. Va.	32,724	31,003
Mass.	119,973	192,191	Wis.	62,071	100,377
Mich.	125,442	188,059	Wyo.	8,749	6,187
Minn.	53,881	87,150			
Miss.	27,568	32,018	U. S. TOTAL	3,486,550	5,165,548
Mo.	84,830	154,154	Alaska	1,925	4,232
Mont.	15,456	16,560	Hawaii	9,643	13,071
Neb.	29,728	30,957			
Nev.	5,473	9,523	GRAND TOTAL	3,498,118	5,182,851
N. H.	11,501	18,241			

Also Made 2 Holes-in-One: National Video's Asher Cole isn't the only industry notable who has made the magical hole-in-one twice (Vol. 14:46). There's also J. A. (Shine) Milling, pres. of Howard Sams & Co. Playing at Tavistock Country Club, Haddonfield, N. J. in 1948, he made it with a No. 7 iron on the 134-yard eighth hole, witnesses being several of his ex-colleagues at RCA—LeRoy A. Goodwin Jr., tube & equipment sales div., and Herbert C. Edgar, in charge of RCA instrument advertising. On same course 2 years ago, Milling scored a 185-yard hole-in-one. Though he's a graduate engineer, Milling avers: "This is one time that lightning struck twice."

Reorganized Muntz TV Inc. chairman & chief exec. officer Floyd G. Dana reports firm has pulled itself into profit position ($23,467 for fiscal year ended Aug. 31) from loss of $1,024,842 preceding year. Its 1958 sales were $4,057,890, of which $3,634,193 were TVs, $318,689 radios & phonos, as against $6,034,849 in 1957. Earned surplus deficit has been reduced to $5,091,899, and back taxes of $1,531,000 owed after reorganization in Jan. 1956 have been reduced to $371,000. Report states new dealership program has increased number from 600 to 1200 in year.

RCA will start production Dec. 1 of its magazine-loading stereo tape player recorder first announced at RCA's annual stockholder meeting in May (Vol. 14:19). It promised shipments to dealers in time for Christmas.

Financial Reports:

STORER'S REPORT to stockholders on 3rd quarter earnings (sales volume is reported annually only) cites an "abandonment loss" of $4,709,063 on now-dark WVUE, Wilmington-Philadelphia (Ch. 13) which resulted in over-all net operating loss of $1,464,837 (59¢ per share) for quarter as against profit of $820,008 (33¢) for same 1957 quarter. For 9 months ended Sept. 30, Storer profit was $264,782 (11¢) vs. $5,249,492 ($2.12) for same 1957 period. Dec. 15 dividends are being paid as usual (see Dividends), and 4th quarter revenues, running higher than last year, indicate earnings of about $1,300,000 vs. $1,146,671 for same 1957 quarter.

The WVUE "abandonment loss" includes loss on original purchase price in May, 1957 ($7,159,000, including retained radio WIBG), losses on film contracts and write-down of physical assets to their salvage value. "However," report adds, "the company's future earnings will not be subject to the drain of WVUE losses, and we have been able to recapture $2,448,712 of the reserve for Federal income taxes which had previously been established." Pres. George B. Storer goes on to say company now is in "the best financial condition in its history," with cash, govt. income tax notes and bonds on hand amounting to $6,259,120, net working capital $6,110,086 as of Sept. 20, 1958.

Looking to future, Storer tells stockholders about deal to acquire WITI-TV, Whitefish Bay-Milwaukee (Ch. 6) for $4,462,500, for which no borrowing was needed and which FCC has approved conditional on disposal of WVUE (Vol. 14:46). Though CP for the Wilmington-Philadelphia Ch. 13 is still nominally in Storer's name, fact that station has been written off means it's now open to all comers—with Rollins the only formal applicant to date but with others known to be waiting for proper time to file.

Storer's letter makes particular point of the value of radio WIBG, which "has become the largest and fastest-growing station among the 7 Storer radio stations." He claims No. 1 rating in Philadelphia area, reports new plant will soon increase its daytime power to 50 kw. He concludes by stating:

"It now appears that, even after abandonment of the TV station, the Philadelphia-Wilmington purchase will turn out to be a sound, long-range investment. With the national picture improving, with added power, increased advertising revenues and No. 1 ranking in the nation's 4th biggest market, radio WIBG bids fair to become one of the company's more profitable acquisitions."

International Resistance, which lost $71,248 in first 25 weeks this year (Vol. 14:30), reports sharp upturn in 17 weeks ended Oct. 19, earnings of company & domestic subsidiaries totaling $381,073 (28¢ per share) vs. $275,444 (20¢) in same 1957 period. For 42 weeks to Oct. 19 net income was $309,825 (22¢) on $10,642,998 vs. $531,424 (39¢) on $12,965,896 in same period last year.

Texas Instruments achieved record sales & earnings in 3rd quarter, reporting net income of $1,448,000 (44¢ per share) on sales of $21,867,000 vs. $953,000 (29¢) on $17,284,000 year earlier. For 9 months ended Sept. 30, earnings were $3,591,000 ($1.10) on $64,056,000 vs. $2,672,000 (78¢) on $48,114,000.

Varian Associates, Palo Alto, Cal. (klystrons, microwave components, etc.) reports net income of $1,225,364 (90¢ per share) for 9 months to Sept. 30 vs. $763,280 (56¢) in same 1957 period.

A. C. Nielsen Co. asked SEC this week to register 126,780 of $1 par common stock shares—64,500 to be issued & sold by TV rating & market research firm, 62,280 outstanding shares to be offered by present holders. Principal underwriter is Smith, Barney & Co., 20 Broad St., N. Y., price & terms to be supplied to SEC by amendment. Proceeds would be used by Nielsen for general corporate purposes determined by management—including possible further investments in "Audimeter" instantaneous rating system (Vol. 14:44), foreign expansion, purchases of additional land & buildings. SEC statement listed 505,500 common shares and 480,000 Class B special shares outstanding, all of latter held by chairman Arthur C. Nielsen. Selling holders of common shares include Nielsen, owning 178,080, offering 18,000; Richard F. Knott, 57,540 (12,000); Frederick K. Keisch, 24,000 (6000); Bertha K. Pritzlaff, 9000 (4500); Edward L. Lloyd, 14,040 (3000); Philip D. Reed, 13,500 (2700); Helen Douglass, 5340 (2040). Other blocks offered range from 60 to 1980 shares.

United Artists, movie distributor whose subsidiary United Artists Associated has completed $30,000,000 acquisition of Associated Artists Productions and its big Warner Bros. film library for TV (Vol. 14:44), set 9-mo. record—$61,591,000 gross revenues vs. $52,553,000 year earlier, $2,623,000 earnings ($2.06 per share) vs. $2,364,000 ($1.85).

Allied Artists, which lost $1,189,688 in fiscal year ended June 28 (Vol. 14:42), earned $120,200 (12¢ per share) in 15 weeks ended Sept. 27 vs. $90,800 (8¢) in same 1957 period.

TelePrompTer Corp., now traded over-the-counter, is due to be listed on N. Y. Stock Exchange before year's end.

Reports & comments available: On **General Telephone-Sylvania merger**, appraisal by Schweickhardt & Co., Hibernia Bldg., New Orleans. On **AT&T's** current rise, Nov. 17 report by United Business Service, 210 Newbury St., Boston. On **Raytheon** and **Standard Coil**, reports by Shields & Co., 44 Wall St., N. Y. On **Motorola**, brief by Francis I. duPont & Co., 1 Wall St., N. Y. On **Herold Radio**, analysis by Gregory & Sons, 72 Wall St., N. Y. On **General Precision Equipment**, review by Filor, Bullard & Smyth, 26 Broadway, N. Y. On **Thompson Ramo Wooldridge**, pamphlet by Orvis Bros. & Co., 15 Broad St., N. Y. On **Walt Disney Productions**, comment by T. L. Watson & Co., 25 Broad St., N. Y. On **Meredith Publishing**, report by Wm. R. Staats & Co., 640 S. Spring St., Los Angeles. On **United Artists**, special report by Standard & Poor's, 345 Hudson St., N. Y. On **Seeburg**, report by Frederic S. Greenwald of Hayden, Stone & Co., 25 Broad St., N. Y. On **Jerrold**, analysis by Singer, Bean & Mackie, 40 Exchange Pl., N. Y.

Dividends: **Storer**, 45¢ and 6¢ on "B," both payable Dec. 15 to stockholders of record Nov. 28; **Hazeltine**, 35¢ plus 2½% stock, both Dec. 15 to holders Dec. 1; **AT&T**, $2.25 Jan. 10 to holders Dec. 10; **Collins Radio**, 50¢ Jan. 2 to holders Dec. 19; **Meredith Publishing**, 45¢ Dec. 10 to holders Nov. 28; **Globe-Union**, 20¢ Dec. 10 to holders Nov. 28; **Cornell-Dubilier**, 20¢ Dec. 31 to holders Dec. 16; **Time Inc.**, $1 Dec. 10 to holders Nov. 28; **Litton**, 2½% stock Jan. 23 to holders Jan. 9; **Indiana Steel Products**, 30¢ Dec. 10 to holders Nov. 25; **Consolidated Electrodynamics**, 10¢ Dec. 15 to holders Nov. 28; **Canadian GE**, $2 plus $4 extra, both Jan. 2 to holders Dec. 15; **GE**, 50¢ Jan. 26 to holders Dec. 19; **Warner Bros.**, 30¢ Feb. 5 to holders Jan. 10.

Rich or Poor, NBC 'Loves' Radio: Reaffirming NBC's determination to keep its radio network alive, in the face of the recently announced cutback by CBS Radio (Vol. 14:44-45) and previous curtailments by ABC Radio, NBC chairman Robert W. Sarnoff devotes his latest letter-to-editors to some sideswipes at "other networks" and to this disquisition on the problems & prospects of still-unprofitable radio networking:

"The problem facing NBC Radio now is not ratings or current level of sponsorship, which represents 48% of all measured network radio sponsored time. The problem is one of general industry psychology. With one network's cutback following another's, the temptation to write off all network radio can become more acute. In a military operation or in a cattle drive or in an uncertain business climate, one defection can precipitate a stampede and this is plainly what we must guard against today . . .

"Because of its importance to the nation—and its values to the audience and to advertisers—I'm certain that radio networking will continue as an active enterprise. And the key to its survival, I think, lies in its ability to do things differently than TV. For 2 years now, we have been forging sales and programming patterns attuned to modern network radio's potentials and capabilities . . . a widely diversified service, keyed to news, *Monitor* and entertainment. For the advertiser, it has meant novel merchandising and marketing opportunities and greater cumulative advertising impact. We are selling cost-per-thousand economy in large bottles. We are furnishing flexibility, frequency and mobility, the reach-where-TV-can't principle. We have talked more about the beaches and hills than Churchill and MacArthur combined."

So far, young Sarnoff goes on, this effort has increased commercial business 20% over a year ago, station clearances to 86%, rate of compensation to 201 affiliates. He obviously gloats over CBS's retrenchment: "A year ago, I believe this would have produced naked panic in all radio circles. This time it caused some uneasy rumblings within the trade, but it made no dent in our station phalanx . . . [We will] continue to underwrite our faith in the medium by seeking ever more effective new services within the framework of present programming and sales methods.

"So network radio still lives and breathes. To paraphrase Joe E. Lewis, it has been rich and it has been poor. It likes being rich much better, but it probably never will be again. It can, however, look forward to a useful and reasonably prosperous future if all those who have 'faith' will hold to it."

Note: NBC executives have repeatedly stated, and Sarnoff avows again, that affiliates of other networks are now trying to get on NBC—but their identity has been withheld and no new affiliations yet revealed. This week, 50-kw radio WJR, Detroit, announced it would disaffiliate with CBS Radio next spring, after 23 years, unwilling to go along with its new PCP plan which goes into effect Jan. 1, 1959 (Vol. 14:44). CBS Radio sales v.p. John Karol immediately responded that, while others have voiced objections, they have been satisfied that the CBS plan is the only one that can pull radio networking back to profitability; that WJR is the only affiliate that has actually defected; and that CBS is unworried about getting another Detroit affiliate.

Among shows being dropped by CBS radio network in the curtailment, reducing feeds to affiliates from about 65 hours per week at present to around 50 hours, only 30 "musts," are *Indictment, City Hospital, Sez Who?, FBI in Peace & War, Nora Drake, Our Gal Sunday, Road to Life, Backstage Wife*—mostly N.Y. originations.

TV Settles in West: Hollywood's TV film industry is settling down to a stable $155,000,000-per-year business, no matter what "fluctuating fortunes" movies may suffer, reports *Variety*. Show biz weekly cites 2 big factors in Hollywood's development as TV center: (1) Network programming now is 55-60% filmed. (2) Syndicated production on West Coast has reached 40 new series per year and output is expected to be sustained "indefinitely." Concomitant decline of N. Y. as TV capital was illustrated meanwhile at N. Y. chapter meeting of TV Academy of Arts & Sciences, where N. Y. Film Producers Assn. presented city Commerce Dept. figures showing live TV location permits in first 10 months this year totaled 238 vs. 310 in same 1957 period. MPO TV Productions v.p. Marvin Rothenberg maintained, however, that N. Y. remains filmed-commercial center, estimating 85% of business stays there vs. 10% in Hollywood, 5% in rest of country. But even this N. Y. claim to TV preeminence was disputed by West Coast director John Cole, of Sullivan, Stauffer, Colwell & Bayles. He told Hollywood Adv. Club that Hollywood produced 40% of $50,000,000 worth of TV commercials made in 1957—and that its share of business still is growing. Note of warning to N. Y. producers of TV commercials came at same time TV-radio director Rollo Hunter of Erwin Wasey, Ruthrauff & Ryan, who told *Variety* they are inviting "filmicide" by resorting to undercutting & kickbacks to agencies in bidding for sponsor business. "At the rate the system is working, in from 3 to 5 years there will be no more than 20 producers in N. Y.," said Hunter.

It Had To Happen: Russians plan 1677-ft. TV tower in Moscow next year. It would be world's tallest, exceeding 1610-ft. structure of KSWS-TV, Roswell, N. M. (Ch. 8).

Strike Threat Eases: "Stop-the-clock" negotiations between AFTRA and CBS, NBC, ABC & MBS to avert all-network TV-radio strike (Vol. 14:46) continued on-&-off this week, union & networks agreeing Nov. 21 to put off further talks until Nov. 24. Walkout over such issues as contract rates for performers & announcers in videotape commercials had been set for midnight Nov. 15. But AFTRA extended deadline 72 hours, then ordered further postponements as parleys progressed. Meanwhile, 14 IBEW engineers went on strike at radio WINS, N. Y., protesting management failure to negotiate higher pay. Picket line was respected by 9 AFTRA members at station, but 25 supervisory employes kept WINS on air.

AB-PT Pictures Corp., production subsidiary of American Broadcasting-Paramount (Vol. 14:13), is being abandoned Jan. 1 along with AB-PT Distributing Co. which supplemented film supply from Hollywood sources. Stock & assets of 2 AB-PT adjuncts are being acquired by pres. Irving H. Levin, terms not disclosed. Assets include 4 completed pictures, 8 story properties. Yet-unnamed new production organization will be headed by Levin with Harry L. Mandell as v.p.-gen. mgr., AB-PT asst. treas.-controller Larry Clement as secy.-treas.

Casualty of The TV Era: *Metropolitan Auditions of the Air*, carried on New York's radio WABC since 1935 but unsponsored since 1950, has been dropped—and instead Met's Rudolf Bing and staff will audition new talent on its stage. When Sat. afternoon live opera broadcasts were transferred to WCBS, *Auditions* show was included but station decided not to continue it. The 23-year-old tryout show, open to all comers, has produced such famous stars as Rise Stevens, Patrice Munsel, Roberta Peters, Robert Merrill, Leonard Warren.

Extract from BROADCASTING, December 24, 1956

DOES PRESIDENT WANT A SUPER-FCC?

To Order Report by Dec. 31 on How to Reorganize Business Management

The first step in a complete shake-up of the radio spectrum and how it is administered and managed has been taken by President Eisenhower.

Last week the President, through Lee A. Hegh, director of the executive legal office of Gulick & Robson Hallbrooke, appointed a special telecommunications advisory committee to review the role of the federal government in the management of U. S. telecommunications.

The committee comprises two retired AT&T executives, a political scientist, a practicing radio consulting engineer and a retired Army Signal Corps general.

It is headed by Victor E. Conley, former deputy director of OSS and retired Southwestern Bell Telephone Co. executive. Others are William C. Sprague, retired AT&T Assistant vice president in charge of long lines; Dr. Boris Shenker, former FCC commissioner; Stuart Sapp, telecommunications chief and staff vice president of W. Virginia U.; Frank G. Kear, Washington radio consulting engineer, and Maj. Gen. W. Preston Corderman, USA (ret.), former Deputy Chief Signal Officer. (See box this page.)

The committee was given a hurry-up assignment. Target date for its report is Dec. 31.

It is expected that the report will deal primarily with administration. A recommendation for a further study on a long range basis also may emerge.

The assignment itself that the committee's main task is to recommend methods for better management in the use of telecommunications facilities, including the allocation of frequencies, the licensing of stations, and the development and growth of telecommunications, and the adequacy of the FCC temporary organization for this temporary operation for efficient and economical use.

It is felt that this is the President's method of accomplishing an independent study of the radio spectrum. A similar proposal failed to pass in the last Congress.

Senate S. 1000 introduced by Sen. Charles Potter (R-Mich.) to create a commission to consider the role of the radio spectrum passed the Senate, but died in the House. The Administration opposed it saying the committee's duties would be duplicated in the executive branch. Sen. Potter reintroduced his proposal in the current session. This was supported only by a Senate committee in the closing days of the 84th Congress but it was never brought to the floor for a vote.

Extract from BROADCASTING, November 24, 1958

Broadcasters opposed the amended Potter resolution. Shortly after Congress adjourned, it was reported that the President was considering the appointment of a White House committee to investigate the spectrum (Closed Circuit, Sept. 15; Government, Sept. 22).

Among other recent activities which may have spurred the President into seeking proposals to revise the present structure of radio spectrum management are the revelations of the House Legislative Oversight Committee, including off-the-record wire-pulling at the FCC, allegations of attempted bribery and solicitations of bribery, and general laxity in official conduct.

In announcing the appointment of the five-man committee, Mr. Hoegh stated that the rapidly changing technology and needs in both government and non-government areas "are presenting increasingly difficult problems in telecommunications management."

This situation, Mr. Hoegh continued, is becoming "no less complicated" by developments in satellites and space vehicles, as well as military weapons systems and civil defense communications.

The OCDM announcement also contained a paragraph stating that the committee "will not be concerned with existing regulatory powers or procedures of the FCC, nor will it make studies of detailed problems of radio frequency usage."

Mr. Cooley stated last week that the committee has no plans to get into the question of specific radio assignments. Another member of the committee was more down-to-earth: "We don't intend to get into the nuts and bolts part of telecommunications."

The committee has met twice, on Nov. 18 and 19. Another meeting will take place in mid-December, Mr. Cooley said.

Present at the Nov. 18 meeting was FCC Chairman John C. Doerfer, it was learned. Individual members of the committee have been given assignments in preparation for the next meeting.

The request for a Dec. 31 report is seen as lending credence to reports that the President desired to be ready for possible congressional activity in the field of telecommunications when the new Congress assembles Jan. 7.

There have been definite reports that Congress intends to take up anew the matter of a study of the radio spectrum.

Extract from BROADCASTING, November [illegible], 1959

Only last September, Rep. Oren Harris (D-Ark.) indicated that he would [illegible] to study the spectrum. At the same time the Arkansas Democrat (who is chairman of the House Legislative Oversight Committee, as well as of the parent Commerce Committee) stated that he felt [illegible] agency should control both government and non-government use of the spectrum.

Under the 1934 Communications Act, the President is the final authority in licensing government stations. The FCC is empowered to regulate all non-government use of the radio spectrum. The President's responsibilities are carried out through the Interdepartmental Radio Advisory Committee, on which sit representatives of each department and agency of the federal government which uses radio frequencies.

The Communications Act is silent, however, as to supreme authority for the apportionment of frequencies between the government and civilian use. This has been accomplished through a "gentleman's agreement" between the White House and the FCC.

The latest expression of this liaison was the FCC's action last April in removing [illegible] mc from civilian use for military usage. The band had been assigned for civil aviation radio-navigation; it was relinquished to government use for radiopositioning.

This has [illegible] in the past few years. Aviation [illegible] have asked the appellate court to force the FCC to provide the [illegible] rulemaking and hearing [illegible] spelled out in the Communications Act. The Commission [illegible] the change in allocations took effect without [illegible] as a [illegible]. The [illegible] was the request of OCDM for these frequencies. When civil aviation interests protested, the Commission refused to reconsider its action. The objectors have appealed this procedural ruling, and oral argument was held in the U. S. Court of Appeals in Washington, D. C.

Already the FCC [illegible] 14 bands in the [illegible] mc [illegible] broadcast [illegible] and [illegible].

Military development in satellites and space vehicles is [illegible] likely [illegible] on allocations for [illegible], particularly [illegible] with the establishment of [illegible] on the [illegible] of [illegible] the [illegible] might be [illegible] by the military.

[illegible] from BROADCASTING, November [illegible], 1959

Aside from military programs, a third agency is [illegible] for spectrum space [illegible] [illegible] has often [illegible] the FCC in recent years.

The commission has under way a study of the entire spectrum beginning at 25 mc. This is in two phases. [illegible] has [illegible] [illegible] [illegible], and above [illegible] mc.

In evaluating the impact of the establishment of the new presidential advisory committee, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. [illegible] the [illegible] establishments of "super" agencies—one dealing with aviation and the other with space.

The Federal Aviation Agency was established last August. It is headed by retired Air Force Lt. Gen. Elwood R. Quesada and has jurisdiction over both government and non-government aviation. This includes military aviation.

The FAA took over the existing Civil Aeronautics Board-Civil Aeronautics Authority establishment, [illegible] [illegible] of its [illegible] [illegible] the radio spectrum-allocation [illegible].

Similarly, the National Aeronautics & Space Administration was organized last September to take over governmental projects involving satellites, lunar probes and other outer space developments.

The last telecommunications advisory committee was the President's Communications Policy Board, appointed by President Truman in February 1950. Members of that committee included Dr. Irvin Stewart as chairman, and Lee A. DuBridge, president of Cal Tech; William L. Everitt, U. of Illinois; James R. Killian Jr., then MIT president, now science adviser to the President, and David H. O'Brien, retired vice president of the Graybar Electric Co.

In March 1951 it issued its report—the [illegible]-page "Telecommunications, A Program for Progress." It advocated the establishment of a three-man Telecommunications Advisory Board to advise and assist the President. It recommended that this board be empowered to [illegible] all government [illegible] [illegible] and [illegible] [illegible] [illegible] [illegible] and [illegible] of the [illegible] [illegible]. It recommended that this board, in cooperation with the FCC, "supervise the division of spectrum space between government and non-government users."

[illegible] called for the FCC to be strengthened [illegible] [illegible] [illegible].

Extract from BROADCASTING, November 24, 1958

THE ADVISORY COMMITTEE ON TELECOMMUNICATIONS

(Picture of each member)

Walter Edward Cooley served as deputy director of ODM from 1953 to 1958. A retired Bell System executive, he started his telephone career with the Pacific Telephone & Telegraph Co. in San Francisco, served with Southwestern Bell Telephone Co. in St. Louis for five years, and for 20 years went up the promotion ladder with the New York Telephone Co., becoming a vice president, a director and member of the executive committee. In 1945 Mr. Cooley rejoined Southwestern Bell as operating vice president and director. Two years later he was named president and subsequently chairman. He retired in 1953. He was born and raised in California. He is 68.

Irvin Stewart is a former member of the FCC, former telecommunications expert at the State Dept., and until recently president of West Virginia U. at Morgantown, W. Va. He was chairman of the President's Policy Communications Board (1950-1951) and his name is used in referring to that board's report ("Telecommunications - A Program for Progress") issued in March 1951. Dr. Stewart is a native of Texas. While in the State Dept. he was an active participant in many international telecommunications conferences. He was an FCC member from 1934 to 1937. During World War II, Dr. Stewart was executive secretary of the Office of Scientific Research & Development. He became president of West Virginia U. in 1946 and retired last August. At present he is doing scholastic work in political science at the U. of Hawaii, Honolulu, under a Ford Foundation grant. He is 59.

Frank Gregg Kear is the senior member of the Washington radio consulting engineering firm of Kear & Kennedy. Dr. Kear is a native of Pennsylvania, a graduate of Lehigh U. and Massachusetts Institute of Technology, from which he received a Sc.D degree in 1933. He was with the National Bureau of Standards and Washington Institute of Technology, College Park, Md., before World War II. During the war, he was chief of the radio section, Bureau of Aeronautics, U. S. Navy, attaining the rank of captain. In recent years, Dr. Kear's firm has represented ABC; it also was the consulting engineering company supervising the installation of the antennas of the seven New York TV stations atop the Empire State Bldg. He is a fellow of the Institute of Radio Engineers. He is 55.

Reprint from BROADCASTING, November 24, 1958

[illegible]

[illegible]

Extract from TELECOMMUNICATIONS REPORTS, Volume Twenty-Five, No. 5
November 24, 1958

SPECIAL COMMITTEE NAMED TO ADVISE PRESIDENT ON METHODS TO IMPROVE NATION'S TELECOMMUNICATIONS RESOURCES; COOLEY TO SERVE AS CHAIRMAN OF GROUP WHICH HAS BEEN TOLD TO SUBMIT RECOMMENDATIONS BY DEC. 31

A Special Advisory Committee on Telecommunications, whose main task will be to recommend to President Eisenhower methods to bring about improvements in the use of telecommunications resources, was established last week.

The committee, which held its first meetings in Washington Tuesday and Wednesday of last week and is expected to meet again in early December, has been asked to make its recommendations by Dec. 31, according to Leo A. Hough, Director of the Office of Civil & Defense Mobilization, who announced establishment of the group on behalf of the President.

The short period of time allotted to the committee makes it apparent that it will take a broad-range view of the subject and, if it so decides, recommend that a "permanent" committee be set up to delve into the subject.

By taking last week's action, the administration is pulling up the chair "lookin" by Congress in its first days last January, when the House failed to act on a resolution providing for a study of governmental and nongovernmental use of the radio spectrum. The Dec. 31 deadline set last week for the new committee's report means that it will be taking a definite step forward before Congress convenes.

It had been expected that Congress would take up the matter for consideration anew in the 86th Congress, but the principal proponent of such a study on the Senate side, Sen. Clinton P. Anderson (D., New Mex.), was defeated in his bid for reelection.

Thomas S. Gates, former President and Chairman of the Board of the Independent Bell Telephone Co. and Deputy Director of the Office of Defense Mobilization from 1953 to 1956, was named Chairman of the committee whose formation, according to Mr. Hough, will be to review the role of the federal government in the management of all telecommunications including the allocation of the radio spectrum.

The group will consider existing governmental policies, use of facilities, and administrative arrangements and procedures for the allocation, management, and control of telecommunications, including the radio frequency spectrum for government and non-government use.

Excerpt from TELECOMMUNICATIONS REPORTS, November 24, 1958

However, the committee will not be concerned with existing regulatory powers or procedures of the FCC, nor will it make studies of detailed problems such as radio frequency usage, it was specifically pointed out.

Mr. Hough said that "rapidly changing technology and changing needs in both government and non-government areas are presenting increasingly difficult problems in telecommunications management. The situation is becoming no less complicated by developments in satellites and space vehicles as well as defense weapons systems and civil defense communications."

Serving with Mr. Hough on the committee are: Irvin Stewart, a member of the FCC from 1934 to 1937 and now President of West Virginia University, who was Chairman of the President's Communications Policy Board in 1950 which wrote the so-called "Stewart report." Dr. Stewart [illegible] in [illegible] while [illegible] a [illegible] and [illegible] in political [illegible].

Frank Gregg Kear, a consulting radio engineer with the firm of Kear & Kennedy, who has been engaged in private consulting engineering practice since 1936.

William H. Thompson, retired Assistant Vice President of the American Telephone & Telegraph Co. Long Lines Department, formerly in charge of operational planning studies and defense communications. Mr. Thompson now serves as an adviser to the Defense Department on communications matters and policies.

Maj. Gen. V. Preston Corderman, a member of the U.S. Army Signal Corps from 1926 to 1958, and Deputy Chief Signal Officer from 1955 to 1958. General Corderman, since his retirement from the Army earlier this year, has been a Vice President of Litton Industries, Inc.

The [illegible] a [illegible] study [illegible] with the [illegible] by the [illegible] in [illegible] which [illegible] a [illegible] to [illegible] of the [illegible] federal government.

[illegible]

Extract from PHILADELPHIA TIMES EXPRESS, November 24, 1958

Subsequently, the House Interstate & Foreign Commerce Committee accepted amendments permitting that any study to be made of the spectrum should include non-government as well as government use.

The Senate bill, however, failed to act on the legislation during the final days of Congress. No formal explanation was given for killing the legislation of the House committee, but strong opposition had been voiced by broadcasting circles to the move on the Senate side to expand the study to include non-government use.

Although Senator Potter will not be returning to Washington, some other members of the Interstate Commerce committee are expected to pick up the proposal in the 86th Congress. Rep. William G. Bray (R., Ind.) has been the principal advocate of such a study on the House side, and others both sides strongly supported the plan.

Chief among them is Chairman Oren Harris (D., Ark.) of the House Interstate Commerce Committee, who is confident that Congress had adjourned believed that the time has ripened. Potter called attention of the spectrum space will become necessary.

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November 20, 1958

MEMORANDUM FOR MR. PATTERSON

SUBJECT: Special Advisory Committee on Telecommunication

As you requested, our estimate of the expenses of the Special Advisory Committee on Telecommunication, figured with a sufficient margin of safety, is $7000.00. Any incidental expenses will be small, probably not to exceed a few hundred dollars, and will be absorbed by this Area in the form of staff services.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachment

cc: Telecom. Records
Mr. Price

SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION
DETAILED ESTIMATE OF EXPENSES

	Compensation	Travel
Victor E. Cooley	$400.00	$ 300.00
Frank G. Kear	400.00	- - - -
William G. Thompson	400.00	200.00
W. Preston Corderman	400.00	1,260.00
Irvin Stewart	400.00	2,500.00
	$2,000.00	$4,260.00

GRAND TOTAL- - - - - - - - - - - - - $6,260.00

NOTE: Compensation figured for eight (8) days @ $50.00 per day.

Travel figures based on total of three (3) meetings of three (3) days duration each.

November 20, 1958

MEMO NO. 1

TO PRESIDENT'S SPECIAL ADVISORY COMMITTEE ON TELECOMMUNICATION:

Mr. Victor E. Cooley
Maj. Gen. W. Preston Corderman, USA (Ret.)
Dr. Frank G. Kear
Dr. Irvin Stewart
Mr. William G. Thompson

Pursuant to your request at your second meeting November 19, 1958, the following material is dispatched to each member:

a. Communications Act of 1934, as amended, with Presidential authority earmarked (Sections 305 and 606);

b. EIA Resolution of September 18, 1958;

c. Press reaction to the Potter Resolution. Items from:

Broadcasting-Telecasting -- August 12, 1957

Telecommunications Reports -- July 28, 1958, August 4, 1958, August 11, 1958, and September 22, 1958

Television Digest -- July 12, 1958, July 19, 1958, July 26, 1958, August 2, 1958, August 9, 1958, and August 30, 1958.

The press on the release issued on November 18, 1958, will be transmitted to you as soon as practicable.

F. C. Alexander
Deputy Assistant Director
for Telecommunications

Attachments

FCAlexander/hrt/
cc: Telecom. Records

TEXT OF RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS OF THE ELECTRONIC INDUSTRIES ASSOCIATION ON SEPTEMBER 18, 1958, IN SAN FRANCISCO

1. That the Spectrum Study Committee be authorized by the Board of Directors to reaffirm its position in favor of the establishment by the Government of a commission to conduct a long-range study of the radio spectrum and its administration in accordance with action taken by the Board at its September and November meetings in 1957;

2. That the Committee be authorized to offer the cooperation of EIA and its members in support of whatever study group is established either by the President or Congress; this would include making available competent technical personnel from industry companies to serve on task forces which the study group would be expected to call upon;

3. That the Board of Directors strongly recommends that whatever study commission is established be composed of the most competent and objective persons available and that the Committee, if requested to do so, recommend to appropriate authorities a number of persons who in the judgment of the Committee would conduct the study in the best interests of the public, the Government, and the industry.

Extract from BROADCASTING TELECASTING -- Vol. 53, No. 7 August 12, 1957

MILITARY TIPS HAND ON CHS. 2-6

ODM's Gray cites "critical" needs in reply to Magnuson inquiry

Sen. Potter, Rep. Bray rebut arguments against probe measures

DEFINITE evidence that the military is casting covetous eyes toward tv chs. 2 through 6 and plans to put in a bid for them -- if it has not done so already-- was contained in a letter from Office of Defense Mobilization Director Gordon Gray to Sen. Warren Magnuson (D-Wash.), released last week.

This interpretation was made by Sen. Charles Potter (R-Mich.) and Rep. William Bray (R-Ind.), both of whom accused ODM of placing itself above Congress and the public. Messrs. Potter and Bray are authors of identical bills calling for a three-man commission, independent of all government connections, to be established to investigate present utilization of the spectrum (B-T, June 24).

The two lawmakers took special note of one passage of the letter, which stated: "The Department of Defense has indicated that (so) much technological progress has been made, which finds wide application in defense planning that the military services find it difficult to meet requirements with the limited spectrum space available, and that this situation will become more critical as new technology now under development reaches the operational stage."

This immediately raises the question as to whether or not the "new technology" (such as supersonic aircraft, radar networks, guided missiles, earth satellites, etc.) has not, in fact, already been developed to the point where such space presently is being sought by the military.

The ODM statement, Sen. Potter pointed out, is positive proof of the military's plans to seek more room in the spectrum. Rep. Bray's pointed comment: "While military vehemently denies it has such plans (to secure chs. 2-6), all its actions point the other way."

It is the lower portion of the vhf band (2-6) which recurring reports have insisted is most attractive to the military.

Mr. Gray's letter was in answer to a June request by Sen. Magnuson for ODM's comments on Sen. Potter's bill. Mr. Gray listed several reasons why such a study as called for by the bills should not be conducted. Queried on the validity of these objections, Sen. Potter said: "Each one is as phony as a $3 bill." ODM objections were, in essence:

The objectives of such a study are "being adequately met under present law."

It "would necessarily duplicate the continuing studies of the Executive Branch on the government use of radio frequencies."

The study would be too big and too complicated.

It would require the use of an "extensive radio monitoring system" which the U.S. does not possess.

Such a study would duplicate one already completed with the assistance of the FCC. (Mr. Gray evidently was referring to a study completed in April 1956 which concluded that the military could not release any of its presently allocated space for commercial use and that, in fact, more space may be needed in the future (B-T, April 16, 1956). This study was undertaken at the request of George C. McConnaughey, then chairman of the FCC, and was completed by Mr. McConnaughey, Maj. Gen. Jerry V. Matejka, USA (ret.), George T. Moore of the Commerce Dept. and George T. Larkin of the Defense Dept.)

Present spectrum use by the government is necessary "to insure the conduct of essential government programs."

Passage of the bill would be "unfortunate and unnecessary."

"If the intent is to find out whether the federal government could release frequencies which might be useful for vhf television, the recently completed study referred to above led to the conclusion, which the FCC accepted, that national security requirements and the needs of far-flung air navigation and air communications of the U.S. ... preclude the release of spectrum space now used by the federal government."

In answer to ODM, Sen. Potter reiterated his conviction that the government is "wasting" much of its presently allocated space, and, at the same time wants more. "We still do not know how the government is using its space," he said.

Sen. Potter has a powerful ally in Sen. John O. Pastore (D-R.I.), chairman of the Communications Subcommittee of the Senate Commerce Committee, who favors the measure. Sen. Potter is a member of this committee while Rep. Bray is a member of the House Armed Services Committee, which he points out, has given him "some familiarity with the military use of radio frequencies.

Many industry and congressional observers believe that the users of ch. 2 are in the most immediate danger of military "encroachment" upon their space. This channel lends itself most favorably to forward scatter propagation and the military reportedly already is conducting experiments within this band outside the continental U.S.

However, despite repeated denials by the military of any plan to seek additional spectrum space, chs. 3, 4, 5 and 6 appear to be in definite jeopardy, also. As Sen. Potter and Rep. Bray point out, the ODM tipped its hand in the letter to Sen. Magnuson in light of the advanced stage of new "technical developments."

The question of possible military demands for increased spectrum allocations -- as well as possible commercial use of some of the space the government now occupies -- has long been a pressing one for broadcasters. Late last March, it was reliably reported that the military had plans for chs. 2-6 (B-T, April 1). Despite many indications that this was true, it was strongly denied by all parties concerned.

And, in April at the NARTB convention, Mr. McConnaughey answered with a blunt "No" when asked if the military was seeking additional space (B-T, April 15). He amplified this to add that officially nothing on this subject jad come to his attention. However, on several occasions during the previous months while testifying before Congressional committees, Mr. McConnaughey and other commissioners took note of "demands" on the spectrum space from the military and other non-broadcast users.

The Communications Act set up a split jurisdiction in the allocation of frequency space. The FCC handles assignments for non-government users. The President (who is advised on the matter by ODM) has full authority to assign spectrum space to the government for any service considered necessary for national security. There is no requirement for government services to justify their demands, nor are they required to show how their assigned space is utilized.

TELECOMMUNICATIONS REPORTS

Excerpt from Volume Twenty-four, No. 40 -- July 28, 1958

SENATE ADOPTS RESOLUTION FOR FIVE-MEMBER COMMISSION TO INVESTIGATE GOVERNMENT USE OF RADIO SPECTRUM; AGENCIES VOICE OPPOSITION TO PLAN

The Senate Monday, July 21, passed a joint resolution which would establish a five-member commission to investigate the use of the radio spectrum by the federal government, and early action by the House Interstate & Foreign Commerce Committee was anticipated.

The resolution, which would direct the commission to study the subject with a view to determining whether any of the present government frequencies could be relinquished to the FCC for allocation for non-government purposes "without jeopardizing the public interest," was opposed by most of the eight government agencies which filed comments with the Senate Interstate & Foreign Commerce Committee.

As adopted, the joint resolution was amended in several particulars from the form in which it had been offered by Senator Charles E. Potter (R., Mich.). Included among the changes was the increase in the membership of the group to five, instead of the three originally proposed. A companion resolution sponsored by Rep. William G. Bray (R., Ind.) is pending in the House.

The study group would be called on to submit reports to the President and Congress within six months after date of enactment of the joint resolution. The reports would be identical, except that security classified material would be deleted from the report to Congress.

The Senate committee, in its report, pointed out that "we understand that the FCC and the Office of Defense & Civilian Mobilization have maintained a continuous liaison concerning spectrum allocation matters. Your committee notes that the two agencies have recently instituted a joint long-range study of future US usage of the radio spectrum, designed to help secure a more effective and efficient use of spectrum space. While we are hopeful that this joint agency study will prove fruitful and achieve tangible results, it appears from testimony which has been received (by the Committee) that there are areas in which Congressional action may be helpful in order to evaluate the present use of the spectrum for its most efficient utilization. In any event, such joint agency study should not be deterred by this legislation."

[illegible], excerpt from Telecommunication Reports Volume [illegible], No. [illegible] [illegible]

Congressional hearings concerning were the Comptroller General, the Bureau Office of Science Intelligence, FCC, and the Departments of State, Defense, Commerce, Treasury, and Economic Security. Very other opinion the study we argued that it be extended to other civilian uses of the spectrum.

The Air Force, speaking for the Defense Department, said the projected study would duplicate a similar survey of the 2.5-2.7 megahertz portion of the spectrum. It said that there thus is evidence that the most efficient use is not being made of the 2.5-2.7 megahertz and 1.7 megahertz bands. The report said it would be a waste of Defense funds if some government agency between 2.5 and 2.7 megahertz for Defense use, it would not appear a duty of the Department Defense funds for its users, but government and non-government, of the Department Defense conditions of the 2.5-2.7 mc portion.

Extract from TELECOMMUNICATIONS REPORTS, Volume Twenty-Two, No. 42, August 11, 1958

HOUSE FAILS TO ACT ON PROPOSAL TO STUDY USES OF RADIO SPECTRUM; LITTLE LIKELIHOOD SUCH RESOLUTION WILL BE PUSHED NOW BEFORE CONGRESS ADJOURNS

The House failed to act, as scheduled, Monday, Aug. 4, on a resolution providing for a study of government and non-government uses of the radio spectrum, and indications are that the proposed investigation is "dead," at least for this session of Congress.

The House Interstate & Foreign Commerce Committee late Friday, Aug. 1, in reporting out its version of a resolution passed earlier by the Senate, inserted amendments designed to broaden the study to include all uses of the spectrum, and to have the proposed commission of the committee report to the President thus giving consideration to the Congress. Many feel should be made in the existing administration and procedures for distributing the federal government's responsibilities in the field of frequency allocations.

The resolution was scheduled for House action on Monday, Aug. 4, immediately after a recognition of the talent, but it was "put over" for consideration until the last minute. With Congress adjourning in approximately fourteen days, with the backlog of bills and resolutions now impossible, even if the House were to pass the resolution, a conference would have to be called to iron out differences between the House and Senate versions, and then it would have to be accepted again.

No formal explanation was given for taking the resolution off the House calendar, but strong opposition had been voiced by broadcasting citizens of the country who felt be unfair to have government as well as commercial uses. The original Senate resolution adopted by the Senate provided only for a study of the government's frequency requirements.

In his letter to House Speaker Sam Rayburn requesting a hearing on the resolution, President Eisenhower had commended the general purpose of the resolution, but cautioned against "hasty action" on the proposal, which would complicate the work of the Commission and have complicated by permitting discussion of the utilization and future requirements of the military and other agencies of the Government. Mr. Eisenhower's views were subsequently spelled out in the letter of Maj. Gen. A. J. Goodpaster, Staff Secretary of the Office of Defense & Civilian Mobilization, in which were incorporated the suggested amendments adopted by the House group.

TELECOMMUNICATIONS REPORTS, August [illegible]

In a report on the [illegible] made public last week, the [illegible] committee put a great deal of emphasis on the proposal that [illegible] should be given to changing administrative [illegible] and procedures for handling frequency allocations--in other words, establishing a single agency to take over the responsibilities of the Federal Communications Commission and the Interdepartment Radio Advisory Committee.

"This division of responsibility with respect to the allocation of the spectrum [illegible] in the divided responsibility which prevails [illegible] with regard to [illegible] which is rapidly changing and [illegible]," the Report said. "In this situation, Congress has only [illegible] to pass legislation [illegible] and there is strong expectation that this legislation will [illegible]. It may well be that, upon receipt of the Commission's report, the committee may desire to undertake a study of the need for new legislation providing for unified control of the radio spectrum.

"In this situation, each government agency must have the [illegible] of [illegible] required for the full discharge of its responsibilities. On the other hand, demands by nongovernment users are increasing [illegible]. The need for [illegible] which would be developed by the Commission for [illegible] and [illegible]. Careful planning and [illegible] administration are essential if we are to make the most effective use of this most valuable resource--the radio frequency spectrum--and advance the interests of the United States."

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Extract from TELECOMMUNICATIONS REPORTS, Volume Twenty-Two,
No. 48, September 22, 1958

UNITED CONTROL OF SPECTRUM SPACE FOR MILITARY AND CIVILIAN PURPOSES REVIEWED BRIEFLY, HOUSE COMMITTEE CHAIRMAN HEARS STATES IN ATLANTA

The time has arrived "when called control of the spectrum space will become necessary in order to make possible the best use of available spectrum space for civilian and military purposes," Chairman Oren Harris (D., Ark.) of the House Interstate & Foreign Commerce Committee declared Monday, Sept. 15, in an address before the annual convention of the Atlanta Telephone Association.

Indicating that he "regards" the action of the broadcasting industry in opposing the plan in the late stages of the last Congress which would have provided for a Commission to study the spectrum-allocation problem in anticipation of the coming jet-age, Harris commented that the only way until be that a flexible program will have to be devised to deal with the spectrum problem as it runs with satellites." He had indicated one previously that the 86th Congress would still provide for unified control of civilian, military and federal.

Rep. Harris said "I will say that I have made a definite and broad effort in the next Congress, because this problem is coming and must be resolved again."

He declared that "it is my view that the establishment of unified control over spectrum allocation and assignment is more desirable than the existing dual control, because it would provide for a more flexible, more economical and more efficient use of the spectrum. The multiplying of an increased number of frequencies in recent years has made the task of the FCC in coordinating these frequencies increasingly difficult and complicated. In fact, some of the problems that have been brought on by FCC, particularly interference, might be reduced, if not eliminated."

On other controversial subjects, Rep. Harris said he felt that "there may still be hope" for adoption of the Oxham communications satellite bill, but he has stated "with many misgivings" that efforts are being made by the Commerce Department to repeal the antitrust exemptions provided in the Federal Highway legislation.

Extract from TELEVISION DIGEST - Vol. 14:No. 28: Page 6 - July 12, 1958

MILITARY SPECTRUM HOG? Sen Potter (R-Mich.) has profound suspicions that Defense Dept. is sitting on frequencies it might well turn over to TV (see p. 1), and he was happy that Senate Commerce Committee reported out his "let's find out" resolution. After Committee acted this week, he said:

"This is the only means of really knowing whether this vital national resource, the radio-TV spectrum, is being used efficiently. It will break the cloud of secrecy the military have placed over their use of this precious property." Senate still has to approve the measure, and House has yet to consider its companion (H. J. Res. 381), offered last year by Rep. Bray (R-Ind.).

Resolution would establish a "Commission on the Allocation of Radio & Frequencies" - 2 members appointed by President, one by Vice President, one by Speaker of the House, one by FCC Chairman. Its job would be to study whether Govt. is using spectrum efficiently, whether any govt.-used spectrum can be turned over to civilian use and "what are the likely future requirements of the various agencies and instrumentalities of the Federal Govt. for radio & TV frequencies.

Members would be non-Govt. allocations experts, would have access to all govt. information, secret or otherwise, and would have to report in 6 months.

Industry had endorsed Potter's resolution warmly, but Office of defense Mobilization (ODCM) saw no need for it, said that if any studying were done it should include evaluation of civilian-use efficiency (Vol. 13:33). And military allocations specialists still assert they need everything they have. FCC Comr. Craven isn't excited about the resolution, says that the liaison with ODCM should be able to do the job.

Extract from TELEVISION DIGEST -- Vol. 14: No. 29: Page 4 -- July 19, 1958

WHITHER TV ALLOCATIONS? The well-stirred TV allocations cauldron hasn't congealed anything new. Defense Dept. has knocked out idea of giving TV chunk of spectrum just above Ch. 13 (Vol. 14:28). However, it's willing to engage in top-level long-range discussions with FCC. It's impossible to guess what latter may lead to, eventually--whether something major, minor, or nothing.

Sen. Potter's resolution to create 5-man commission to study govt. spectrum use (Vol. 14:28) is given no better than fair chance of passage this session. However, Potter tells us he's willing to amend concept to include study of civilian uses--"though that's not the crying need." This ought to sweeten up the idea in several important quarters. For one, Office of Defense & Civilian Mobilization should be more willing to go along. Last year, it saw no need for study but urged that evaluation include civilian uses if Congress decides to go ahead anyway (Vol. 13:33). ODCM chief Leo Hoegh is the man to make the decision now, having succeeded ODM chief Gordon Gray, and Hoegh is still learning ropes.

Electronics Industries Assn. has long sought complete spectrum analysis and it, too, would be more willing to go along with Potter resolution. Potter says he'd like to see industry well represented on proposed commission -- which would please EIA, of course. Some industry experts feel Potter may have antagonized military unnecessarily by charging that it's sitting on unused spectrum. They'd hate to see study develop into "witch hunt" against the military. They really want an honest-to-goodness scientific evaluation.

FCC is expected to have no objection to the study. It is already re-examining virtually entire civilian spectrum via 2 broad inquiries -- 25-890 mc and 890-&-up -- and its findings would be readily available to new commission.

Near East situation throws a big imponderable into the pot. Naturally, if it gets hotter, any idea of military spectrum shift is bound to diminish.

Excerpt from Television Digest, Vol. 14 No. 30 July 26, 1958

EXECUTIVE-APPROVED SPECTRUM STUDY: ABC PLAN HIT; Senator Potter's spectrum-analysis resolution (S.J. Res. 106), which would create 5-man commission to determine whether Govt. is wasting frequencies that could be used for TV (Vol. 14:29), was passed by Senate so quickly July 21 that Potter didn't even get to amend it. It's understood he planned to get it changed to include evaluation of civilian uses.

Measure hasn't been considered yet by House Commerce Committee, though Rep. Bray (R-Ind.) has been trying to get Chairman Harris (D-Ark.) to move it. Resolution isn't very palatable to military, which is using great [illegible] of spectrum, but it would be considerably less onerous to Defense Dept. if civilian freqs. were included.

Military has [illegible] about it. Dudley C. Sharp, Asst. Secy. of the Air Force, who was Defense Dept. spokesman, last year told Senate Commerce Committee that study of [illegible] mc [illegible] channels could be [illegible]. [illegible] study of [illegible] [illegible] the [illegible].

[illegible] FM broadcasting and TV [illegible] the Dept. of Defense would [illegible] study of frequency [illegible] the Dept. of Defense would [illegible] a study of the frequency [illegible] all users, both Govt. and non-Govt., of the frequency spectrum [illegible] [illegible].

Reports of the Senate [illegible], released this week, [illegible] Defense Dept. [illegible]. They [illegible] [illegible] whether they'll [illegible].

[illegible] Radio Advisory Committee [illegible] has liaison with IRAC. (For membership see p. 5)

Reprint from Television Digest, Vol. 14, No. 32, August 5, 1968

SHORT LEVEL SPECTRUM STUDY NOW PROBABLE. First real discussion of military questions was in terms of public interest, convenience or necessity. Senate has passed Pastore Resolution (S.J. Res. 187) to establish a commission for job — but limited to evaluation of military over-only (Vol. 14:31). Johnson Administration, apparently confused as to Congress is both long on subject, has told Senate that NTIA should be extended to include study of civilian frequency uses, too.

It's impossible to predict whether nature of study, if authorized, will be acceptable to TV or radio NAB officials, or whether Senate Commerce committee will allow spectrum, as whole — by trying to Congress and industry is that, if long but, someone will have the complete score and be able to make intelligent judgments.

Administration said nothing beyond the work when Deputy Director Robert and Lee A. Hoch, director of Office of Defense & Civilian Mobilization, spoke to Senate Appropriations Committee of NTIA to include study of civilian use. Sen. Pastore (D-RI) and Sen. Barry (R-Ariz.) in comments of Senate say that they have no objection to such broadening of NTIA work in comparison that House approval. (For text of Hoch statement prepared by Administration, see p. 3).

Fate Cont. in other matter officially is bottlenecked by Sen. Magnuson's disagreement with Administration policy in Federal Cable Act. Senate bill will be used shortly with CCDM but contained from consideration. The 5-member commission of Joint Committee by Senator Pastore, Commerce committee chairman, first draft has will report shortly after Sept. 3, of Senate R. Pastore Commerce.

Short Cont. Cont. of Office of Telecommunications Policy is Senate Cable Act, Senate bill will be used shortly with CCDM but contained from consideration. The 5-member commission of Joint Committee by Senator Pastore, Commerce committee chairman, first draft has will report shortly after Sept. 3, of Senate R. Pastore Commerce.

Short Cont. Cont. of Office of Telecommunications Policy is Senate Cable Act, Senate bill will be used shortly with CCDM but contained from consideration. The 5-member commission of Joint Committee by Senator Pastore, Commerce committee chairman, first draft has will report shortly after Sept. 3, of Senate R. Pastore Commerce.

Extract from TELEVISION DIGEST, Vol. 16 No. 32, August 8, 1960

SUDDEN DEATH FOR RADIO SPECTRUM STUDY: Pastore resolution to study the whole radio spectrum is dead for this session of Congress, apparently — killed by a group of influential educators who mobilized with remarkable speed, driven by fear that upshot of whole business might be loss of broadcast vhf channels to the military.

Though most informed still believe thorough analysis of entire spectrum by an impartial agency would be fine, it was suddenly decided last week and that the amendments to Pastore bill (S.J. Res. [illegible]), as proposed by Administration and agreed to by Senate Commerce Committee (Vol. 16:31), had thrown dynamite into the picture. Amendments would authorize proposed 3-man commission to study military part of spectrum, in addition to civilian, and to consider proposed allocations machinery. Reportedly, Senate passed bill without the [illegible] amendments.

A great [illegible] descended on the bill. Military, through Office of Defense and Civilian Mobilization, had [illegible] original Pastore version. [illegible] FCC Chairman [illegible] went to White House last week, talked to Presidential Asst. [illegible] to get along with amendments.

[illegible] in argument of [illegible] Committee's [illegible] opposition, but they're [illegible] to work for bill in Congress.

• • • •

Broadcasting [illegible] Assn. had labored for years to get military to agree to a study, was pleased with bill — original or amended. [illegible] line of broadcast channel loss. In fact, [illegible] spectrum not being [illegible] that unless scientific study of spectrum [illegible], military could [illegible] on broadcast spectrum during emergency — and get it through [illegible] plenty of [illegible].

No "quick study" is made, for [illegible] both military and civilian users will be [illegible] of spectrum — and danger of [illegible] will be [illegible]. The [illegible] scientific [illegible] job of [illegible].

[illegible] to go for study; that management was loathe to go along for fear of doing public the impression that TV channels might be sold, thus impacting current TV set sales.

Sponsors of bills are thoroughly disheartened. Sen. Potter (R-Mich.) and Rep. Roy (D-Ark.) thought they were doing industry a favor, didn't think the commissioners crippled their concept -- though both assert that there isn't any need for study of clubbing uses and that FCC has it well in hand.

Tobacconists were worried but are likely consolidation be checked against them -- even though 4 of the 5 members would be appointed by a GOP Administration (2 by President, one each by Vice President, Majority Speaker Rayburn). Dark fear was that military could control Administration appointments. The Democratic Congressional leadership was impressed by the Administration's strong stand against clubbing, and felt sound behind the bill could pass. It was due to go through House almost unanimously last, & today (anticipation of the Senate passage) could have developed. If it had passed House, it would have had to go to Senate Commerce Committee but would certainly have passed Senate. Tobacco lobby had hired outside Potter bill. It was none of their concern, it seemed.

Bill is probably dead, but conceivably it could come alive by a leader in Congress like Mack Mill. If history is any guide, it's unlikely. Roy's original bill was probably all right, but the commissioners changed the clubbing provisions. I think the commissioners have been chastised by the military. There has been talk from some that they could have had TV channels anyhow if they wanted them.

Point Roy's bill is holding up is the clubbing of TV channels from the government uses. Problem is that the commissioners have to deal with Congress because they need the money. Congress insists that the military pay for the channels they use, which has a very big effect on Congress's budget. Point Roy's commissioners might be a little long-range about it.

Another theory is unlikely. The military is broke. They've never asked for the channels they have. They've been very generous with the military but everything has been said military has spoken.

Excerpt from TELEGRAPHIC DIGEST, Vol. 14: No. 34, August 30, 1954

[illegible] Philippine constitutionalists who [illegible] for convoy and [illegible] is sought by U.S. [illegible] to send reinforcements to [illegible] of U.S. in San Francisco Bay. It's an effort to effect an [illegible] of Philippines, which historians feared might result in military junta once hoarded the channels. U.S. convoy [illegible] made spectacular [illegible] by masses [illegible] by both military and civilian [illegible].

November 12, 1958

PREMISES

1. That the current world situation is such that a sweeping untried change in our philosophy of telecommunication management should be avoided if possible on the theory that a functioning machine in time of stress and immediate emergency is preferable to one that is to be constructed after or in the face of the emergency.

2. That the present civilian side of telecommunication management has its problems but it has sufficient staff and authority to solve most ordinary problems.

3. That the present Government side of telecommunication management is not sufficiently staffed nor cloaked with authority adequately to discharge what should be its tasks, in a reasonable manner and should be strengthened in both of these areas.

4. That the strengthening on the Government telecommunication management side can best be accomplished by separating it from any agency user of telecommunication and creating a Board, answerable to the White House, and to which is delegated the President's powers under existing laws, and which shall be responsible for the Government management and continued cooperation with the civilian side.

(Handed to Committee members at Nov. 19, 1958, meeting.)

5. That the Board be directed to report within two years of its creation to the President and the Congress on the advisability of further revising the administration of telecommunication management.

Mr P
Room 408
A
C

NOV 18 1958

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Honorable Maurice H. Stans
Director, Bureau of the Budget
Washington 25, D. C.

Dear Mr. Stans:

Enclosed, for your information, is a press release I issued today announcing the establishment of the Special Advisory Committee on Telecommunications.

Sincerely,

Leo A. Hoegh

Leo A. Hoegh

Enclosure
IDENTICAL LETTER SENT TO THOSE ON ATTACHED LIST
cc: Governor Hoegh
Mr. Paul F. Wagner, Deputy Assistant Director
Mr. Fred C. Alexander, Deputy Assistant Director
Mr. Lee Schooler
Central Files: 2
PA:LSchooler:mes;18 Nov. 1958

Honorable John C. Doerfer
Chairman
Federal Communications Commission
Washington 25, D. C.
with copy for:
Commissioner John S. Cross
Commissioner Frederick W. Ford
Commissioner T. A. M. Craven
Commissioner Robert E. Lee
Commissioner Robert T. Bartley
Commissioner Rosel H. Hyde

Honorable Perkins McGuire
Assistant Secretary of Defense
Washington 25, D. C.

Mr. C. Douglas Dillon
Deputy Under Secretary for Economic Affairs
Department of State
Washington 25, D. C.

Mr. Gordon Gray
Special Assistant to the President for National Security Affairs
The White House
Washington, D. C.

Mr. James R. Killian, Jr.
Special Assistant to the President
The White House
Washington, D. C.

Mr. Karl G. Harrison
Deputy Assistant to the President
The White House
Washington, D. C.

Mr. Jack Z. Anderson
Administrative Assistant to the President
The White House
Washington, D. C.

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
WASHINGTON 25, D. C.

FOR IMMEDIATE RELEASE
TUESDAY, NOVEMBER 18, 1958 NO. 655

Leo A. Hoegh, Director of the Office of Civil and Defense Mobilization, on behalf of the President, announced today the establishment of a Special Advisory Committee on Telecommunications.

The Committee, which held its initial meeting today, was created, Mr. Hoegh said, to review the role of the Federal Government in the management of U. S. telecommunications, including the allocation of the radio spectrum. The Committee is under the chairmanship of Victor E. Cooley, former Chairman of the Board of Southwestern Bell Telephone Company and Deputy Director of the Office of Defense Mobilization from 1953 to 1958.

Mr. Hoegh said the Committee's main task is to recommend methods to bring about improvements in the use of telecommunications resources. It will examine the existing governmental policies, use of facilities, and administrative arrangements and procedures for the allocation, management and control of telecommunications including the radio frequency spectrum for government and non-government use.

The Committee will not be concerned with existing regulatory powers or procedures of the Federal Communications Commission nor will it make studies of detailed problems such as radio frequency usage.

Mr. Hoegh said he has asked the Advisory Committee to make its recommendations to him for submission to the President by the end of the calendar year.

(MORE)

In announcing the establishment of the five-man Advisory Committee, Mr. Hoegh said that rapidly changing technology and changing needs in both government and non-government areas are presenting increasingly difficult problems in telecommunications management. The situation, he said, is becoming no less complicated by developments in satellites and space vehicles as well as defense weapons systems and civil defense communications.

In addition to Mr. Cooley, the following are members of the Committee:

Irvin Stewart, former Commissioner of the Federal Communications Commission (1934 to 1937) and past President of West Virginia University. He was Chairman of the President's Communication Policy Board in 1951.

Frank Gregg Kear, a consulting radio engineer with the firm of Kear and Kennedy, engaged in general consulting engineering practice since 1934.

William Glasgow Thompson, retired Assistant Vice President of the American Telephone and Telegraph Company, formerly in charge of operations of overseas radio and cable communications.

W. Preston Corderman, Major General, U. S. A. (Ret.), member of the Signal Corps, U. S. Army from 1926 to 1958 and Deputy Chief Signal Officer from 1955 to 1957. General Corderman is now a Vice President of Litton Industries, Inc.

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NOV 14 1958

Dr. Irvin Stewart
The Cosmos Club
2121 Massachusetts Avenue, N. W.
Washington, D. C.

Dear Dr. Stewart:

Supplementing our telephone conversation, I am enclosing copies of Senate Resolution 106, introduced by Senator Potter, and of our subsequent letters suggesting amendments, for your review.

I am looking forward with great pleasure to meeting you in my office at our forthcoming meeting on November 18, 1958, at 10:00 A. M.

Your willingness to assist us with this important task is deeply appreciated.

Sincerely,

Leo A. Hoegh

Leo A. Hoegh

Enclosures

FCAlexander:hrt:11/14/58:3271
Telecommunications
cc: Records -- 3
Telecom. Room 408 Winder
Mr. Patterson
Mr. Price

FORM ODM-13
(APR. 1951)

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF DEFENSE MOBILIZATION

ROUTING SLIP

TO	ROOM	INITIALS	DATE
1. Mr. Alexander			
2.			
3.			
4.			
5.			

	FOR CONCURRENCE OR COMMENT
	FOR INFORMATION
	FOR APPROPRIATE ACTION
	NOTE AND RETURN
	NOTE AND FORWARD
	PLEASE SEE ME IN REGARD TO THIS
	PREPARE REPLY FOR DIRECTOR'S SIGNATURE
	PREPARE REPLY FOR MY SIGNATURE
	FOR YOUR SIGNATURE
	FOR FILING

REMARKS:

These notes have been prepared primarily for the "record". They have not been reproduced.

FROM Joseph F. Vaughan	DATE 11/24/58
LOCATION	TELEPHONE

FOR OFFICIAL USE ONLY

DRAFT

Organizational Meeting of the Special Advisory Committee on Telecommunications

November 18, 1958

Present:

Governor Leo A. Hoegh
John S. Patterson
Victor Cooley
W. Preston Corderman, Maj. General (Ret.)
Frank G. Kear
Irvin Stewart
Wm. Glasgow Thompson

Also:

Fred C. Alexander
John C. Doerfer, Chairman FCC
Kenneth Downs
Roy Price
Dr. James Killian
Emil Reutzel
Lee Schooler
Joseph F. Vaughan

The Director welcomed the members of the Committee on behalf of the President, summarized the circumstances which have led to the decision to convene this Committee, and indicated its basic mission.

Dr. Killian noted that he had served as a member of the "Stewart Committee" in 1951 and called attention to the technological changes which have occurred since that Committee rendered its report. He emphasized the essentiality of a new study to appraise the problem of telecommunications management with particular reference to the need for making more effective use of the spectrum.

Chairman Doerfer commented on the basis of his personal observations, noting that the problem of spectrum space management has arisen in several allied countries, including Britain, France, and Italy. He urged that the

Committee set its sights sufficiently high to allow for the development of recommendations which would have a long term significance and would provide the means for implementing these recommendations.

It was agreed that the Committee's principal job is to pave the way for the establishment, possibly by Congressional resolution, of a special Commission to study the over-all telecommunications and spectrum problems. Governor Hoegh emphasized that the Committee will be expected to come up with a method for solving the principal problems in this area rather than with the solutions themselves.

The Committee examined in detail a draft press release concerning the mission of the Committee and recommended a number of changes which were incorporated in a statement actually released later in the day. (See OCDM press release no. 655).

A photograph was taken of the Committee along with the Director, Chairman Doerfer, and Mr. Alexander.

It was agreed that no member of the Committee other than the Chairman would discuss the Committee's assignment with the Press. Governor Hoegh agreed that all inquiries he receives will be re-directed to Mr. Cooley.

After lunching at the White House mess, giving final clearance to the press release, and signing necessary appointment papers, the Committee went into Executive Session. Mr. Alexander, however, remained to serve as the principal staff aide to the Committee Chairman.

Joseph F. Vaughan
Executive Secretary

E. Alexander

November 4, 1958

Dr. Frederick E. Terman
Dean of Engineering
Stanford University
659 Salvatierra Street
Stanford, California

Dear Doctor Terman:

On behalf of President Eisenhower, I write to invite you to serve as chairman of a temporary Special Advisory Committee on Telecommunication to the President and me. This committee is created to review the role of the Federal Government in the management of telecommunication and, based on such review, to make recommendations to me which I may submit to the President, on actions essential to improve the allocation, management, and control of radio and television frequencies for government and non-government use. It is thought the Administration should be in a position to recommend to the Congress that a Commission be appointed to advance specific recommendations in this vital field. Other persons invited today to be members of the committee are as listed on the attachment to this letter.

Our economy and national defense today are highly dependent upon the smooth functioning of our national telecommunication services. The rapidly changing technology and changing needs in government and non-government areas are presenting increasingly difficult problems in telecommunication management. The situation is becoming no less complicated by developments in satellites and space vehicles as well as defense weapons systems.

It would be genuinely appreciated if you will accept this invitation and attend the initial meeting of the committee on November 18 and 19, 1958, at 10:00 A.M. on November 18, in my office, Room 100, Executive Office Building, 17th and Pennsylvania Avenue, N. W., Washington, D. C. It is my opinion this assignment will not be too arduous or require you to be away from your normal responsibilities an undue amount of time.

Dr. Frederick E. Terman

Because early action in the field is needed, it is my hope the committee will be able to complete its assignment and have its recommendations in my hands prior to January 1, 1959.

In the execution of your mission, you will receive the full cooperation and assistance of the Office of Civil and Defense Mobilization and other agencies of the Federal Government concerned.

You will be compensated for services rendered as a member of this committee as indicated on the attached transmittal sheet.

Your willingness to give us the benefit of your knowledge and experience by accepting this important assignment will be of great assistance in our effort to solve the many important problems in our communication service which is so vital to our Nation.

Sincerely yours,

Signed

Leo A. Hoegh

Attachments (2)

(Identical letters sent to those on the attached list, except page 1, para. 1, line 2, read "member" rather than "chairman")

DD/JSPatterson:mf
10/24/58; Rm. 114; X-3464

Director's Files-2
Dep. Director-1
Mr. Price-1
Mr. Alexander-1
JACK ANDERSON - 1
Files - 2

Members of Special Advisory Committee on Telecommunication

Dr. Frederick E. Terman, Chairman
Dean of Engineering
Stanford University
659 Salvatierra Street
Stanford, California

Dr. Ralph Bown, Consultant
N. W. Ayer & Son, Inc.
85 Pine Street
Maplewood, New Jersey

So orange

Mr. Victor E. Cooley
President, Southwestern Bell (Ret.)
c/o Richard Cooley
American Trust Company
464 California Street
San Francisco, California

** ~~Brig.~~ MAJOR Gen. W. Preston Corderman
(USA Ret.)
1030 - 26th Road, South
Arlington, Virginia

Dr. Frank G. Kear
Consulting Radio Engineer
Kear & Kennedy
13 West Leland Street
Chevy Chase, Maryland

* Dr. Irvin Stewart
Past President, West Virginia University
1549 University Avenue
Morgantown, West Virginia

Mr. William G. Thompson
Assistant Vice President, AT&T (Ret.)
Chatsworth Gardens
Larchmont, New York

* * * * * * * * * * * * * * * * * *

Compensation for Members of Above Special Advisory Committee

Pursuant to existing statutory authority, the Office of Civil and Defense Mobilization will compensate you at the rate of $50.00 a day while you are engaged in the official business of the committee. Also, you will be paid a subsistence allowance of $15.00 a day while away from your home and your regular place of business, and the OCDM will defray the cost of your transportation in connection with your work on this committee. Information concerning the procedure to be followed in obtaining reimbursement for travel expenses is enclosed.

*Letter mailed to: Dr. Irvin Stewart, Past President, West Virginia University, The Rosalei Apartments, Apartment 1105, 445 Kaiolu Street, Waikiki, Hawaii.

**Orig. of letter mailed to: ~~Brig.~~ Major Gen. W. Preston Corderman, U. S. Army (Ret.), Litton Industries, Inc., 336 North Foothill Road, Beverly Hills, Calif. Copy delivered to ~~Sheraton-Carlton Hotel here with note from Mr. Patterson.~~ Corderman in Mr. Patterson's office on 11/6/58

VICE PRES

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

Washington 25, D. C.

INFORMATION FOR ADVISERS AND CONSULTANTS SERVING UNDER THE DEFENSE PRODUCTION ACT

Concerning

Subsistence Allowances and Reimbursement for Travel Expenses

Persons acting in a temporary or part-time advisory capacity to the Office of Civil and Defense Mobilization may be reimbursed for necessary travel expenses and allowed $15.00 per day in lieu of subsistence while away from their homes or regular places of business.

Authority is granted for the performance of travel by rail, commercial aircraft, or privately-owned automobile. If travel is performed by privately-owned automobile, 10 cents per mile will be allowed via the most direct route not to exceed the cost of travel by common carrier. In addition to the mileage allowance, reimbursement will be made for the actual cost of ferry fares and bridge, road, and tunnel tolls.

For travel performed by commercial carrier, first-class travel accommodations will be allowed for trips in excess of two hours. Reimbursement for superior accommodations will be allowed only upon certification by the traveler that lower first-class accommodations were not available at the time reservation was made. (In the case of railroad travel, superior accommodations are considered to include anything more expensive than a lower berth or chair.) Additional expenses incurred in using extra-fare trains and planes will be reimbursed only upon receipt of justification that the more expensive accommodations were urgently needed to save time. Through tickets and round trip rates should be secured whenever practicable and economical.

If reimbursement is desired, please provide the information called for on Form OCDM 43, "Request for Reimbursement--Travel Expenses and Per Diem," together with Pullman ticket stubs or memorandum copies of transportation requests (if used). A travel expense voucher will then be prepared and sent to you for signature. After signing the travel voucher, please forward it to the Budget and Fiscal Office, Administration, Operational Headquarters, Battle Creek, Michigan, for further processing.

Please address any questions about your travel voucher to the Budget and Fiscal Office. Government Transportation Requests and/or a copy of the Government Travel Regulations will be sent to you upon request.

OCDM FORM 43
OCT. 1958

REQUEST FOR REIMBURSEMENT - TRAVEL EXPENSES AND PER DIEM

TO: OFFICE OF CIVIL AND DEFENSE MOBILIZATION, BATTLE CREEK, MICHIGAN
FISCAL OFFICE (TRAVEL SECTION)

MAIL CHECK TO:

NAME _____ DATE _____

ADDRESS _____

TRAVEL SCHEDULE

(Attach ticket stubs, including pullman stubs)

DATE	DEPARTED FROM		ARRIVED AT		METHOD OF TRAVEL *(Attach memo copy of T/R if used)*
	PLACE	HOUR	PLACE	HOUR	

IMPORTANT → ATTACH PULLMAN STUBS ← *IMPORTANT*

LOCAL TRANSPORTATION EXPENSES *(Taxi, Bus, etc.)*

DATE	CITY	FROM	TO	AMOUNT

OTHER EXPENSES

(Telephone, telegram, etc. Attach receipt for each item over $1.00)

DATE	CITY	ITEM	AMOUNT

USCOMM--DC--