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GOVERNMENT
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EXPENDITURE OF PUBLIC FUNDS FOR BROADCAST ADVERTISING

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON
COMMUNICATIONS AND POWER

OF THE

COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE
HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

FIRST SESSION

ON

H. Con. Res. 215

EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO
PAID ADVERTISEMENTS BROADCAST FOR THE FEDERAL
OR STATE OR LOCAL GOVERNMENTS OR DEPARTMENTS OR
AGENCIES

APRIL 21, 22, 1971

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INFORMATION



EXPENDITURE OF PUBLIC FUNDS FOR
BROADCAST ADVERTISING

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EXPENDITURE OF PUBLIC FUNDS FOR BROADCAST ADVERTISING

WEDNESDAY, APRIL 21, 1971

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMUNICATIONS AND POWER,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 2123, Rayburn House Office Building, Hon. Torbert H. Macdonald (chairman) presiding.

Mr. MACDONALD. The hearing will come to order.

This morning the Subcommittee on Communications and Power begins the hearing on House Concurrent Resolution 215 introduced by our colleague on the subcommittee, the gentleman from California, Mr. Van Deerlin. The resolution would, if adopted, express the sense of Congress at the various levels, Congress should not spend public funds to purchase broadcast time for the carriage of their advertising.

Implicit in this resolution is the concept that the announcements of the various levels of Government, Federal, State, and local, should be carried by radio and television broadcast stations without charge in observance of the obligation they assume in receiving their license to serve the public interest, convenience, and necessity.

As I understand, this is the basis on which such announcements have generally been carried in the past. This issue was brought into focus by the Army recruiting command's commitment to spend \$10.6 million for 4 months' radio and television recruiting campaigns. It will be the purpose at these hearings to explore all of the facets of this issue.

(The text of H. Con. Res. 215 and departmental report thereon follow:)

[H. Con. Res. 215, 92d Cong., 1st sess., introduced by Mr. Van Deerlin on
March 18, 1971]

CONCURRENT RESOLUTION

Whereas radio and television broadcasters are licensed to serve the public interest, convenience, and necessity; and

Whereas the Advertising Council and numerous radio and television broadcasters have, voluntarily and without charge, cooperated in presenting public service announcements for the Federal and State and local governments, and departments and agencies thereof; and

Whereas the United States Army Recruiting Command has committed itself to the expenditure of \$10,600,000 for a four-month radio and television recruiting campaign; and

Whereas freedom of expression and vigorous and unfettered media for the dissemination of news, views, and information are essential parts of this Nation's legal and social traditions and are absolutely necessary to the existence of any free democratic society; and

Whereas the receipt of significant sums of money by radio and television broadcasters from a department of the Federal Government raises the specter of Government influence over this sensitive media: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring)*, That it is the sense of the Congress that the
- 3 Federal Government, State and local governments, and de-
- 4 partments and agencies thereof should not expend public
- 5 funds to purchase time for the carriage of advertisements by
- 6 radio or television broadcast stations.

DEPARTMENT OF DEFENSE, STATE
OFFICE OF THE GENERAL COUNSEL,
Washington, D.C., April 20, 1971.

HON. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of Defense with respect to H. Con. Res. 215, 92d Congress, "Expressing the sense of Congress with respect to paid advertisements broadcast for the Federal or State or local governments or departments or agencies."

The proposal would resolve it to be the sense of the Congress that the Federal Government, State and local governments and departments and agencies thereof should not expend public funds to purchase time for the carriage of advertisements by radio or television broadcast stations.

Title 10, United States Code, Section 503, states that "The Secretary concerned shall conduct intensive recruiting campaigns to obtain enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps and Regular Coast Guard." The President has established the goal of reducing draft calls to zero by June 30, 1973 and relying on volunteers after that date. In order to achieve this goal the Department of Defense has proposed a comprehensive program to make service life more attractive in order to increase enlistments and reenlistments. We have also requested Fiscal Year 1972 funds for a more intensive recruiting campaign, including an expanded advertising effort.

The achievement of an all-volunteer force will depend, in large part, on our ability to inform the youth of the nation and their parents of the facts about military service. The judicious use of advertising is a necessary part of a successful recruiting campaign.

The Department of Defense will have a continuing need for the public service time granted by broadcasters for recruitment advertising. We consider paid television and radio advertising as a possible supplement to public service time and not as a replacement thereof. Unfortunately, only about 10 per cent of the public service recruiting messages are broadcast during prime viewing and listening hours. In order to reach a wider audience, it may be necessary to purchase prime broadcast time.

It is the intention of the Department of Defense to use paid broadcast advertising only if it proves to be cost-effective compared to other means of attracting additional volunteers. The Army is currently conducting a three-month test of the effectiveness of prime-time paid television and radio advertising. The military departments were directed to make no further obligations or expenditures for television or radio time unless the results of the Army advertising test are evaluated by the Office of the Secretary of Defense. The evaluation of the Army test includes a measurement of the gain or loss in public service time. The Department of Defense believes that public-spirited broadcasters will recognize the need to continue providing public service time during and after the conduct of the Army's test.

After the Army's paid advertising test is thoroughly evaluated, a decision will be made as to future expenditures for broadcast time. In the event the test results are favorable, the military departments should have the opportunity to use paid television and radio advertising for recruiting to supplement the public service time granted by broadcasters.

In view of the above comments, the Department of Defense recommends that no action be taken on H. Con. Res. 215.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the submission of this report for the consideration of the Committee.

Sincerely,

J. FRED BUZHARDT,
General Counsel.

MR. MACDONALD. Our first witness this morning is the Honorable Robert Bartley, Commissioner of the Federal Communications Commission.

Mr. Bartley, it is nice to have you here.

STATEMENT OF ROBERT T. BARTLEY, COMMISSIONER, FEDERAL COMMUNICATIONS COMMISSION; ACCOMPANIED BY WILLIAM RAY, CHIEF, COMPLAINTS AND COMPLIANCE DIVISION

Mr. BARTLEY. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I appear before you this morning to be of whatever assistance I can in your consideration of House Concurrent Resolution 215.

The Commission takes no position on whether the Federal Government, or State and local governments, should expend public funds to purchase time for carriage of advertisements by radio and television stations.

However, the Commission does encourage radio and television stations to broadcast public service programs and announcements. Broadcast stations generally carry a significant number and as the resolution notes:

*** the Advertising Council and numerous radio and television broadcasters have, voluntarily and without charge, cooperated in presenting public service announcements for the Federal and State and local governments, and departments and agencies.

The Commission has always required licensees to serve the needs and interests of their communities. Local needs and interests are in some instances inseparable from national needs and interests such as the raising of an army and the sale of E bonds. Although the Commission considers public service announcements as only one of several means by which the broadcaster can serve local needs and interests, they are a significant means. We do require that all applicants state the number of unpaid public service announcements they propose to carry during a typical week, and that each licensee keep as a part of his program log a record of these announcements, including the name of the organization on whose behalf the announcement is made. In order that the audience is made aware of the source of material broadcast, section 317 of the Communications Act of 1934, as amended, requires an announcement of who has paid for or furnished the material. Thus, the Commission's rules implementing section 317 provide that:

When a broadcast station transmits any matter for which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, such station, the station shall broadcast an announcement that such matter is sponsored, paid for, or furnished, either in whole or in part, and by whom or on whose behalf such consideration was supplied.

If an agency should determine that additional advertising is required to carry out its mission and is prohibited from spending any portion of the advertising budget on broadcast media, the question might well be raised as to whether the money would simply be allocated to other media such as newspapers, periodicals and other advertising methods.

Government agencies have in the past purchased advertising time on broadcast stations to promote highway safety, to promote an event such as a State fair, to promote a Government-owned utility company, and to promote tourism. Our staff also received an indication

from the Department of Agriculture that it has bought air time to explain to farmers its land retirement, crop limitation, and marketing quota programs. The resolution would express the sense of Congress that all Government agencies be prohibited from purchasing broadcast advertising of this type.

That concludes my statement and I would be happy to answer any questions.

Mr. MACDONALD. Thank you very much, Commissioner Bartley. I have only one question and I don't know if you have the answer to it or not. That is on page 3 of your statement, as you point out, perhaps there is some sort of precedent for this, for the Government using public funds to promote the public interests.

Do you know if any of these purchases that you referred to by the Department of Agriculture or the tourist agency were ever bought in prime time?

Mr. BARTLEY. I really don't know and most of this is an accumulation of—just based on information over the years, and the staff has the Agriculture information, I think, fairly recently. I can check on it.

Mr. MACDONALD. Would you please.

(The agency was unable to supply the information requested.)

Mr. BARTLEY. The other, as far as I know, goes back in time but it certainly has a precedent.

Mr. William Ray, Chief of our Complaints and Compliance Division, says it was some time ago, too. But it has happened and that was the only purpose of indicating it. Whether any are doing it now, I don't have knowledge.

Mr. MACDONALD. Does anyone know whether it will prove to be a smart move? Did it really do what the Agriculture people wanted it to do? In other words, was it successful? Does anyone know about that?

Mr. RAY. I have no information on it. I point this out merely to indicate that other areas may be explored to find out what their accomplishment or how extensive it is, rather, and maybe how effective it was.

But we don't have that information. These were just indications of what they could suggest.

Mr. MACDONALD. Thank you, that is all.

Mr. Van Deerlin.

Mr. VAN DEERLIN. Good morning, Mr. Commissioner. To what extent did the Army or Army recruiting service consult the FCC before it undertook the advertising campaign on radio and television?

Mr. BARTLEY. I think not at all, but subsequent to the time it was started, there was contact because we had had some queries from broadcasters as to the identification announcement, whether or not it was adequate. I am not personally familiar.

That was staff action and, Mr. Ray, as I mentioned a minute ago, can give you details.

Mr. MACDONALD. Excuse me, Mr. Van Deerlin, but why not have Mr. Ray do it? He is Chief of the Complaints and Compliance Division of the FCC.

Mr. RAY. Yes, sir. What happened was we received an inquiry or I received an inquiry by telephone from a member of the staff of the National Association of Broadcasters on this score. I don't know whether at this time the announcements had already been distributed to the station and orders had been placed for the purchase of time from them or not. The inquiry related to sponsorship identification of the announcement.

Shortly thereafter I received a telephone call from a representative of the Department of the Army on the same score and he and two other representatives came to my office and we had a meeting to discuss the question of sponsorship identification on the announcements. That was the only—or those two instances plus the followup on the sponsorship identification—were the only instances in which we were contacted on this thing.

Mr. VAN DEERLIN. I believe, Mr. Chairman, we shall shortly be seeing some of the television spots as they were prepared by the agency and they will contain this tag line and we will see what it contains.

I gather that the question was whether these should be viewed in the same light as political announcements, as far as who paid for them and so forth?

Mr. RAY. Yes, sir, whether they complied with the requirements of section 317, that any matter which is paid for shall be so identified and by whom, and whether the announcements as they originally were made carried sufficient identification of that kind.

Mr. VAN DEERLIN. It was the Army you dealt with, wasn't it?

Mr. RAY. Yes.

Mr. VAN DEERLIN. Was your advice to them that they should identify the sponsor in precisely the same manner as a political advertiser would do?

Mr. RAY. Well, as any advertiser, I might say, Mr. Van Deerlin, that it was our opinion that the spots required a more specific identification than it apparently had when originally produced by the advertising agency. Thereafter, the Army notified us that it had taken steps to assure this.

Mr. VAN DEERLIN. Commissioner Bartley, in judging the public service performance of broadcast licensees, does the Commission measure merely the mass of time and public service that the licensee provides or is there any weight given to the desirability of the time in which the public service announcements are carried?

Mr. BARTLEY. I believe not up until this time, sir. As a matter of fact, we may be moving in the other direction, because for a period of time the renewal forms asked for information concerning the spots before 6 o'clock in the evening and after 6 and that was dropped from the renewal forms sometime back.

I would say we pay practically no attention to it.

Mr. VAN DEERLIN. So the public service announcements relegated, as Art Buchwald put it, to just before the Star-Spangled Banner at 1 o'clock in the morning would satisfy the Commissioner as to discharge of public responsibility by the licensee?

Mr. BARTLEY. As much as I enjoy Buchwald, I seem to hear it some other times than that, too.

Mr. VAN DEERLIN. Did the Commission, and I put the question to you, did you give the Army any advice as to the implications for the relicensing process of stations who now sell time that has traditionally been provided as public service or should it enter into the discussion?

Mr. BARTLEY. I should be willing to say definitely "No."

Mr. VAN DEERLIN. What would be the attitude of the Commission or at least one Commissioner for whom you can speak toward licensees, who, finding that it is now possible to be paid for a service that has previously been provided gratis, in turn refuse to carry free further announcements either of recruiting by the Army or public service spots that might similarly be undertaken on behalf of the Marine Corps, Air Force, or Navy?

Mr. BARTLEY. I would be perfectly willing to answer that question personally, but not for the Commission.

Mr. VAN DEERLIN. Obviously.

Mr. BARTLEY. But, I have the unfortunate background of having been a broadcaster, so I think I know a little bit about how he would feel. I think if they started to buy an ad, I think that was enough. I think I would be particularly upset if I saw my competitor receiving pay for a commercial and my carrying public service spots for nothing. This would create a problem.

This, I think, would be a problem to them.

Mr. VAN DEERLIN. Well, the question, of course, would turn on a station which had not received a contract and might then decide "If others are being paid, I don't see why my time should be made available on a public service basis."

Mr. BARTLEY. Getting back to being a Commissioner, I have a good deal of trouble, frankly, in giving them a bad mark for that.

Mr. VAN DEERLIN. Thank you, Mr. Chairman.

Mr. MACDONALD. Mr. Brown.

Mr. BROWN. Mr. Bartley, it is nice to see you. I am very glad we have gotten into this subject thanks to the resolution Mr. Van Deerlin has introduced. I regret I am the ranking Republican present this morning, but Mr. Keith had to go to Massachusetts because his wife is undergoing surgery today and he regrets he is not able to be here for this presentation. He is very much interested in it, too, but hopefully he will be able to be back tomorrow with good news.

I think Mr. Van Deerlin's line of questioning touched on a number of things that I am specifically interested in. It occurs to me that there are problems with even public service announcements, because some of the public service announcements are in areas that may be or have some philosophic disagreement in this country.

Now, does the Commission have any position on what is a public service announcement or does it have any control over the public service announcements as they are prepared by the various agencies of the Federal Government?

Mr. BARTLEY. No, sir.

Mr. BROWN. The Peace Corps, savings bonds, programs by the Defense Department which are available free, is there any definition of a public service announcement per se?

Mr. BARTLEY. There is a definition for purposes of logging the announcements. They are to be logged. I think there is a definition for a public service announcement and I can get it, but I don't have it.

Mr. BROWN. If you have it, it will be helpful.

(The information referred to follows:)

DEFINITION OF PUBLIC SERVICE ANNOUNCEMENT

A public service announcement (PSA) is any announcement (including network) for which no charge is made and which promotes programs, activities, or services of federal, state, or local governments (e.g., recruiting, sales of bonds, etc.) or the programs, activities or services of non-profit organizations (e.g., UGF, Red Cross blood donations, etc.), and other announcements regarded as serving community interests, excluding time signals, routine weather announcements and promotional announcements.

Mr. BROWN. I happen to be a supporter of the Peace Corps, but I know there are people in this country who perhaps are not.

What if somebody who was anti-Peace Corps decided they wanted to have equal time to respond to a recruiting announcement for the Peace Corps?

Mr. BARTLEY. Well, we have had this in two or three different areas. We have had groups come in wanting to discuss matters on actually, I think, the draft and we have had them on pollution and any number of other things, and we have had rulings, but those we consider are under the fairness doctrine and we have not extended, relating to commercial broadcasting, not public service announcements. I don't believe we have had requests for countering those unless it is recruiting announcements.

Well, I suppose these are public service announcements. I can get you those. We have ruled on those.

Mr. BROWN. Are you telling me you have never had a request for fairness time based on a public service announcement.

Mr. BARTLEY. I think I was wrong if I did say that. I think one of them was on the recruiting announcements, Peace Corps. And we have issued a ruling on that.

Mr. BROWN. Could we get a copy of that ruling?

Mr. BARTLEY. Yes, sir, I can supply that.

Mr. BROWN. Also we want that information for the record because I think it would be helpful.

(Copy of ruling and correspondence relating thereto follows:)

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., June 4, 1970.

Mr. ALAN F. NECKRITZ,
Berkeley, Calif.

DEAR MR. NECKRITZ: This letter is written in response to your complaint received on March 9, 1970, in which you allege that station KFRC, San Francisco, California, has violated the fairness doctrine by airing "public service broadcasts" on behalf of the United States Army, Navy and Air Force and denying broadcast time for the presentation of "opposing" viewpoints. The basis of your complaint is that the armed forces recruitment broadcasts constitute the presentation of one side of a controversial issue of public importance.

In support of your complaint you assert that the "values represented by the present 'peacetime' armed services" are subject to dispute, as are the benefits and advisability of military enlistment. You state that between January 26 and March 1, 1970, station KFRC devoted 405 minutes 30 seconds of air time

to armed forces public service announcements, in the form of musical programs presented on behalf of branches of the armed forces which were interlaced with recruitment messages and separate public service spot announcements. You state that "when such a large segment of our population [is] vehemently opposed to our military involvement in Vietnam and the foreign policy that it represents, the advocacy of the benefits and advisability of 'volunteering' or 'enlisting' in the military as opposed to seeking a deferment or exemption definitely constitutes a controversial issue of public importance." Thus, it would appear that you believe recruitment messages to represent a controversial issue of public importance because of the controversy surrounding the participation of the United States armed forces in Vietnam. You further appear to consider that enlistment has been presented as an alternative to selective service draft and state that deferment from military service represents another alternative to the question of discharging one's military obligation. As precedent for your request you cite the Commission's application of the fairness doctrine to cigarette commercials (FCC 67-641).

Station KFRC refused your request for air time (for you or other representatives of your viewpoint) to present material opposing the merits of service in the Armed Forces. In denying your request the station stated that armed forces recruitment messages did not raise the issue of the war in Vietnam nor did it support military involvement in foreign countries. Further, that the recruitment messages advocate only voluntary enlistment and therefore do not raise the issue of selective service draft and do not claim that military enlistment is the sole source of technical training or future success.

First, we do note, as we stated in the letter to Mr. Kramer issued this day (copy enclosed), that on the draft issue, "... non-military and honorable alternatives to service in the military are certainly of substantial interest to the public and, in coverage of this issue, constitute a facet of a controversial issue of public importance to which a licensee should afford broadcast opportunity, as a part of his obligation to inform the public." However, that is not the issue raised by the recruitment announcements before us.

We have reviewed the arguments advanced in support of your complaint and conclude that station KFRC did not act in contravention of the fairness doctrine in denying opportunity for the presentation of views opposing the military recruitment announcements. Under the fairness doctrine licensees are obliged in the first instance to determine whether one side of a controversial issue of public importance has been broadcast. The Commission will not substitute its judgment, if the licensee acts reasonably and in good faith. See letters to David Tillson, 19 FCC 2d 511 (1959); and Mrs. Madalyn Murray, 40 FCC 647 (1965). In the present situation, station KFRC has clearly set forth the reasons for its refusal and they are not, in our opinion, unreasonable.

The question of whether Armed Forces recruitment announcements constitute a controversial issue of public importance has recently been the subject of a letter to Mr. Donald Jelinek. In that letter, it is concluded that recruitment announcements, in and of themselves, do not constitute the presentation of one side of a controversial issue of public importance. Since we rely here upon the reasons set forth in that letter, a copy of the letter is enclosed.

In view of the foregoing, no further Commission action is warranted. Commissioner Johnson dissented and issued the attached statement (letter to Mr. Jelinek).

By direction of the Commission.

BEN F. WAPLE, *Secretary.*

FEDERAL COMMUNICATIONS COMMISSION,

Washington, D.C., June 4, 1970.

MR. ALBERT A. KRAMER,
Citizens Communications Center,
Washington, D.C.

DEAR MR. KRAMER: The Commission is in receipt of a complaint filed March 23, 1970, on behalf of Professor David C. Green, individually and as Chairman of the Peace Committee of the Baltimore Yearly Meeting of the Religious Society of Friends (Complainant), against television stations WRC and WMAL, Washington, D.C. The complaint states that the stations continually grant air time for announcements sponsored by the Armed Forces which are designed to

encourage and increase enlistment in various branches of the military services. It is contended that these announcements raise a controversial issue of public importance within the fairness doctrine and that the licensees have violated this doctrine by refusing to grant air time in the form of spot announcements for the presentation of argument against service in the Armed Forces and alternatives to, or information regarding exemptions from, military service as a means of fulfilling one's obligation to one's country. It is further contended that military recruitment via Armed Forces spot advertisements or announcements is itself a controversial issue of public importance.

The nub of the issue raised by the complaint is the assertion that "coverage of anti-Vietnam activities and sentiments does not deal with the desirability of bearing arms versus the desirability of alternative service." Complainants specifically note that the issue to which they seek time for response is the "desirability of regular military service even were there no war raging half a world away [Vietnam]."

Before filing the present complaint, Professor Green contacted stations WRC and WMAL and requested free time "to rebut the claim made by the numerous military recruitment advertisements presented on your station that a career in the Armed Forces is desirable, rewarding, and the best way to serve one's country." Both WRC and WMAL declined Professor Green's request for time to present spot announcements opposing military service. In rejecting Professor Green's request, station WMAL-TV indicated that the issue which he sought to present could not be treated through spot announcements, but should be the subject of more extended discussion within a program. The station offered Professor Green time on its "Outlook" program.

Station WRC-TV also rejected the spot announcements of the Peace Committee. In the station's opinion the recruiting announcements did not present one side of a controversial issue of public importance, since there is no substantial public controversy concerning the need or desirability of having Armed Forces or concerning voluntary recruitment. We have been informally advised that the station has offered the Society of Friends time to appear on two religious program series on which they would have an opportunity to present their views.

The first issue is whether the licensees, in broadcasting the Armed Forces recruitment announcements,¹ have presented one side of a controversial issue of public importance. Station WRC-TV has stated its judgment that the recruiting announcements do not do so, and the question is thus whether that judgment is arbitrary. For the Commission to find the judgment to be arbitrary, there must be a showing or reasonable indication that there is a significant controversy of public importance on whether the United States at this time should maintain armed forces, and, what is essentially the same thing, whether persons should volunteer for service in the armed forces. We appreciate the long-held position of the Friends concerning pacifism, but we cannot say, based on material before us, that the licensee's judgment on this score is unreasonable.

In this connection, we note that the announcement which the Friends Peace Committee seeks to have broadcast does not deal with the issue of whether there should be armed forces, but rather focuses on the draft. Thus, it states that "for every draftee that goes off to war, there is a Christina [girl] left behind—sometimes for good", and that "there are legal alternatives to military service. You may be entitled to one of a number of deferments provided by law. For information write to . . ." As WRC-TV states, there is "substantial controversy concerning the draft . . ."

On this draft issue, non-military and honorable alternatives to service in the military are certainly of substantial interest to the public and, in the coverage of this issue, constitute a facet of a controversial issue of public importance to which a licensee should afford broadcast opportunity, as a part of his obligation to inform the public. The licensees here are covering this issue as a part of the requirement to devote a reasonable amount of time to issues of public importance—an important aspect of a licensee's obligation under the Communica-

¹ Promotional advertisements sponsored by the Armed Forces urge service in the military as an honorable way to serve one's country. Absent specific demonstration to the contrary, we can not accept your premise that Armed Forces announcements generally portray service in the military as the only way to honorably serve one's country.

tions Act to ascertain and serve the needs and interests of his area. See *Red Lion Broadcasting Company, Inc., v. Federal Communications Commission*, 395 US 367 (1969); *Report on Editorializing by Broadcast Licensees*, 13 FCC 1246, 1250 (1949). It is the responsibility of the licensee to determine the specific manner in which he chooses to fulfill his fairness obligations and the Commission will not dictate the form of the presentation—e.g., discussion or panel shows, new shows, etc. The licensee is of course expected to make judgments in good faith as to the amount of broadcast time to be devoted to any issue of interest to the public and these judgments will vary with the nature of the issues being considered. The most important issues will generally be afforded the most broadcast time.

Turning to this complaint against stations WMAL-TV and WRC-TV, we note that both stations, although they declined to broadcast the views urged by Professor Green and his group in the form of promotional spot announcements, have offered an opportunity for the presentation of such views in the context of substantive programming. Absent evidence that stations WMAL and WRC have failed in their overall programming to achieve fairness in their coverage of the controversial issue here involved (i.e., the draft), the Commission will not disturb the licensees' determination as to how to best inform the public of the various facets of issues of controversial public importance.

In reaching the conclusion that no fairness doctrine violation has been demonstrated, we do not mean to imply that nothing connected with a public service announcement could bear upon a controversial issue of public importance. Such announcements, in particular instances, may present one side of a controversy. Here, we simply note that there is no indication that any such announcement (i.e., one presenting one side of a controversial issue of public importance) was broadcast by any station in the San Francisco area.

In view of the foregoing, we have determined that no further action is warranted at this time. Commissioner Johnson dissented and issued the attached statement (letter to Mr. Jelinek).

By direction of the Commission.

BEN F. WAPLE, *Secretary*.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., June 4, 1970.

MR. DONALD A. JELINEK,
Berkeley, Calif.

DEAR MR. JELINEK: The Commission is in receipt of a complaint filed on February 25, 1970, on behalf of San Francisco Women For Peace, The GI Association and The Resistance (complainants), against numerous radio and television stations in the San Francisco, California area. Briefly stated, complainants contend that the San Francisco stations have violated the fairness doctrine in that armed forces recruitment messages have been broadcast as public service announcements, but the stations have refused to broadcast "public service announcements opposing the viewpoints expressed in the military recruitment announcements" which complainants have offered to supply.

In support of their contention that the armed forces recruitment announcements raise a controversial issue of public importance, complainants assert that: There are many groups in the San Francisco area who do not believe it is beneficial to the individual or society at large for people to participate in the armed forces; armed forces recruitment cannot be considered without reference to the war in Vietnam since the primary purpose of the U.S. Armed Forces is to fight wars and a military recruit is very likely to be stationed in the Vietnam war zone at some time during his military career (*U.S. v. Sisson*, 294 F. Supp. 511 (D. Mass) 1968, at 513); and there are many groups in the San Francisco area who believe the best course of action for young men "is to seek one of the many possible deferments from military service provided for by Congress." Complainants assert that the Commission's application of the fairness doctrine to cigarette advertising (9 FCC 2d 921 (1967)) is analogous and requires application of the fairness doctrine to the recruitment announcements complained of and that the fact that the U.S. Government is the sponsor does not exclude the matter from application of the fairness doctrine. (*Report on Editorializing*, 13 FCC at 1249)). Complainants also argue that their point of view is entitled

to exposure through spot announcements rather than news and discussion coverage because of the more effective motivating factors inherent in an "uninterrupted" "prepackaged message" which "allows the sponsor [in this case, complainants] to prepare the announcements in such a manner as to have a desired psychological effect" rather than the "straightforward manner aimed at persuading the listener's rational sense" which is the way views are presented on news and talk programs. Finally, complainants argue that the fairness doctrine applies to public service announcements because, as opposed to normal commercial announcements, the broadcaster is making an editorial judgment in choosing the particular spot announcements and must therefore be more cognizant of his fairness obligations to preserve his facilities as an "uninhibited market place of ideas" (*Red Lion Broadcasting Co., Inc. v. F.C.C.*, 395 U.S. 367, 390 (1969)).

Complainants' presented their request for "substantially equivalent [free] time" to present spot announcements reflecting their views in opposition to the Armed Forces recruitment messages. Fourteen (14) San Francisco area stations formally refused complainants' request and the remainder did not reply. In view of our determination that the stations did not act unreasonably in refusing complainants' request, we need not detail all the reasons advanced by the stations. However, we note that eleven of the fourteen stations who responded to complainants' request stated that they have presented contrasting views regarding the Selective Service System and the Vietnam War in newscasts and discussions and other programs, and that they did not consider Armed Forces announcements urging voluntary enlistment a controversial issue of public importance.

The fairness doctrine requires that when a station presents one side of a controversial issue of public importance it is obligated to afford reasonable opportunity for the presentation of significant conflicting viewpoints on the issue. The crucial question raised is whether Armed Forces recruitment messages constitute the presentation of one side of a controversial issue of public importance. We are unable to conclude that the presentation of such recruitment messages, in and of itself, involves a controversial issue of public importance.

Under the fairness doctrine, it is the licensee's obligation in the first instance to make a determination regarding the controversial nature of an issue and whether an issue, if it is controversial, is one of public importance. Unless the licensee's judgment is shown to be unreasonable, the Commission will not upset the judgment of the licensee. In short, it is not a question of the Commission substituting its judgment for that of the licensee, but rather whether, in light of the showing before the Commission, the licensee's judgment can be said to be arbitrary.

In the present case, we do not believe that the broadcast of Armed Forces recruitment messages, any more than similar recruitment messages for policemen, firemen, teachers, census enumerators, peace corp volunteers, etc., in and of itself, raises a controversial issue of public importance requiring presentation of conflicting viewpoints. We note that the power of the Government to raise an army has not been questioned; rather the thrust of the complaint is an objection to the use made of the army (war in Vietnam) and the manner in which manpower is conscripted (Selective Service draft).

In reaching this conclusion we also note that complainants themselves reason that recruitment messages are controversial *because* they are inextricably intertwined with the conduct of the war in Vietnam and the Selective Service draft. There is no indication that any of the stations against whom the complaint was filed have failed to treat the issues of Vietnam and the draft (both concededly controversial issues of public importance) in conformance with the fairness doctrine. Moreover, the only indication as to what complainants consider the "opposing viewpoint" to the Armed Forces recruitment announcements is one spot announcement entitled "Draft Counseling," which offers information pertaining to draft deferments. The fact that Vietnam and the draft are controversial issues of public importance does not, in our view, automatically require that recruitment messages also be considered as such, and we are unable to conclude that it was unreasonable for the broadcast stations in the San Francisco area to decline to broadcast the "opposing" spot announcements.

In reaching the conclusion that no fairness doctrine violation has been demonstrated, we do not mean to imply that nothing connected with a public service announcement could bear upon a controversial issue of public importance. Such announcements, in particular instances, may present one side of a controversy. Here, we simply note that there is no indication that any such announcement (i.e., one presenting one side of a controversial issue of public importance) was broadcast by any station in the San Francisco area.

In view of the foregoing, it is concluded that no further action is warranted. Commissioner Johnson dissented and issued the attached statement (Letter to Mr. Jelinek).

By direction of the Commission.

BEN F. WAPLE, *Secretary.*

DISSENTING OPINION OF COMMISSIONER NICHOLAS JOHNSON

ARMED FORCES RECRUITING SPOTS

[In re letter to Donald A. Jelinek, Esq., denying the application of the Fairness Doctrine to Armed Forces recruitment announcements.]

When war begins, all thinking stops.—ZECHARIAH CHAFEE, JR.,
Free Speech in the United States.

It is the purpose of the First Amendment to preserve an uninhibited marketplace of ideas in which truth will ultimately prevail, rather than to countenance monopolization of that market, whether it be by the Government itself or a private licensee—*Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367, 390 (1969).

Today one branch of the Federal Government ignores the orderly complaints of its citizens and rules that another branch of that same Government, the U. S. Army, can propagandize without preserving for the young their First Amendment right to self-defense. The Army and Marine Corps will be permitted to harness all the seductive merchandising talents of Madison Avenue to persuade draft-age young men to enlist in the armed forces. In support of the Pentagon, the FCC has ruled that Americans have no right to talk back to their television sets—at least on this issue. Quakers, and other groups opposed to military service in general and the Vietnam War in particular, are now left with nothing but the recourse of demonstrations and draft-card burning to attract the largess of the news media's television cameras. To put it bluntly, the majority has held that the young people of this nation must find their path to the Fairness Doctrine in the streets. I dissent.

I

No one, I think, can ignore the present mood of this country. We are engaged in a vast, officially undeclared land war in Southeast Asia—a war which has killed over 49,000 American soldiers, and in which countless hundreds of thousands of Vietnamese, Laotian, and Cambodian soldiers and civilians have lost their lives. Reputations and careers in our country (including those of Presidents) have risen and fallen on the extent to which the public has believed that our Vietnam policies have been successful. Military budgets and multi-billion dollar weapons systems are being questioned as never before. There is a movement to isolation in America in international affairs. It should be obvious, therefore, that the military has an enormous vested interest in preserving public faith in its policies and programs—indeed its very existence. And one cannot ignore the fact that the military can maintain its "favorable image" in perhaps no better way than through propaganda pumped over the radio and television stations of our country.

Senator William Fulbright has recently warned us of the tremendous machinery that the military has constructed to loose its propaganda upon an unsuspecting American public. According to Senator Fulbright, the Defense Department is spending millions of dollars to promote and justify its activities at public expense. By a conservative estimate, the Pentagon is now spending \$40.5 million a year for "Public Relations—an increase of 1500% since 1959 (\$2.8

million), when the Vietnam War first began to loom larger and larger in the public eye.¹ See *Cong. Rec.*, Dec. 1, 1969, p. S-15144; Dec. 2, 1969, p. S-15306; Dec. 4, 1969, p. 15649; and Dec. 5, 1969, p. S-15804 (Daily Ed.).

We must heed Senator Fulbright's warning:

"There is something basically unwise and undemocratic about a system which taxes the public to finance a propaganda campaign aimed at persuading the same taxpayers that they must spend more tax dollars to subvert their independent judgment. I am reminded of W. C. Fields' admonition: 'Never give a sucker an even break.'" Id. at p. S-15333, Dec. 2, 1969 (Daily Ed.).

I fear the Commission fails to understand what lies behind the "Public Service" announcements, supplied *gratis* by the Army, and the message they convey. Shortly after assuming office, Secretary of Defense Melvin Laird told the Defense Department that "[p]ropaganda has no place in the Department of Defense public information programs." Quoted by Sen. Fulbright, *Cong. Rec.*, p. S-15145, Dec. 1, 1969 (Daily Ed.). Yet from all accounts the Pentagon's "public information" program is aimed, not at providing the public "with unvarnished facts, but at persuading it that the programs and weapons systems of the Army, Navy, or Air Force . . . should have the first claim on public funds and are the key to peace." Senator Fulbright, *Cong. Rec.*, p. S-15333, Dec. 2, 1969 (Daily Ed.).

I believe that this Commission, as one branch of "The Government," has a special obligation to preserve both the appearance and the actuality of fairness and impartiality when it is called to weigh Fairness Doctrine complaints by a broad range of citizens groups against another branch of "The Government." Chief Justice Burger, then a Judge of the United States Court of Appeals, has condemned this Commission's "curious neutrality-in-favor-of-the-licensee." *United Church of Christ v. FCC*, No. 19,409 (D.C. Cir., June 20, 1969). Yet real neutrality—by the Commission and by broadcast licensees—is indispensable where broad-based but under-financed groups of citizens attempt to debate the military-industrial complex in the public forums of radio and television.

In *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367, 396 (1969), the Supreme Court warned:

"There is no question here . . . of a *discriminatory refusal* [by the Commission] to require the licensee to broadcast certain views which have been denied access to the airwaves . . . Such questions would raise more serious first amendment issues." [Emphasis added.]

I believe this Commission has required petitioners here to sustain a far greater burden of proof than it imposed on petitioners in its cigarette decision, *Applicability of the Fairness Doctrine to Cigarette Advertising*, 9 FCC 2d 921 (1967), and therefore stands guilty of a "discriminatory refusal to require" licensees to broadcast the views of citizens opposing the "Join the Army" campaign of the military.

II

On June 2, 1967, this Commission applied the Fairness Doctrine to cigarette advertising. *Letter to WCBS-TV*, FCC 67-641. In that ruling we stated:

"The advertisements in question clearly promote the use of the particular cigarette as attractive and enjoyable. Indeed, they understandably have no other purpose. [Except, of course, the actual sale of cigarettes.] But we believe that a station which presents such advertisements has the duty of informing its audience of the other side of this controversial issue of public importance—that however enjoyable, such smoking may be a hazard to the smoker's health." See *Cigarette Advertising*, 9 FCC 2d 921, 938 (1967). In reaffirming the ruling, we emphasized (referring to a June 29, 1967, Federal Trade Commission Re-

¹ In a recent statement to the Senate Appropriations Committee, Senator J. William Fulbright reported that in 1959 the Congressional limit on Pentagon public relations spending was \$2,755,000. (Over-all defense spending was then \$43 billion.) By 1970, defense spending had doubled; but public relations spending had increased 15-fold! The total was \$40,447,000—roughly double the entire annual appropriation for the FCC. Senator Fulbright reported defense officials maintained that public relations expenditures were \$27,953,000 for fiscal 1969. Now it appears these figures may have been deliberately understated. Senator Fulbright observed, "Apparently the department was not completely candid with me since now, apparently in anticipation of the imposition of a legislative ceiling, they state that the public-relations bill for that year was actually \$44,062,000." *Washington Post*, June 22, 1970, p. A-15, col. 1. For further material on military-oriented public relations spending, see text at n. 2, *infra*.

port) that the "desirability" of smoking in cigarette advertisements "is portrayed in terms of the satisfactions engendered by smoking and by associating smoking with attractive people and enjoyable events and experiences, and that by so doing the impression is conveyed that smoking carries relatively little risk. . . ." Id. at 938.

Petitioners have attached the text of 18 military service recruitment announcements to their petition. A sample of two adequately conveys the mood of these advertisements:

"ANNOUNCER. It's a day you can't put into words. You try to compare it with the day you graduated from high school, but there's no comparison. Because somehow, the day you graduated from high school, you were still just another guy, and on this day, you're something else. You look taller than you did because you stand taller. You look proud because you are proud. And no wonder . . . you've just gone through the toughest eight weeks a guy ever had. And if you didn't have what it takes, you wouldn't be standing with the rest of them, you wouldn't be wearing the same uniform. Ask a marine. Ask a marine what it means to graduate from boot camp. He'll tell you. It's a day to remember for the rest of your life. Because that day they separate the men from the boys.

"REFRAIN. Ask a marine."

"ANNOUNCER. We understand you're looking for a man's job. Well, we just may have one. Who are we? We've been in business since 1775. We're located in close to 200 places around the world. We'll pay while we are training you. Give you thirty days off per year. Give you a chance to continue your education. And we'll build you a man. We'll build you a marine. And that man and that marine will be you.

"REFRAIN. Ask a marine."

I think it is clear from just these two advertisements that the "desirability of joining the Marines is portrayed in terms of the "satisfactions" to be derived from such an experience [you'll "stand taller," you'll be "proud," etc.] and by "associating" membership in the Marines "with attractive people" [real] "men," men who "have what it takes," etc.] and "enjoyable events and experiences" [travel, on-job training, thirty days off per year, a chance to continue one's education, etc.].

As with the cigarette advertisements, there is something missing. What is noticeably absent from these advertisements is the view, widely held by many respected citizens, that "for hundreds of thousands of soldiers the pay is poor, the principal 'educational opportunity' is the opportunity to learn how to kill, and the 'travel' is to Vietnam, where the question of whether the military is making a 'really worthwhile contribution to the security of [the United States]' is a highly controversial one." Letter from Mr. Donald A. Jelinek to the FCC, Feb. 16, 1970, Appendix IV, p. 2.*

III

In light of the close similarity—and perhaps even identity—of the instant complaint with our *Cigarette Advertising* ruling, let us examine the majority's justification for ruling against petitioner.

In the first place, the majority begins by stating what I believe to be an oversimplified interpretation of the Fairness Doctrine: "*that when a station presents one side of a controversial issue of public importance it is obligated to afford reasonable opportunity for the presentation of significant conflicting viewpoints on the issue.*" [Emphasis added.] This interpretation assumes that the licensee's obligation to present all viewpoints on issues of controversy and public importance is invoked only when one side is first presented. Were this the case, the licensee could circumvent the Fairness Doctrine by simply refusing to present *any* views on such issues. I believe, on the contrary, that the Fairness Doctrine is invoked, not when one side of an important issue is *presented* by a licensee, but when such an issue *arises*. By my reading, this was the Supreme Court's view of the Fairness Doctrine in *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367, 369 (1969), where it was described as the "require-

* The internally quoted material is taken from other military recruitment advertisements reproduced in Appendix III, p. 1, to Mr. Jelinek's letter. Some of the material will be quoted elsewhere in this opinion.

ment that discussion of public issues be presented on broadcast stations, and that each side of those issues must be given fair coverage."

Next, the majority drags out the customary and familiar boilerplate recitation that the Commission will defer to the licensee's judgment on a Fairness Doctrine matter so long as it is "reasonable." ("In short, it is not a question of the Commission substituting its judgment for that of the licensee, but rather whether, in light of the showing before the Commission, the licensee's judgment can be said to be arbitrary.") Of course, everyone must know that this double talk is nonsense, and is used primarily when the Commission does not want to apply the Fairness Doctrine to a particular factual situation. Obviously at some point this Commission must decide that the licensee is wrong in his determination that the Fairness Doctrine is inapplicable, and I do not see how we can do this unless we substitute our judgment for the licensee's. Whatever may be the initial responsibility of the licensee, some agency must arbitrate disputes regarding the applicability of the Fairness Doctrine—and that task has been assigned to the Federal Communications Commission, with review by the courts. In any case, the majority treats this "throwaway" language precisely for what it is—a useless appendage inserted routinely in Commission opinions—and proceeds to make its own, independent determination anyway: "In the present case, we do not believe that the broadcast of Armed Forces recruitment messages . . . raises a controversial issue of public importance. . . ."

Finally, the Commission majority states why it believes that the recruitment messages do not raise controversial issues of public importance. Its creation is scarcely a monument to clarity. So far as I can determine, however, the majority seems to be saying that advertisements asking young men to join the Army—like "similar recruitment messages"/asking people to become "policemen, firemen, teachers, census enumerators, peace corps volunteers, etc."—only raise the issue whether the particular institution in question (here the Army) has the legitimate power to recruit members. (The majority states: "We note that the power of the Government to raise an army has not been questioned. . . ." I cannot imagine why the majority merely "notes" this point if it is the crux of its holding.) The majority then goes on to reject the petitioners' arguments, stating that the recruitment advertisements do not refer to the "use made of the army (war in Vietnam)" and the "manner in which manpower is conscripted (Selective Service draft)."

This reasoning seems faulty on a number of counts. First, it merely illustrates the principle that determined men, if they try hard enough, can define any problem out of existence. If the Commission had applied similar reasoning to cigarette advertisements three years ago, we would presumably have ruled that cigarette advertisements raise only the issue of whether cigarette manufacturers have the right to recruit customers. Not surprisingly, the broadcasting industry made precisely this argument with respect to cigarette advertising, contending that "no controversial issue of public importance can be presented where a lawful business is advertising a lawful product." Not surprisingly, we gave it suitably short shrift. See *Cigarette Advertising*, 9 FCC 2d 921, 938-40 (1967). What is surprising, however, is that the majority now finds such specious reasoning so persuasive.

Second, it seems to me from the text of the recruitment advertisements that they do far more than merely assert the right of the army to recruit members. Indeed, it is difficult to treat this latter notion seriously. What would the average listener or viewer think upon hearing a military recruitment advertisement such as, "Should your boy join the U.S. marines? . . . It really depends on . . . how soon he wants to be a man"? Would he assume that this is the Army's effort to persuade him that it can legitimately recruit members. On the contrary, the rather blatant message of these spots is that is "desirable," for a multitude of reasons, for a young man to join the military. The principle question, therefore, is whether promotion of the "desirability" of military service raises a controversial issue of public importance.

Third, it seems clear that the majority's references to other types of recruitment—"policemen, firemen, teachers, census enumerators, peace corps volunteers, etc."—are simply misplaced. For one thing, so far as I know policemen, firemen, teachers, etc., are not threatened with the prospect that if they do not "volunteer" for service, they will be drafted! Congressional appropriations for

"standing armies," the quartering of troops, and the relative role of the military generally have been controversial issues since the very founding of our Nation. They are no less so at this hour. This is in part because the military conscripts men against their will, forces them to kill and destroy and subjects them to the omnipresent threat of death. These risks are simply not shared by census enumerators, whatever else may be the hazards of their job. For another thing, there is no question as to the power of municipalities and schools to hire policemen and teachers. Serious question has been raised, however, as to whether the President can legitimately conduct a war in Southeast Asia, invading new countries at will, without a declaration of war by the Congress, as required by Article I, Section 8, of the Constitution. It is one thing to hire men to teach school; it is quite another to force them to fight and die in a war that may be illegal.

IV

The majority finally advances as its essential argument the proposition that there is no connection between military recruitment announcements and two other issues of admittedly high controversy—the Vietnam War and the Selective Service system. This argument is faulty for many reasons.

First, as discussed above, the majority has set up a "straw man" by adopting a highly artificial and narrow definition of the scope, function and impact of the military recruitment advertisements in question, and then knocking it down as "non-controversial."

Even if the recruitment advertisements made no claims that military service was "desirable," but merely contained the exhortation "Join the Army, Join the Army," I believe they would raise an issue of controversy and public importance. The reason is that one simply cannot separate the controversiality of a recruitment advertisement from the nature and function of the job in question. If—to pick a deliberately strong example—the Government were to recruit soldiers for a special commando troop whose function was widely known as encompassing the assassination of civilians in Vietnamese villages, and used advertisements which simply urged men to "Join the Commandos, Join the Commandos," only a person with the most tenuous grip on reality could reason that nothing more than "the power of the Government to raise an army" had been placed in question. Recruitment advertisements for policemen, firemen, teachers, census enumerators, and so forth, are not controversial because the work they do is not controversial. But I suspect recruitment solicitations for National Guardsmen in the Kent State University region of Ohio, or for the CIA in Berkeley, would be highly controversial. So it is for recruitment into the Armed Forces generally at this time.

Second, the military recruitment advertisements before us obviously do far more than urge young men to "Join the Army." They make grandiose and wide-ranging claims as to the "desirability" of military service, just as cigarette commercials taught the desirability of smoking. And once the desirability of military service is placed in issue, I simply do not see how one can avoid a discussion of what one will be doing there [continuing one's education, becoming "a man," joining "the leaders"], where one will be doing it [in "close to 200 places around the world"—one of which is presumably Vietnam], and how one will be rewarded ["good pay" and a share in the "fight for freedom" and the "protection of our nation and our ideals"].

Third, even apart from the present Vietnam conflict, the issue of military service has traditionally been embroiled in extreme controversy of great public importance. See *United States v. O'Brien*, 891 U.S. 367 (1968); *Holmes v. United States*, 891 U.S. 936 (1968) (Douglas, J., dissenting, with a long historical sketch on the controversial nature of the Armed Forces). Indeed, the role of the military in our society in general, and its specialized methods for recruiting members in particular, have generated controversies of such long standing that they extend almost back to the Revolutionary War. See *United States v. Nugent*, 346 U.S. 1 (1953); *Hamilton v. Regents of the Univ. of California*, 293 U.S. 245 (1934); *Selective Draft Law Cases*, 245 U.S. 366 (1918); *Tarble's Case*, 80 U.S. [13 Wall.] 397 (1871); *Prize Cases*, 67 U.S. [2 Blacks] 635 (1862). The history of this controversy is quite distinct from the experience of other public groups, like firemen and teachers, relied upon by the majority. In *Schenck v. United States*, 249 U.S. 47 (1919), for example, the Supreme Court

adopted the "clear and present danger" test to convict persons of circulating documents which complained that the Conscription Act violated the Thirteenth Amendment's prohibition against "slavery" and "involuntary servitude," and urged potential draftees to "assert your opposition to the draft." Even today one pressing and important "controversial" issue is the extent to which a young man who succumbs to military recruitment advertisements and joins the army loses those constitutional rights guaranteed to civilians by the Supreme Court in cases since *Schenck*. See Note, *Dissenting Servicemen and the First Amendment*, 58 Geo. L. J. 534 (1970).

Fourth, it cannot be denied that this country is in fact engaged in a serious war, and that the army is playing an integral part in it. A federal court, for example, has acknowledged that service in the Armed Forces, whether by recruitment or enlistment, carries with it "a strong probability of ultimate service in Vietnam." *United States v. Sisson*, 294 F. Supp. 511, 513 (D. Mass. 1968). Indeed, almost all our pressing national problems—inflation, campus unrest, racial discrimination, the urban crisis, mass demonstrations and protest—appear linked in some way to the Vietnam War. Highly respected legal scholars have argued, as well, that the President has violated the Constitution in conducting an "undeclared" war. F. Wormuth, *The President Versus the Constitution* (paper published by the Center for the Study of Democratic Institutions, Santa Barbara, Calif., 1968); Hughes, *Civil Disobedience and the Political Question Doctrine*, 43 N. Y. U. L. Rev. 1 (1968); *The Vietnam War and International Law*, Am. Soc. Int'l Law (R. Falk ed., 1968). How can recruitment solicitations be considered anything but controversial?

Finally, consider some simple statistics. In 1969, some 59,000 Americans (49,000 men and 10,000 women) died of lung cancer, and over 90% of these deaths are reputedly linked to cigarette smoking. *Smoking and Lung Cancer*, Public Health Service pamphlet (1970). This means that of the 70,000,000 Americans who consume tobacco in one form or another, approximately 53,100—or one out of 1,300—died of lung cancer in 1969. (If one accepts the higher figure of 300,000 cigarette-related deaths per year, the ratio becomes one out of 233.) The enormity of this problem in part led the FCC several years ago to apply the Fairness Doctrine to cigarette commercials. *Cigarette Advertising*, 9 FCC 2d 921 (1967).

Yet what of the hazards of military service? During 1969, the same period in question, the United States had 3,127,000 servicemen in uniform around the world—many of whom were thousands of miles from Vietnam. Of that total number, however, approximately 11,527—or one out of 275—lost their lives in Vietnam. Source: Office of Public Information, Southeast Asia Desk, U.S. Department of Defense (June 18, 1970).

Simply stated, it is at least as dangerous to enlist in the armed services as it is to use tobacco. This Commission has ruled that invitations to smoke cigarettes raise issues of sufficient controversy and public importance to invoke the Fairness Doctrine. Yet invitations to join the military do not. Why? Frankly, the majority's reasoning—what there is of it—escapes me.

Cigarette advertisements were brought under the Fairness Doctrine—which, after all, requires only that the other side be told—in part because they were inherently deceptive. The ads represented to their audience that smoking was "desirable," without warning that death or serious illness might follow. I believe that solicitations for military service are similarly deceptive, for they do not warn their audience that death or serious injury might follow, as a statistical consequence of enlistment, or that a young man of draft age may have alternatives to the "enlist-or-be-drafted" dilemma. Congress itself has, in the Selective Service Act, exempted from military service, for reasons of strong national policy, persons who fall in numerous categories. Persons, therefore, whom Congress did not intend to induct, may be induced into a military obligation which was unrequired, and perhaps even undesirable, as a direct consequence of partial truths contained in the advertisements before us. To the extent these advertisements suggest that young men can satisfy their patriotic obligations to their country only by military service, they are inherently deceptive. Only the application of the Fairness Doctrine can correct this deception by requiring the presentation of alternative views.

The majority claims that the military recruitment advertisements do not raise an issue of controversy and public importance. They contend that in any case there is "no indication that any of the stations against whom the complaint was filed have failed to treat the issues of Vietnam and the draft (both concededly controversial issues of public importance) in conformance with the fairness doctrine." In our *Cigarette Advertising* ruling, 9 FCC 2d 921 (1967), we addressed this problem of sufficiency. Whereas we concluded that the broadcaster was not required to devote an "equal" amount of time to opposing views, we held that the time must be at least be "significant." Id., 9 FCC 2d at 949. In *National Broadcasting Co. [WNBC-TV]*, 16 FCC 2d 947, 15 P & F Radio Reg. 2d 1059 (1969), for example, the Commission (over my dissent) ruled that a ratio of one anti-smoking commercial to 8.1 cigarette commercials was "significant."

In the present case, however, so far as I know, we do not have any indication of the ratio involved—military recruitment advertisements to anti-military coverage. The majority's assumption that all the licensees broadcasting such advertisements have fulfilled their Fairness Doctrine obligations, therefore, seems completely unsupported by any evidence. One can only wonder why the majority seems so eager to base such an important precedent-setting decision on so little.

In addition, there are a number of factors that should be weighed in determining whether a licensee has given "significant" coverage to various views. First, an important factor is the frequency and regularity of presentation. The Commission has explicitly recognized this factor in its decision, *Cigarette Advertising*, 9 FCC 2d 921, 941 (1967):

"We think that the frequency of the presentation of one side of the controversy is a factor appropriately to be considered in our administration of the Fairness Doctrine . . . For, while the Fairness Doctrine does not contemplate "equal time" if the presentation of one side of the issue is on a regular and continual basis, fairness and the right of the public adequately to be informed compels the conclusion that there must be some regularity in the presentation of the other side of the issue."

In affirming this ruling, the United States Court of Appeals in *Banzhaf v. FCC*, 405 F. 2d 1082, 1099 (D.C. Cir. 1968), was even more explicit:

"In these circumstances, the Commission could reasonably determine that news broadcasts, private and governmental educational programs, the information provided by other media . . . inadequately inform the public of the extent to which its life and health are most probably in jeopardy. *The mere fact that information is available, or even that it is actually heard or read, does not mean that it is effectively understood.* A man who hears a hundred 'yeses' for each 'no,' when the actual odds lies heavily the other way, cannot be realistically deemed adequately informed." [Emphasis supplied.]

According to the Office of the Controller, U.S. Department of Defense (information supplied June 19, 1970), the American Forces Radio and Television Service (AFRTS) spent at least \$229,000 in 1969 producing 1,000 radio and 300 television spot announcements, all supporting military information themes.²

² It is difficult to put a dollar value on the recruiting spot activities of the Pentagon. The talent of contributors like Jack Webb, Frank Blair, Jonathan Winters, and so forth, are given without charge. Their commercial value would, of course, be thousands of dollars in the aggregate. The air time is also "contributed" (Subject to such coercion as may be involved from the combination of the Department of Defense and the Federal Communications Commission). The value of this time is also virtually impossible to compute accurately, but estimates running well in excess of \$10 million annually would appear reasonable. The hidden costs of Defense Department personnel, physical facilities, materials, distribution costs, and so forth cannot be ascertained. But even the Pentagon itself is prepared to acknowledge directly attributable costs of at least \$229,000 in 1969. The radio spots are prepared by three professionals and one clerical aide (salaried at \$49,000 year), who regularly send them to 350 radio stations across the country for systematic rebroadcast. They produced 1000 radio spots in 1969 alone. The acknowledged cost: \$121,000. AFRTS also spent a total of \$108,000 in 1969 producing 260 television recruitment spots and 40 five-minute fillers (combining both entertainment and a recruitment pitch) for regular use on 90 television stations across the country. The AFRTS television effort employs six full-time professionals and one clerical aide, also at a cost of \$49,000. Thus, AFRTS publicly acknowledges spending a total of \$229,000 for radio and television recruitment spots in 1969 alone.

Although it is unclear how many of these are devoted to military recruitment advertisements of the sort before us (an interesting question which the majority has failed to ask), it is perhaps insightful that the Defense Department itself budgets the cost of the spot announcements to "recruiting"—an indication that perhaps the Pentagon has something more in mind than mere information to the public when it runs its spots from coast to coast.

How effective are these military advertisements? No one can tell. However, the Chief of Naval Personnel, Vice Admiral Charles K. Duncan, recently reported to Congress that the Navy alone receives from \$8 to \$10 million in free time over the airwaves for military programming every year—a "significant" amount by anyone's public relations standards. *Hearings on Fiscal Year 1971 Department of Defense Budget*, House Subcommittee on Defense Appropriations, 91st Cong., 2d Sess., Pt. II. In light of this military propaganda barrage, I would question whether the San Francisco stations have truly fulfilled their Fairness Doctrine obligations.

Second, even if licensees have satisfied the Fairness Doctrine under traditional analyses, I think we must recognize the unusually powerful impact of spot advertising as compared to normal news coverage. Prepared spot announcements should be placed in a class by themselves—a proposition acknowledged by FCC Chairman Dean Burch with respect to political advertising. *Voters' Time*, Twentieth Century Fund Commission on Campaign Costs in the Electronic Era, p. 15 (New York, 1969); *Statement of Chairman Dean Burch*, Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce, June 2, 1970. The spot announcements in question invoke the familiar Madison Avenue techniques:

The enticements of glamour and excitement, the promise of a rewarding future, the allure of travel to faraway places, the invocation of an ethic of masculinity, and the reassuring appearance of well-known celebrities—Jack Webb, Coach Richie Guerin of the Atlanta Hawks, Jonathan Winters, former U.S. Senator Paul Douglas, and "Marine Reservist Ed McMahon"—to intone the blandishments prepared by the army's recruitment officers and public relations specialists. Petitioners seek only to present an alternative to the siren call of the military establishment. This the majority has refused them.

One final point requires mention. The broadcasting industry bitterly fought the anti-smoking announcements, fearing that their insertion into daily programming might eliminate time that otherwise could be used for paying commercials. The military recruitment advertisements before us, however, provide the licensee with no income. They are donated, free of charge, by broadcasters as an alleged "public service announcement." If a station broadcast two such advertisements a day, it could easily reduce this number to one a day, and fill the vacated spot with the proffered anti-military recruitment advertisements. In so doing, the license would be out-of-pocket nothing. It seems clear to me, therefore, that the intensity of resistance to petitioner's message may be caused more by "political" than "economic" considerations. Let's face facts. One ruffles no feathers when one supports the military establishment; but opposition to that establishment always seems controversial. I find it revealing, to say the least, that broadcasters find themselves so eager to donate free time to the army to recruit soldiers to fight its wars, yet deny a portion of that free time to opponents of that process. The "robust, wide-open debate" so often publicly cherished by this Commission seems sadly lacking in this decision. That the Commission is a party to both decisions—the implied encouragement to broadcasters to carry the government's "public service" announcements, and support for the exclusion of contrary views—makes today's decision especially vicious.

VI

Even if there were no basis in law whatsoever for petitioners' claims (which most assuredly there is), a confident and compassionate government would grant their "humble petitions" (to quote from the Declaration of Independence). Is this Administration really so frightened of the rights of free speech and press and "the right of the people peaceably to assemble, and to petition the government for a redress of grievances" (to quote from the Bill of Rights) that its critics must be met with intimidation (the Vice President versus the networks), gunfire (at Kent), and slammed doors (at the FCC)? What harm can be done by granting American citizens access to the airwaves they own to

present their modest messages of reply to their government, when it would cost the broadcasting industry nothing? If that truly constitutes a threat to national security, then the "Decline and Fall of the American Empire" is closer at hand than any of the modern-day Gibbons have feared to predict.

But the fact of the matter is that—whatever side God may be on—the law is with the petitioners. The FCC and the broadcasting industry together, using U.S. Army commercials, have the "power" to abridge Americans' freedom of speech (subject to review by the courts). But I do not believe they have the legal right to do so. At any rate, as is by now obvious, they do not have the wisdom to refrain from doing so.

Mr. BROWN. Now, a lot of small stations rely for even their programming on some of the material available from the Defense Department, from, you know, you have Harry James selling E bonds for 15 minutes, but a good part of the program does not have anything to do with E bonds, but it is sort of a free performance by Harry James, free to the station, and I gather the public relations budget somewhere along the line has paid Harry James for his time.

But does this plan to sell or to buy time for the kind of recruiting announcements for the Defense Department conflict with that, do you think, because it seems to me that it is a little incongruous to have a 15-minute program for the Air Force free on the station in which the station is carrying a message about recruitment for the new military establishment and then maybe at the end of that have a paid announcement by the military recruiting people for a volunteer army or volunteer military?

Mr. BARTLEY. Well, you have raised a very important question in conjunction with when you have to make an announcement that is paid for. Consideration is payment and programs, and when I say "programs" you take this 15-minute Harry James thing or something like that, the consideration there really is that the station gets a program, entertainment program, in effect, free.

We have, I believe, considered that that requires identification of the sponsor, but it is inherent in the program really who does sponsor it.

Specifically, on these others I don't know of the recent announcement which you are talking about. Frankly, I have not seen it.

Mr. BROWN. I want to make clear what we are saying here. The 15-minute kind of program put out by the various branches of the Service are considered to be compensation for the time carried in them, I thought those would be identified as public service.

Mr. BARTLEY. I say it is a difficult area. You bring out the Harry James-type of thing where it is entertainment-type of program and, incidentally, the sale of bonds and so forth, then it is clear that that has been sponsored and the announcement and things within the program will inform the public that it is just such, just what the source is.

Mr. BROWN. Let's put it in a different context and forget Harry James and let's have the Singing Sergeants from the Air Force and a 15-minute program put out with the Air Force Swing Band or some such thing and such ones exist and I can't identify them in a cultural sense, but in any event the 15- or 10- or 5-minute program that carries the entertainment factor in it from the branch of service involved. Is that considered to be compensation for the kind of recruiting message that is in the program?

Mr. BARTLEY. I think I would have to see it before I would know.

Mr. BROWN. Well, these programs are fairly common, aren't they?

Mr. BARTLEY. Mr. Ray handles them every day.

Mr. RAY. Mr. Brown, what you are talking about, as I understand it, is not logged as sponsored. It is identified, as the Commissioner has said, as furnished by the particular service or organization that is furnishing it.

Mr. BROWN. Identified within the program?

Mr. RAY. Yes, within the program. And these spot announcements which may be recruiting announcements for the Air Force, within it, are considered public service announcements, unsponsored public service announcements, but the source of the program is almost universally identified.

Actually, the Commission rules on this point do not—well, what they say is that any material, broadcast material, dealing with political matters, or matters of public controversy and furnished free to a station as an inducement to broadcasting, must be identified as so furnished. So it comes down to a question of whether the matter within the program deals with a political or a controversial issue matter, as to whether the identification is actually required by the rules.

But most broadcasting stations, in my experience, insist that the source of this matter be identified on the air for the sake of clarity for their listeners and to preclude people writing them and asking them, "Who gave you this?"

Mr. BROWN. I am the local broadcaster going on the air and I say, "The next 15 minutes is a program furnished by the U.S. Air Force," and the program comes on and says, "Here are the Singing Sergeants" and so forth and they entertain for a while and usually have a guest spot or some celebrity as a guest in the program, as I am familiar with the program; and during that 15 minutes there are then messages about how wonderful it is to be in the Air Force and the good service the Air Force performs for the country and so forth.

Now, my question is: Does the station get public service time credit for the full 15 minutes? Does it get public service time credit for the recruiting announcements or the "Join the Air Force" kind of statements within the program?

How is that carried?

Then, is the theory that the station has been compensated for carrying those announcements based on the amount of entertainment contained in the program; in other words, the programming context that is in the program, because I think it relates to the question of paying for the time in a commercial spot about "Join the Volunteer Army" and so forth.

Can you answer? Do you understand what I ask?

Mr. RAY. Yes, sir. Only the spots within it may be classified as public service announcements. The whole program, if it is a 1½-hour concert by the Army Band or Marine Band, with three recruiting announcements in it, the licensee is entitled to log only those announcements as public service announcements or public service time. The rest becomes entertainment.

Now, the second part of your question does not really arise within the Commission's prosecution; that is not considered a sponsored program if no payment is received for it. This is considered an overall sustaining entertainment program with three public service announcements within it.

Mr. BROWN. The fact that the disk or tape comes to the station without cost and so forth does not get to be considered as in any way compensation?

Mr. RAY. That is correct.

Mr. BROWN. I probably have gone over my time, but I want to make one more point.

There is such a program identified as "Religion in the News" or "World Church News" or some such thing put out, for instance, by the Lutheran Church in America, a very good program, which contains no recruiting message as such for membership in the church, I guess, but it does contain the announcement that "This program is brought to you" for the announcement, I guess, could be locally initiated by the Lutheran Church of America, a very professionally done thing. But I think quite obviously it is provided to stations on request free for both the general subject matter message, and it is not, you know, a preaching type program. It is just a news program.

Do you know the program I am talking about?

Mr. RAY. I am familiar with it, yes, sir.

Mr. BROWN. What is the position of the Commission with reference to that program? Is that a public service program? Is it part of the responsibility of the station to program religious—to include religious programming or where does it fall in this sort of difficult definition area of "what is public service" and "what is not public service" and "what is commercial" and "what is not commercial"?

Mr. RAY. I was just going to say Commissioner Bartley has the list.

Mr. BARTLEY. It is stated: "Religious programs (R) include sermons or devotionals, religious news"—

Mr. BROWN. Excuse me, but the sermons or devotionals are "Keep those cards and letters coming in support of our efforts"—is that what it is?

Mr. BARTLEY. This does not say. It is a short one and I will read it and try to say whether or not solicitation is involved.

I don't know whether it is included in or not. But "religious programs includes sermons or devotionals, religious news, drama, and other types of programs designed primarily for religious purposes."

That is the end of the definition on it. Your question was what?

Mr. BROWN. Well, I mean this is another area entirely, but where are the programs that wind up with "Keep the cards and letters coming" or "Write us for the pamphlet," which includes something that will fold up into an envelope?

Mr. BARTLEY. You would assume they are defined as religious programs even though they do keep the cards and letters coming?

Mr. BROWN. Well, my time is about up.

Mr. VAN DEERLIN (presiding). Mr. Byron.

Mr. BYRON. No questions.

Mr. VAN DEERLIN. Mr. Collins.

Mr. COLLINS. We are always delighted to have people from the Commission come in.

Mr. BARTLEY. We enjoy it, too.

Mr. COLLINS. Everybody talks about what is going on and what does the Commission think and rule, and all of that and I would like to get a little bit into a broader interpretation of some of the facets related to this.

One of them, we have ruled that we can't advertise tobacco on the radio or television, but yet we have not done anything about prohibiting advertising on billboards or newspapers or anywhere else. In fact, every time I look at a billboard at home, as I was down there this week, I saw nothing but tobacco billboards. Is that equitable? Is it fair?

Mr. BARTLEY. I think probably the most unfair advertising of cigarettes to me, and I don't mind saying it because it is not under our jurisdiction, that is the "TV Guide" and all of the television programs listed in that magazine are full of cigarette advertising.

Mr. COLLINS. I didn't know that. In other words, the only thing that we have eliminated is just advertising on radio and television and any other facility can advertise, is that right, Van?

Mr. VAN DEERLIN. Yes, Mr. Collins, and the full Commission will be before the subcommittee next week, and I guess we can have at it on several fronts.

Mr. BARTLEY. I am sorry I won't be here next week, so here is his chance.

Mr. COLLINS. On this matter of what they run in the way of advertising, I just wonder whether sometimes the military services feel that they have to advertise so they can express their position. Some people said "CBS" in a program they had on the Pentagon presented a nonpartisan program in what I imagine they listed as a public service program.

When they take a public service program through the network broadcasting facilities, do they have a responsibility of presenting both sides?

Mr. BARTLEY. Yes. The fairness doctrine calls for not equal, but at least fair treatment of all sides of the controversial issues.

Mr. COLLINS. Well, for instance, with a network with tremendous facilities, would that in turn involve going to the Pentagon or military leadership and asking them to participate?

Mr. BARTLEY. The only time I know of that they are required to give prenotice of what they are saying is when a personal attack is involved, they do need to notify any person being attacked that they are going to be attacked and then giving them opportunity to rebut it.

Mr. COLLINS. Other than that, their program is OK?

Mr. BARTLEY. That is the only instance I know of where they are required to give prenotice.

Mr. RAY. I might amplify it by saying that the fairness doctrine applies to overall programing of a network or station. It is actually to a station. It does not—or two sides of the issue do not have to be given on the same program as long as reasonable opportunity is there for contrasting views in the overall programing of the station.

Mr. COLLINS. What about this public service and whether people have this situation? I was listening to television last week and the fellow got up and talked for a long time, inviting complaints and said, "We are renewing our license and would like for everybody that knows something to complain about it to us, to be sure to write and tell it."

If any of my colleagues would go on television and ask for complaints, we would get them all the time. What do we achieve by this as a public service function?

Mr. BARTLEY. Actually, it is to let the public know they do have a right to let the stations know what they are thinking and they can also let the Commission know.

Many of those announcements I have heard also solicit favorable comment. Strangely enough, mighty strange to some people, and this did not surprise me, but in the responses we get as a result of those, we get almost as many or more in many cases complimentary remarks about the station than complaints.

Mr. COLLINS. That is interesting.

Mr. RAY. Yes.

Mr. COLLINS. That is all, Mr. Chairman.

Mr. VAN DEERLIN. Mr. Tiernan.

Mr. TIERNAN. Thank you, Mr. Chairman.

Sir, isn't the Commission greatly concerned with the programming in prime time?

Mr. RAY. Sorry, I didn't catch it.

Mr. TIERNAN. Hasn't the Commission promulgated rules with regard to prime time programming?

Mr. BARTLEY. What we have proposed in rulemaking is—or in the rules is that only a certain amount of that may be originated by the networks.

Mr. TIERNAN. Well, have you supervised this advertising campaign that is being put on for the Army?

Mr. BARTLEY. We don't supervise any programs of any kind of any nature.

Mr. TIERNAN. Do you monitor it?

Mr. BARTLEY. Not programming as such.

Mr. TIERNAN. How can you be concerned in promulgating a rule with regard to prime time if you don't have supervision or control?

Mr. BARTLEY. That is largely an economic matter.

Mr. TIERNAN. Well, you are just concerned about economics of it and not concerned about what goes on prime time?

Mr. BARTLEY. The economics seem to be centralizing the program sources in fewer hands and with additional outlets it is our hope that additional program sources will develop.

Mr. TIERNAN. Well, sir, I assume you have had an opportunity to read the current resolution introduced by Mr. Van Deerlin?

Mr. BARTLEY. Yes.

Mr. TIERNAN. And you know it has to do with regard to the program of expenditures of sums for 4 months of radio and television recruiting campaigns? And did any of the staff of FCC inquire of the military what the schedule of timing of those ads and commercials were?

Mr. BARTLEY. No, sir.

Mr. TIERNAN. They made no inquiry?

Mr. BARTLEY. That is correct.

Mr. TIERNAN. You don't think that the Commission should have or the staff should have looked into when these ads and commercials were going to be put on television and radio?

Mr. BARTLEY. Personally I don't think so.

Mr. TIERNAN. You are speaking for yourself and the Commission has not taken a position on it?

Mr. BARTLEY. No, I believe they have not had the specific question put to them.

Mr. TIERNAN. Yet you, as a member of the Commission, and the Commission as a body have encouraged broadcasters and people in the media to sponsor public service ads, haven't you?

Mr. BARTLEY. Yes, sir.

Mr. TIERNAN. Yet, and generally on renewals—that is one of the factors the Commission considers in renewal of licenses, isn't it?

Mr. BARTLEY. What we consider, I believe, and I can stand corrected by Mr. Ray here also, who goes over the program forms, but what we consider is the performance versus the promises.

The only time—well when they file an application, they propose to carry a certain amount of public service announcements and that I would say is about the end of the ballgame. They lived up to that performance and then I say they are in clear.

Mr. TIERNAN. I see. Have you seen any of these commercials, recruiting commercials, for the service?

Mr. BARTLEY. No, sir.

Mr. TIERNAN. You have not seen them on television?

Mr. BARTLEY. No, I have not.

Mr. TIERNAN. Do you watch television?

Mr. BARTLEY. Some.

Mr. TIERNAN. Some?

Mr. BARTLEY. I listen to radio more than I watch television.

Mr. TIERNAN. Have you heard any of the commercials on radio?

Mr. BARTLEY. No, sir.

Mr. TIERNAN. Do you think the staff might be able to obtain one of these commercials for you and the Commission to view?

Mr. BARTLEY. I think it would be easier to get it from the Department of Defense.

Mr. TIERNAN. Right: they are going to be shown here. Well, has there been any request by the military with regard to the time?

Mr. BARTLEY. No, sir.

Mr. TIERNAN. Free time?

Mr. BARTLEY. No, sir.

Mr. TIERNAN. Thank you. No further questions.

Mr. MACDONALD. Mr. Frey.

Mr. FREY. Thank you, Mr. Chairman.

You point out for the recordkeeping you do on this for the unpaid and in the new section and can you give us any idea of how much total dollars of public funds have been paid, say, during the last year for this type of advertising?

Mr. BARTLEY. No, sir, we wouldn't have it.

Mr. FREY. I thought—well, you wouldn't have it at all, you don't know how much as been paid out of public funds?

Mr. BARTLEY. We wouldn't have any idea.

Mr. FREY. Section 317 only goes into the announcement—who has paid for it?

Mr. BARTLEY. Identification of sponsor; that is all.

Mr. FREY. Do you have any guess at all to the amount of paid versus public service—

Mr. BARTLEY. No. The only one I know of that is current is the Department of the Army. I don't know what is going on in the State and local governments.

Mr. FREY. I am speaking specifically, I guess, on the two on the Federal level. Do you think it would be important for the Commission to have any records of this kind?

Mr. BARTLEY. I think it might be important for the committee in considering the bill, but I don't know what we would do with it.

Mr. FREY. Thank you, Mr. Chairman.

Mr. MACDONALD. Thank you very much, Mr. Bartley.

Mr. BARTLEY. Thank you.

Mr. MACDONALD. The next witness is Mr. Paul Wollstadt, Assistant Secretary for Manpower, Research, and Utilization, Defense Department.

STATEMENT OF PAUL WOLLSTADT, DEPUTY ASSISTANT SECRETARY (MANPOWER, RESEARCH AND UTILIZATION), DEPARTMENT OF DEFENSE; ACCOMPANIED BY MAJ. GEN. JOHN B. KIDD, DIRECTOR OF PERSONNEL PLANNING, DCS/PERSONNEL, HEADQUARTERS, USAF; JOHN G. KESTER, DEPUTY ASSISTANT SECRETARY (MANPOWER AND RESERVE AFFAIRS), DEPARTMENT OF ARMY; BRIG. GEN. HERBERT E. BECKINGTON, USMC, ASSISTANT DIRECTOR OF PERSONNEL, HEADQUARTERS, USMC; REAR ADM. W. M. A. GREENE, COMMANDER, NAVY RECRUITING COMMAND; AND GUS LEE, DIRECTOR OF PROCUREMENT, OFFICE OF THE SECRETARY, DOD

Mr. WOLLSTADT. It has been suggested, Mr. Chairman, that I should introduce those from the services who are here with me and may be called upon to help answer questions.

Mr. MACDONALD. Do you intend to call them to answer questions or are they just—did they just give you a ride up here?

Mr. WOLLSTADT. To answer any questions I can't handle.

Mr. MACDONALD. Why don't you call to the table whoever will assist you.

Mr. WOLLSTADT. This is Mr. John Kester, Deputy Assistant Secretary for Army in Manpower and Reserve Affairs; and Rear Adm. William Greene, who is head of recruiting for the Navy; and Brig. Gen. Herbert Beckington from the Marine Corps; and Maj. Gen. John B. Kidd of the Air Force.

Mr. MACDONALD. Welcome, gentlemen. You may proceed.

Mr. WOLLSTADT. Mr. Chairman, I am pleased to appear here today as the Department of Defense representative at your hearings on

House Concurrent Resolution 215. The Department of Defense was asked to provide a witness because of the 3-month experimental program being conducted by the Army on the use of paid radio and TV time to attract volunteers for military service.

I believe it would be appropriate first to provide some background on the effort to achieve an all-volunteer armed force. It was this effort toward increased volunteerism which led to the decision to conduct the paid radio and TV experiment.

Shortly after taking office, President Nixon established a Presidential commission on an all-volunteer armed force. At the same time, he directed the Secretary of Defense to assign a high priority to the study of means for reducing reliance on the draft and eventually ending it.

A project volunteer committee was appointed by Secretary Laird in April of 1969. The Chairman is Roger T. Kelley, Assistant Secretary of Defense for Manpower and Reserve Affairs. The Committee, which continues to function, is composed of military and civilian representatives of the Office of the Secretary of Defense and the Military Services.

The President's Commission on an All-Volunteer Force made its report in February 1970. The Commission members concluded unanimously that the interests of the Nation would be better served by an all-volunteer force than by a mixed force of volunteers and draftees, and recommended that steps be taken in that direction.

The administration agreed with the basic conclusion of the Commission's report and on April 23, 1970, the President declared that: "From now on, the objective of this administration is to reduce draft calls to zero subject to the overriding considerations of national security."

On October 12, 1970, after reviewing reports of the Project Volunteer Committee, Secretary Laird sent a memorandum to the Secretaries of the Military Departments and the Chairman of the Joint Chiefs of Staff. This memorandum established the goal of zero draft calls by the end of fiscal year 1973. I should like to quote for you a portion of the Secretary's letter:

This time table for reaching zero draft calls assumes that Congress will recognize the need to extend the Selective Service induction authority for at least two years beyond its expiration date of July 1, 1971, and that there will be favorable action during the interim period on the longer range recommendations of the Project Volunteer Report. Such action is required if we are to sustain zero draft calls for an indefinite period and thus be assured of ending reliance on the draft. It also assume that, as we move away from reliance on the draft, provision must be made to establish a standby draft system that can be used in case of emergency.

Secretary Kelley has presented the administration's plan to end reliance on the draft to the Senate and House Armed Services Committees and to the Defense Subcommittee of the House Appropriations Committee.

In making these presentations, Secretary Kelley has urged that our recommendations should be accepted, or rejected on the basis of whether they meet the test of national security and what's right for

military people—not according to how one feels about the all-volunteer force concept.

He has said:

If an All-Volunteer Force results from taking a series of actions that are right for military people and serve the best interests of our national security, then there should be an All-Volunteer Force. But if taking the right actions does not produce an All-Volunteer Force, then there will not be one. We should not recommend, nor would Congress approve, the wrong means even if the end is good. We ask, therefore, that our legislative and other recommendations be judged on their own merits, and in terms of how they will serve our Nation's security and military people.

The program which has been presented to the committees of the Congress proposes a Project Volunteer budget of \$1.52 billion for fiscal year 1972. More than a billion dollars of this budget is in the compensation area.

The remainder—

Provides for improving Army and Marine Corps barracks. We would partition 50-man open bays into two- and three-man rooms and provide a modest amount of furniture.

Increases the number of scholarships for ROTC and increases subsistence for ROTC and other college level programs.

Increases the number of medical scholarships.

Makes available funds to enable military commanders to launch appropriate programs to improve the conditions of service life.

And, finally, greatly increases the recruiting effort.

Our special Project Volunteer allocation for recruiting in fiscal year 1972 is \$110 million. This will be used to open recruiting stations in locations where none exist; to add nearly 6,000 people to the recruiting force; to provide proficiency pay for recruiters; to increase training; to refurbish recruiting offices; and increase advertising in support of recruiting requirements.

Of the \$110 million to be added to the recruiting budgets for fiscal year 1972, a total of \$40 million is allocated for additional recruiting advertising. Some \$10 million of this advertising would be for paid radio and TV advertising in fiscal year 1972, subject to evaluation of the test now being conducted.

A keystone of the Department of Defense program to end the draft must be an improvement in the effectiveness of armed services recruiting.

Too many people measure the importance of the draft to the armed services in terms of the number of young men who are drafted. The fact is that, in addition to those actually drafted, about one-half of all who enlist do so because they expect to be drafted. This means that if we are to have an all-volunteer force we must replace the total accession power of the draft—those who are actually drafted and those who enlist because they believe they otherwise would be drafted.

Everyone must realize that in order to replace the total accession power of the draft we must greatly increase the effectiveness of recruiting. It is particularly important that we do a better job of reaching the young men in the high schools so that those not planning to attend college will not automatically rule out the armed services as an occupational choice.

We decided to carefully evaluate the effectiveness of paid prime TV and radio as a possible element of the recruiting program. We are making the service way of life better and young men and women must know about that if they are to make meaningful, volunteer choices.

We have the most comprehensive training and educational system in the country, and young men and women must know about the opportunities we offer for advancing their education. The challenging work, pay, and benefits available to young men and women who may be in the job market must be understood.

Our paid TV/radio test is an experiment in using an important communication medium to improve our communications with young men and their families so that young men are better able to consider the armed services as an occupational choice.

I should like to firmly emphasize at this point that the Department of Defense has not made any decisions whatsoever about the future use of paid TV and radio advertising for recruiting. As I just mentioned, in the Project Volunteer budget for fiscal year 1972, we have allocated \$10 million for such advertising by the Army. Whether the Department of Defense would support an increase in the amount for the Army or would decrease or eliminate it, or whether it would support any money for paid advertising for the other services cannot and will not be determined until the evaluation of the Army's test is completed.

The Army's test started on March 2 and will run for 13 weeks. It involves expenditure of \$4 million for television time, \$5.1 million for radio, a total of \$9.1 million. Production costs will run \$1.2 million, a telephone answering service to handle calls generated by the ads, \$200,000, and research, \$100,000.

The specific purposes of the test are—

- To test and determine what messages and media will increase inquiries at the recruiting stations and subsequently increase the number of enlistments.

- To provide current data to assist in designing the most effective advertising plan.

- To test and determine what broadcast medium or combination thereof will most effectively reach the primary target audience of 17- to 21-year-olds and the secondary audience of parents, counselors, teachers, and other adult advisers.

- To increase the awareness and knowledge of the primary audience of those opportunities available in the Army.

Attached is a fact sheet on the test which was submitted to the committee last week. (See p. 31.)

The idea for paid radio and TV advertising, to supplement public service advertising, to increase the number of recruits for the military services was first mentioned to me in July of 1969. There have been many discussions of it in meetings of the Project Volunteer Committee, in other meetings with the Army and with the other services since that time. There has never been any suggestion or any thought, to my knowledge, that the campaign would have any purpose other than to recruit volunteers for the Armed Forces. And it does not; nor will it.

The military services have received a large amount of public service time from television and radio stations. We deeply hope that the stations will continue to make time available without charge to each of the services to help in their recruiting, which is so vital to our national defense. The problem was and remains that less than 10 percent of the TV public service time comes in prime time—those hours when young men who are prospects for recruitment are most likely to be watching. A further problem is that the service with the greatest need to increase volunteers—the Army—is faring relatively less well than the other services in getting public service time. We estimate that in 1970 the Army benefited from only \$6 million worth of public service time on TV and radio, compared with \$11.8 million for the Air Force, \$9.5 million for the Navy, and \$5.0 million for the Marine Corps.

This committee will understand that achievement of an all-volunteer force will depend, in large part, on our ability to inform the youth of the Nation and their parents of the facts and opportunities of military service. We hope to continue to receive a substantial amount of public service time on the air and public service space in the printed media for recruiting. But if the results of the Army's test of paid TV and radio time show that it is effective in helping us toward volunteerism and a zero draft, we believe the military departments should have the opportunity to use paid time to supplement the public service time as part of the total national effort to reduce and ultimately to end reliance on the draft.

(The fact sheet referred to follows:)

TEST OF PAID TV/RADIO RECRUITING ADVERTISING—FACT SHEET

The Army is conducting a 3-month paid recruiting advertising campaign during the period March through May 1971 to test the effectiveness of prime time paid TV/Radio advertising as a means of increasing enlistments in the Army and assisting the Armed Forces in achieving their goal of a zero draft call by June 30, 1973.

The Office of the Secretary of Defense will closely monitor and will make an independent evaluation of the Army's 13-week test. A decision will then be made by the Office of the Secretary of Defense as to the future use of paid TV/Radio advertising for recruiting. Further new obligations for paid TV/Radio advertising by the services are not authorized.

The advertising agency handling the campaign is N. W. Ayer and Son of Philadelphia.

The cost of the advertising campaign is \$10.6 million, which includes:

	<i>Millions</i>
Purchase of TV/radio time.....	\$9.1
Production.....	1.2
LISTFAX ¹	.2
Research.....	.1
	10.6

¹ Telephone answering service.

The funds for the Army's advertising test were made available by re-programming funds within the Army's FY 1971 Operation and Maintenance Appropriation. There were two separate reprogramming actions.

(a) In November 1970 \$5 million was provided to the U.S. Army Recruiting Command for increased advertising. It was an adjustment of funds between sub-programs of Program 8 (Training, Medical and Other General Personnel Activities) within the Operation and Maintenance, Army appropriation.

(b) In February 1971, an additional \$10 million was provided for recruiting advertising. The House and Senate Appropriations Committees were notified of this reprogramming action by letters dated February 9, 1971. The \$10 million item was included in a line item of \$23.1 million for "expanded recruiting activities and special programs to enhance service attractiveness." The Committees were informed that the \$10 million included funds for a paid TV/Radio advertisement test and for magazine, outdoor ads, films, brochures and direct mail campaigns.

Of the total \$15 million granted to the U.S. Army Recruiting Command, \$10.6 million will be used for the paid TV/Radio test and the remainder for other types of advertising.

The House Appropriations Committee held hearings on the reprogramming action discussed in paragraph (b) above. The Senate has not scheduled hearings at this time.

Mr. MACDONALD. Thank you, Mr. Secretary.

You point out on page 6 the cost of \$4 million for TV and \$5.1 million for radio. How many hours or how much time can you buy on radio for \$5 million?

Mr. WOLLSTADT. Mr. Kester, can you answer?

Mr. KESTER. Mr. Chairman, you mean the total number of minutes?

Mr. MACDONALD. Yes.

Mr. KESTER. We can supply it for the record. There are 2,070 stations involved.

Mr. MACDONALD. Right. I will be happy to have it for the record, and request that it be supplied.

(The following information was received for the record:)

HOURS OF RADIO TIME PURCHASED BY ARMY

Before attempting an estimate of the actual number of hours and minutes \$5 million has purchased for the U.S. Army campaign, it is necessary to point out certain facts about time buying.

Costs for radio times vary tremendously depending on what is being purchased. The most expensive radio time in the current Army campaign falls during morning drive time (6-10 a.m.) on radio station WOR New York where 1-minute spots are costing \$250. On the other hand, the cost of 1-minute commercials on over 1,000 radio stations in markets below the rank of 200 is averaging \$3.15. Obviously some 1-minute commercials in very small markets are costing \$1 or less apiece. The costs also vary considerably depending on what day parts are being purchased; as an example, a morning drive time spot on radio station WJR, Detroit, can cost as much as \$200 while the same amount of time during evening hours can cost less than \$70.

With the above facts in mind we can make the following estimate of the amount of actual time being purchased for approximately \$5 million during the current Army campaign: In the top 100 markets an average of 144 spots per week are being purchased.

In the second 100 markets an average of 36 spots per week are being purchased.

In approximately 1,070 markets below the rank of 200 an average of 24 spots per week are being purchased.

On 35 50,000-watt clear channel stations an average of 20 spots per week are being purchased.

Over a 13-week period the schedule described above delivers a total of 576,940 commercials on individual radio stations. Approximately $\frac{1}{2}$ of the commercials are 60 seconds in length while the remaining $\frac{1}{2}$ are 30 seconds in length. The above totals equate to 7,211 $\frac{3}{4}$ hours of actual air time.

Mr. MACDONALD. Do you have any idea, and that is what you are up here testifying about.

Mr. KESTER. Sir, we have not added up the total number of minutes.

Mr. MACDONALD. It just seems to me you can get an awful lot of radio time for \$5 million.

Mr. KESTER. Well, perhaps this would be responsive to your question. We have been running an average number of 72 spots per week on stations in the top 100 markets—in the second 200 markets, this number has been about 36 spots per week.

Mr. MACDONALD. Repeat that. You get 72—

Mr. KESTER. Seventy-two spots per week in the top 100 radio markets. If you drop from the range of 100 to 200, we are running about 36 spots per week, in the markets smaller than the top 100 then it is about 24 per week. Then on clear channel radio stations, mostly in the evening hours, the number is about 20 per week.

Perhaps that is a meaningful way of looking at it. The concentration is on the age group 17 to 21 years old, and the stations and times at which they will be listening.

Mr. MACDONALD. Mr. Secretary, what does the military think of the prime time to attract somebody in the age brackets that you are aiming at? What is your prime time?

Mr. WOLLSTADT. The early evening hours we look upon as prime time.

Mr. MACDONALD. In other words, your prime time idea is the same as the regular commercial advertisers' idea of prime time?

Mr. WOLLSTADT. Yes, it is.

Mr. MACDONALD. What age group are you after?

Mr. WOLLSTADT. We are looking really at the fellow who is a junior and senior in high school.

Mr. MACDONALD. You think he is watching TV early in the evening?

Mr. WOLLSTADT. I think he does, sir, yes. But we will know more when the test is completed.

Mr. MACDONALD. Did anybody take a survey before you went into this thing?

Mr. WOLLSTADT. A survey of the listening habits of young people.

Mr. KESTER. Yes, indeed, Mr. Chairman. We have extensive survey evidence of this.

Mr. MACDONALD. Who did it?

Mr. KESTER. Broadcasting Advertising Research, Inc., which was one company, and this is information that is fairly well known in the industry, the viewing habits of the 18- to 24-year-old audience. The prime time for television they determined was in the evening from about 7:30 on to 11 o'clock. For radio prime time, it is quite different. People tend to listen to radio in their cars, the commuting hours these tend to be the prime time for radio. We have tried to focus the buying of time on this particular age group to run messages on the sources of programs that they are likely to watch at times they will be available to see them.

Mr. MACDONALD. You say this was a well thought out thing and surveyed and you stand by the allocation of money as you have just outlined; is that right, Mr. Secretary?

Mr. WOLLSTADT. That is correct.

Mr. MACDONALD. That brings me to the next thing.

Mr. WOLLSTADT. Subject, of course, to our making careful evaluation of it.

Mr. MACDONALD. Subject to change?

Mr. WOLLSTADT. After completion of the evaluation.

Mr. MACDONALD. That brings me to the next item I think speaks for itself. You say the production cost will run \$1.2 million. Then you say: A telephone answering service to handle calls generated by the ads is \$200,000. Whose idea was that?

Mr. WOLLSTADT. Would you care to answer that?

Mr. KESTER. The telephone answering service?

Mr. MACDONALD. Yes, and the \$200,000 worth of answering service.

Mr. KESTER. We think it is money well spent.

Mr. MACDONALD. It would be well spent if anybody answers your ad.

Mr. KESTER. We have had 55,000 calls so far.

Mr. MACDONALD. In the country?

Mr. KESTER. Yes, in the country.

Mr. MACDONALD. That is in response to how many minutes of advertising?

Mr. KESTER. I would have to give you the figure.

Well, that is as of April 11 and how many minutes we ran up until that time we will have to add up and tell you.

Mr. MACDONALD. I am not going to pursue it, but I will give the subcommittee odds that there will be no overrun on that answering service money.

On page 8 you make reference to the other services, the Marines and the Air Force and Navy. How do they feel about this prime time buying of spots?

Mr. WOLLSTADT. The other services were not enthusiastic about the Army's going ahead with a test program of this magnitude, but they did accept it and they recognize that they are going to share in all of the results of the research so that they can determine whether use of paid radio and TV time might possibly help in their own recruiting.

But, very frankly, they were not enthusiastic about the idea and they are less likely to want to proceed with it than is the Army.

Mr. MACDONALD. They are less likely to do what?

Mr. WOLLSTADT. Less likely to want to proceed with paid TV and radio following the tests than is the Army.

Mr. MACDONALD. In other words, they don't believe in it as much as the Army does?

Mr. WOLLSTADT. That is correct, that is a simple way of stating it; yes, sir. We have the other services here and I think I have fairly stated their position.

Mr. MACDONALD. I can undersand their position, too.

Just to refresh my recollection, how long a period does this cover, this so-called test?

Mr. WOLLSTADT. 13 weeks.

Mr. MACDONALD. How much is it going to cost, again?

Mr. WOLLSTADT. It is going to cost \$10.6 million.

Mr. MACDONALD. Say it is a success or somebody determined it was a success, and if it is successful, I suppose you would like to continue it, right? And on the basis of my rather bad mathematics, you would be coming to the Congress, I take it, and asking for about \$40 million for the next fiscal year for recruitment purposes on spot advertising?

Mr. WOLLSTADT. I don't think that would be the case, because the best recruiting months are the current months—that is, the months when young men are getting out of high school, so I don't think we can multiply 3 months by 4, and say that that would be an annual expenditure.

Mr. MACDONALD. How much do you think it would be? I mean that is on an annual basis.

Mr. WOLLSTADT. Because you asked the question, I am responding with an answer that is a personal one. If the tests were a complete success and we really thought it did the job of moving us toward an all-volunteer Armed Force to a degree that we wouldn't otherwise move, I would say \$20 or \$25 million total.

Mr. MACDONALD. Do you really believe that this will generate other public spots given by people who have not shared in the largess of the money put out by this program? As Mr. Bartley indicated, he was a broadcaster and he indicated, I think very reasonably so, that if a station has made quite a bit of money from paid spots, what is the inducement for either themselves, when the contract runs out, or their competitors, to give free spots of the same nature?

Mr. WOLLSTADT. That is one of the things.

Mr. MACDONALD. Has anybody thought about it?

Mr. WOLLSTADT. Yes, indeed, we have. One of the things we are going to look at carefully in our evaluation is whether the amount of public service time stayed the same, whether it went up, whether it went down, and how much each of the services was affected in that respect. We have a very careful program for monitoring public service time during this period.

Mr. MACDONALD. Well, would you explain a little bit? I can't follow it.

General KIDD. As Mr. Wollstadt said, one of the things is the impact of free time provided us.

Mr. MACDONALD. Would you mind taking a microphone?

General KIDD. We are tracking this during the tests, the free time provided before the test, during, and subsequent to the test, to see what impact this has had on us.

Mr. MACDONALD. I understand your interest. That is why I asked the question, but my real question is, How are you going to do it and how is it going to be monitored, so-called? What are the mechanics, what is the machinery?

General KIDD. The details for that I will have to supply for the record.

Mr. MACDONALD. I thought this was surveyed out. You say you gave a lot of time and attention to it.

Mr. WOLLSTADT. Can I introduce Mr. Gus Lee, Director of the Procurement in the Office of the Secretary of Defense, and Mr. Lee says he can supply that information now.

Mr. LEE. We have, so far, information that a total of 16 stations, and I have to supply it for the record, the mix between radio and TV, but they are mostly radio, have discontinued free time. The ones that have come to our attention have discontinued free time. They are in the smaller areas and I will amplify the record on it, but it can give you a little bit of the feel for the impact so far. In general,

it has not felt a large discontinuance of free time so far. The way the mechanics of how we will monitor this works, is that it is really through our local recruiting stations that most of the arrangements for free time are made, that is at the local level, and they will be able to keep up our local recruiting stations of which we have some several thousand over the country and they will be able to keep up and report back to us what is or is not free time.

Mr. MACDONALD. Why don't you pull up a chair?

Mr. LEE. Yes.

Mr. MACDONALD. Now, I know the military obviously has its outlets for recruiting, but I want to know how they are going to monitor the results of the program.

Mr. LEE. They are charged with responsibility of making arrangements to keep up with it through the stations. They have contacts with the stations.

Mr. MACDONALD. They have contacts with the stations?

Mr. LEE. Yes, with the local stations. They will, I think, and this I will have to amplify for the record, because I don't know enough about the details of the procedure—

Mr. MACDONALD. Is there anybody over there that does?

Mr. KESTER. We are having Broadcast Advertising Research run a test on this on a sample basis.

Mr. MACDONALD. What are the tests? What do you mean "run a test"?

Mr. KESTER. They are sampling particular stations having people listen to them throughout the day to see.

Mr. MACDONALD. I think we are talking about two different things. I am asking the question of what effect this purchase of paid public service programs is going to have on free public service programs.

Mr. KESTER. And I am saying we are measuring it by sampling stations to see how many free public service ads they run throughout the day.

Mr. MACDONALD. Before and after?

Mr. KESTER. Yes, during the test; yes, sir.

Mr. MACDONALD. During the test, all right.

Who is going to do it, the recruitment agency or that service you keep talking about?

Mr. LEE. Both ways.

Mr. MACDONALD. Both.

Thank you.

Mr. Van Deerlin?

Mr. VAN DEERLIN. This is not an evaluation session, by any means, Mr. Wollstadt, but I am wondering, if, in general, you are satisfied with the results thus far of the campaign?

Mr. WOLLSTADT. I think it is just too early to tell.

Mr. VAN DEERLIN. What is going to determine the value of this campaign?

Mr. WOLLSTADT. The basic determinant will be the number of recruits that we believe resulted from this campaign, the young men that we believe would not have joined the Armed Forces, except for this campaign.

Mr. VAN DEERLIN. It has been testified you had 55,000 telephone calls thus far. How many telephone calls does Army recruiting normally get in a comparable period of time, say a month or 6 weeks?

Mr. KESTER. Nothing of that magnitude, Mr. Van Deerlin. The calls to local recruiters would be broken down as to each local recruiting station and we don't have that statistic. I am talking about calls coming into the central answering service which are then referred to local recruiters. We have noted a sharp build-up in the number of calls as the test has gone along. The intensity of the showing of messages has increased and the calls have tended to follow that pattern.

Mr. VAN DEERLIN. How have you done on persuading young men to raise their right hand and sign the paper as a result of the campaign thus far?

Mr. KESTER. I would hate to say anything definitive at this point. The number of enlistments in the combat arms for March approximately doubled. I don't want to draw any big conclusions from that because it was a small number to start with.

Mr. VAN DEERLIN. The number of voluntary enlistments for the month of March has approximately doubled?

Mr. KESTER. In the combat arms of the Army, infantry, armor, and artillery, and this is the area of enlistments the Army is particularly concerned with.

Overall, we don't have a significant increase in enlistments at this time, but we have attacked it in phases. More of the ads appear later in the year and we expect young men also to enlist when they get out of high school in May and June and we targeted on these young men most, and March and April tend to be the poorer enlistment months.

Mr. VAN DEERLIN. This is a more restrictive area of enlistment you referred to—"combat arms." What is the average monthly enlistment for this type of service as compared with overall Army enlistments?

Mr. KESTER. It would help if I gave you figures. We have about 300. We have about 300 people enlisting monthly in combat arms as against a requirement of about 6,500, so you see we have a tremendous shortage of men who volunteer for skills in the infantry, armor, and artillery. This amounts on an annual basis to about 75,000 or 80,000 of the approximately 320,000 young men we need.

In fiscal 1971, the current fiscal year coming to a close, we expect to draft 170,000 men and enlist 150,000 overall, so you see we have more than 50 percent of enlisted accessions being drafted into the Army right now.

Mr. VAN DEERLIN. Is it true that your overall voluntary enlistment figures for the first full month under this program which began March 1 or 2—that is, for March 1971—was actually below the comparable months for 1970 and below the month of February 1971?

Mr. KESTER. Well, you can't do that.

Mr. WOLLSTADT. I don't think it is the case according to information I have.

This is on all of the services?

Mr. VAN DEERLIN. No, this is the Army.

Mr. KESTER. The Army, I believe, was slightly below the 1970 figure. However, the enlistment rate tends to be a function in part of the

draft call and the draft call was lower in 1971 than it was in 1970, so when you factor that out I think you come out with very little statistically significant variation.

Mr. VAN DEERLIN. In any event, you suggested there may be an ongoing benefit here. I assume a raise in pay, which the House already has passed, doubling the pay for recruits, might be almost as appealing as the opportunity to drag race a tank.

What efforts were made before you undertook this "paid" campaign to obtain better free time on the air?

How were your figures on page 8 compiled, showing the relative success of the Air Force and Navy in getting free time on the air as compared with the Army and Marine Corps, which seemed to have done worse than the Army?

Mr. WOLLSTADT. We got figures from each of the services and assembled them and made a comparison.

Mr. VAN DEERLIN. Did the stations give you a statement of what is carried and you totaled it up?

Mr. WOLLSTADT. I think that is the way it worked.

Mr. VAN DEERLIN. Well, does anybody know how it works?

General KIDD. In the case of the Air Force, we have a contract with an organization called Broadcast Advertisers Reports, Inc., and they run surveys for us, listening surveys, checking the number of spot announcements, particularly Air Force spot announcements. This way we can get a trend or whether the number of announcements on free time are increasing or decreasing and can extrapolate from these reports and convert into dollars an estimation of the value of free radio and TV time.

Mr. VAN DEERLIN. What effort was made to get a step-up in quality of the time that you were given on television or radio?

Mr. WOLLSTADT. I believe each of the services has made that effort on a continuing basis and whether there is any special effort made just prior to this, I don't know. I don't know of any special campaign that was conducted right at this time.

Mr. VAN DEERLIN. Because, as you know, some licensees like Ward Quaal of the WGN chain in Chicago, Mr. McGannon of the Westinghouse chain, and others elsewhere, express resentment at being asked to accept money for something they said they had been giving you. It occurs to me, with an attitude like that on the part of licensees, a prodigious effort—far less costly than this campaign—might have been undertaken to persuade the licensees to do better by the Army. Was there such an effort?

Mr. KESTER. There was no crash effort before the test began to do this. But I think, sir, that we have seen that the loss of public service time now has been negligible. You mentioned WGN and we had been told that WGN had been running eight public service announcements for all of the Armed Forces per month. Losing that amount of public service time is not really a significant loss when we are talking about a problem of this magnitude.

Mr. VAN DEERLIN. Did you make any contact with the Advertising Council, with the hope of getting a concentrated campaign through the Ad Council?

Mr. KESTER. We have talked to the Advertising Council periodically about this. I don't mean to criticize the broadcasters on the subject because there are many, many claimants for the limited amount of public service time that is available. We realize there are other good causes which they have to pay attention to as well as Army recruiting.

Mr. VAN DEERLIN. But one of the services the Advertising Council performs is to take a worthy program and zero in on 1 or 2 months with a campaign, at which time they assure the licensee they are not going to be bothering them with any other campaign. This comes in professional form, and it gets them some remarkably good time.

Mr. WOLLSTADT. As far as I know, there were no special contacts with the Advertising Council preceding this test.

Mr. VAN DEERLIN. Have you found radio to be as unavailable to you as television in good time? Obviously, there is not the same prime time consideration in radio; it's called "driving time." But what prompted you to spend more than \$5 million on radio alone?

Mr. KESTER. There is a prime time in radio. It is a different prime time than in television. We put more money into radio because we thought that for this particular audience radio might be more effective than reaching them by television.

We don't know which is the more effective medium. We will be evaluating this to find out whether radio is a better buy than television. Some of the indications we have today indicate that perhaps television gets a bigger response than radio.

Mr. VAN DEERLIN. Do you get help from the Radio Advertising Bureau to help you get to these stations, whose rate of sales has been awfully low for the last year or two, and who might have found extra time available for you?

Mr. KESTER. We find the stations that have the time available tend to be the stations which have not sold all of their advertising time. The reason they have not sold it is that they tend to have the smaller audience. To some extent, in this business, you get what you pay for, I think. We find in television 4 percent of the Army's ads broadcast as public service announcements appeared in prime time and 96 percent were in off-hours.

Mr. VAN DEERLIN. Is it your belief there is any radio station in the country today that is completely sold out?

Mr. KESTER. I couldn't address it. I don't know that much about radio marketing.

The point is whether we can get a campaign that we can control and where you have some assurance of reaching your audience.

Mr. MACDONALD. I have one question.

You say you don't know much about radio. Are you in charge of the program for the services?

Mr. WOLLSTADT. Mr. Kester is in charge for Army.

Mr. KESTER. For the Army.

Mr. MACDONALD. You say you don't know anything about radio?

Mr. KESTER. I don't know enough about the radio business to tell you whether every radio station in the country has sold out all of its time. I think it obviously must be "No."

Mr. MACDONALD. What is your background on radio?

Mr. KESTER. I am an attorney, sir.

Mr. MACDONALD. You are an attorney?

Mr. KESTER. Yes, sir. We rely for advice in matters of this sort on those professionally skilled in the area and for that reason the Army for years has retained an advertising agency to advise us on these matters. We see no reason at this point to question their judgment in this area.

Mr. MACDONALD. Thank you.

Mr. VAN DEERLIN. Was the placement schedule on radio and television for this project left entirely to the advertising agency that you have retained?

Mr. KESTER. Yes, sir. We didn't try to second-guess them on that. That is something we considered beyond our competence.

Mr. VAN DEERLIN. You have not participated in the selection of stations for this schedule of advertising?

Mr. KESTER. Not at all.

Mr. VAN DEERLIN. Thank you. Now, what ground rules were established to accompany the placement of advertising? Have you set any standards regarding agencies—what kind of programing you wanted to avoid being near?

Mr. KESTER. We gave the agency general guidance in that we wanted to reach an audience of young men 17 to 21 years old, primarily the high school graduate, young men who might be ready to enter the military service. We said to the agency, "Advise us as to what the best means is to contacting them on electronic media." The agency had, through survey data, a list of the radio programs or the television programs which are most listened to by people in this age group.

Mr. VAN DEERLIN. Were there any instructions given—and, if so, were they given by you or the agency—in regard to avoiding adjacency to news programs?

Mr. KESTER. There were no such directions given by the Department of the Army and I am quite sure none were given by the agencies.

Mr. VAN DEERLIN. Any such questions should be addressed to the agencies?

Mr. KESTER. Yes, we gave no instructions.

Mr. MACDONALD. Do you think it would be better for our purposes to have the agency here rather than you people?

Mr. KESTER. The agency is here, sir, but I think we can address the kinds of questions you are asking. If we cannot, we will hold them.

Mr. VAN DEERLIN. Do the individual services use different advertising agencies?

Mr. WOLLSTADT. Yes. Each one has a different agency.

Mr. VAN DEERLIN. There have been some inquiries apparently by the J. Walter Thompson Co. in regard to Marine recruit advertising.

I don't know exactly what this covered—whether the Marine Corps was studying a similar program, or whether they wanted to profit by your mistakes, if any. Can you address yourself to that sir?

General BECKINGTON. Yes, sir. J. Walter Thompson Co. is our advertising agency, and has been for a number of years, and we have

asked them to develop for us a proposed new recruiting theme for the Marine Corps so that I believe that is what they have been involved in for us.

Mr. VAN DEERLIN. What was the thrust of the inquiries that they have been making?

General BECKINGTON. Well, we wanted to know from them if they could advise us on what theme might appeal to the young man who would be either interested in joining the Marine Corps or who might become so interested. We have had over the years three or four differing recruiting themes that have formed the sort of thrust you see on recruiting posters and billboard advertisements and so on, and it was that type of an examination and evaluation and advice we asked the J. Walter Thompson Co. to review at this time.

Mr. VAN DEERLIN. Was there also some concern that the project undertaken by your sister services might dry up some free time for the Marines, which according to figures was already below what the Army had?

General BECKINGTON. Not at the time we asked them to do this, Mr. Van Deerlin. Our request to the J. Walter Thompson Co., who we retain on sort of a permanent—not a permanent basis, but the matter is reviewed periodically. But our request to them on this point was made back in the late winter, late December or early January time frame, as I recall, before we in the Marine Corps were aware of any plan to test paid advertising by the Army.

Mr. VAN DEERLIN. Thank you, Mr. Chairman.

Mr. MACDONALD. Before you start, Mr. Brown, I would point out to the committee that we have not even seen the slides yet and probably a quorum call will come up at 10 or quarter past 12, so I thought we maybe ought to shut off questioning around 5 minutes to 12 so we can see an example of what is being shown, although I think maybe most of us have seen it on TV already, so if we could prime up our questions, it would be helpful.

Mr. BROWN. I was interested in figures on page 8 also, and I would like to see further elaboration on them to include the cost of making those free spots as opposed to the results that they obtained. It occurs to me that perhaps the reason the Air Force got better treatment from radio and television, the licensed media, was they have, in fact, produced a better program in terms of free time.

I gather this \$11.8 million includes only the cost, then, of the free spots as identified by the Federal Communications Commission and does not include what Harry James or the Singing Sergeants does on either side of the free spot; is that right?

General KIDD. That is correct.

Mr. BROWN. So maybe it is the Air Force is a better programmer in terms of entertainment than the Marines or the Navy. But until we know how much they put into that part of the effort, there is no way of assessing whether the Marines are doing better or worse, relatively, than the Air Force or Navy in this regard, or the Army.

Any comments?

Mr. WOLLSTADT. We will furnish it for the record for each service.

Mr. BROWN. I assume it will be based on four different analyses of costs of making these programs? Could we get a common analysis of

the cost of the program? I assume if you buy Harry James, it would cost a little more than if you asked the Singing Sergeants, somebody in the higher places asked the Singing Sergeants to record something?

Mr. WOLLSTADT. We will do our best to achieve comparability in the estimates and by "we" I mean the Office of the Secretary of Defense will try to make the analysis comparable.

(The following information was received for the record:)

COST OF PRODUCING ADVERTISING SPOTS USED IN PUBLIC SERVICE TIME TV AND RADIO

	Fiscal year 1970	Fiscal year 1971 estimate
Army.....	\$203,156	\$1,019,000
Navy.....	457,920	239,800
Marine Corps.....	95,750	169,075
Air Force.....	443,000	408,000

The above costs are not comparable between services; and for the Army and Marine Corps, the costs are not comparable from FY 1970 to FY 1971. The reasons are:

1. The Army FY 1971 costs are for advertising spots which are being produced for *both* public service and paid broadcasting. The FY 1971 amount shown above does exclude the cost of producing spots used solely on paid broadcasting time. For the paid TV/radio test there are also talent residual charges and network integration charges.

2. In FY 1970, the Marine Corps produced their advertising spots in-house, therefore they did not include the cost of Marine camera crews, film and prints. In FY 1971 the Marine Corps shifted to a commercial source.

3. The Navy and Air Force amounts exclude the cost of service camera crews when used, and the cost of prints.

Mr. BROWN. All right, sir, the other question I would like to ask you is, Have you done any analysis on the costing out of the current methods or recently used methods of recruiting versus the results, compared to the results which you seem to feel that you are getting from this method of recruiting? That is the first question.

Do you understand what I ask?

Mr. WOLLSTADT. I guess I don't, I am sorry.

Mr. BROWN. Could you tell me what it cost the service now to get any of the branches of the service, that is, to get a recruit sworn in?

Mr. WOLLSTADT. I can't tell you. I think perhaps each of the services here could speak to that point. I think there will be variations because in some cases you require a higher percentage of more sophisticated people, so the services are not uniform in that respect.

Mr. BROWN. I would assume each service has some judgment as to who gets the more sophisticated people, but, Admiral, do you have specific figures?

Admiral GREENE. For the Navy, currently the cost is about \$435 per enlistee this spring.

Mr. BROWN. Did the Marines or Air Force have comparable figures?

General KIDD. I don't have one available. I will be happy to supply it for the record. (See p. 43.)

Mr. BROWN. Are these based also on the same method of evaluation of costs?

Mr. WOLLSTADT. We will try to assure you that they are.

Mr. BROWN. You know, in the post office building where my office is located, each of the services has a little free space and I don't know if somebody has to clean that space and light it, and so on, and I am curious whether it is included in all of these figures or not included or what?

Admiral GREENE. We figure the salaries for civilians and pay for our military recruiters and overhead expense and advertising costs, that all goes into the \$435 per enlistee.

Mr. BROWN. And the free programing?

Admiral GREENE. Yes.

Mr. BROWN. Do the Marines have any comment there?

General BECKINGTON. We do have the same figure. I don't have it here at my fingertips, and will supply it. I think we use the same costing method that Admiral Greene just related to you.

All I know is really it keeps going up actually, the cost of recruiting service as measured by the cost per recruit actually enlisted.

(The following table was received for the record:)

COST PER ENLISTED RECRUIT (ACTIVE FORCES)

Estimate for fiscal year 1971:

Army-----	\$434
Navy-----	358
Marine Corps-----	387
Air Force-----	327

Mr. BROWN. All right. It occurs to me again the way to assess whether you rely on the media for free time as opposed to paid-for time and everything relates to how much you put into creation of that free time versus paid-for time and it all relates to whether you are getting better results one way or the other.

Admiral GREENE. The Navy's costs are based on free advertising all the way.

Mr. BROWN. I understand they are, but that advertising is not totally free to the Navy; in other words, it cost the Navy something to put together the programs sent out to the media?

Admiral GREENE. Yes.

Mr. BROWN. All right. What about the provision of free material to other media in the jurisdictional area, as the licensed media, but this question is as to newspapers, magazines, billboards, and is their material provided free to these people and to what extent is it used and how does the cost of provision of that material relate to its use?

Mr. WOLLSTADT. In connection with printed media there are differences among the services. The Army and the Air Force do use paid advertising and have for a good many years. I think last year the Army spent \$2 million.

Mr. KESTER. \$1.7 million.

Mr. WOLLSTADT. \$1.7 million primarily for magazine advertising. The Navy does not use paid advertising and I am not sure about the Marine Corps, but I think the Marine Corps does not.

General BECKINGTON. We have a very small amount of money for paid advertising, Mr. Brown. This year it is in the neighborhood of \$25,000, this fiscal year we are in now. It is almost entirely, and I believe really I can say "entirely," used in college newspapers to essentially place a very small ad that announces the date of the

planned visit of what we call our "officer selection officers," the ones who visit the campuses and seek to interest young men in our Marine officer program.

Mr. BROWN. It would be helpful, I think, if we could get that information, General.

(The following information was received for the record:)

COST OF PRODUCING PUBLIC SERVICE RECRUITING ADVERTISING IN PRINT MEDIA

The advertising material is provided free to the newspapers, magazines and billboard operators. The cost of producing the advertising material is as follows:

	For use in—			
	Newspapers and magazines		Billboards	
	Fiscal year 1970	Fiscal year 1971	Fiscal year 1970	Fiscal year 1971
Army.....	¹ \$20,079	¹ \$22,924	0	\$3,700
Navy.....	¹ 10,710	¹ 11,719	\$43,171	31,281
Marine Corps.....	0	500	8,500	10,500
Air Force.....	7,300	4,600	27,000	23,000

¹ Newspaper only. Army and Air Force received no public service magazine space.

The estimated use of the material prepared for public service space is as follows:

Army.—Public service space was provided in over 400 small-town newspapers in FY 1970. During FY 1971, 603 newspapers published public service ads or recruiting information columns. During FY 1970, 8,400 billboard posters were displayed. For FY 1970 to date, about 3,000 billboard posters were displayed. Army has no dollar estimate of the value of the public service space in newspapers and billboards.

Navy.—The estimated value of the public service space is:

	Fiscal year 1970	Fiscal year 1971
Newspapers.....	(¹)	(¹)
Magazines.....	\$100,000	\$150,000
Billboards.....	600,000	600,000
Other displays, exhibits.....	100,000	100,000

¹ Not known.

Marine Corps.—The estimated value of public service space is:

	Fiscal year 1970	Fiscal year 1971
Newspapers.....	\$1,520,000	\$1,700,000
Magazines.....	10,000	10,000
Billboards.....	3,000,000	3,100,000

Air Force.—Not known.

Mr. BROWN. Did you have a comment, Admiral, about the Air Force?

General KMD. Yes, sir, this fiscal year the Air Force is spending \$501,000 for paid periodical advertising. This, however, covers a rather wide spectrum of customers and includes Air Force Academy

advertising, Reserve Forces, ROTC, career motivation projects, medical programs, and so forth, so it is not all directed at recruits.

A breakout directed specifically at recruits would probably be about 60 percent of that sum.

Mr. BROWN. One final question, because I do not want to take any more time and see that the other members have time to ask questions, but it is related to this question of other media. I see an ad for the Marines on the billboard and I assume that is provided free?

General BECKINGTON. Yes.

Mr. BROWN. And if there is anything else to fill the billboard with, they put a picture of the Marine in dress uniform on there and say, "Join the Marines." And what is likely to be the result for the Army or anybody else when the billboard people feel that the television and radio people are being paid and now I understand what you are saying is that the magazines get some dollar budget in paid advertising and are we likely to have that Marine ad replaced by something for bonds or trash on the highway or something like that?

Do you have any thought on it and could you tell me what the situation is with reference to newspapers?

Mr. WOLLSTADT. That certainly is a possibility and it is one of the things we will look at in the evaluation. As far as we know, the fact that the Army and Air Force have spent some money in the printed media has not been a handicap up to this point to the Navy and Marine Corps. When you are talking about competing media, this could be different and it is one of the things that, very frankly, we need to look at.

Mr. Chairman, I have one point I would like to make clear. As far as the Office of the Secretary of Defense is concerned, we have no preconceived notion as to whether this test is going to show that we should go forward with paid TV or radio advertising, increase it, or decrease it. We expect to make an analysis just as objective as we can, and it is one we know we are going to have to defend before both of the Armed Services Committees and probably both of the Appropriations Subcommittees in order to get the money to carry it out. I would like to assure you we have not made up our mind in advance.

Mr. MACDONALD. Thank you, Mr. Brown.

Mr. Tiernan.

Mr. TIERNAN. Thank you, Mr. Chairman.

Mr. Wollstadt, do your records indicate whether Army recruits come in greater number proportionately from the rural areas than from urban areas or is it the other way around?

Mr. WOLLSTADT. I don't have it. Perhaps someone from the Department of the Army might have it.

Mr. TIERNAN. I understand you are Deputy Assistant Secretary of Defense for Manpower, Research, and Utilization, is that correct?

Mr. WOLLSTADT. Yes.

Mr. TIERNAN. Does anyone with you have the figures?

Mr. KESTER. We can supply them broken down, urban versus rural.

Mr. TIERNAN. You have the information?

Mr. KESTER. Yes, sir.

(The following information was received for the record:)

SOURCE OF ARMY RECRUITS, URBAN-RURAL*

Current statistics on the urban-rural source of Army recruits are kept only for those who enlist for the Infantry, Armor and Artillery. For this group 67 percent came from urban areas and 33 percent from rural areas. These enlistments, however, represent only a small portion of total Army enlistments and may not be representative.

Mr. TIERNAN. Was that information utilized in the scheduling of the programs?

Mr. KESTER. Yes, it was.

Mr. TIERNAN. By you or by the advertising agency?

Mr. KESTER. By the advertising agency at our behest.

Mr. TIERNAN. Is this project—is this test run or being run by the advertising agency that generally handles your recruitment program?

Mr. KESTER. Yes, sir.

Mr. TIERNAN. And they have handled your program for how long a period?

Mr. KESTER. Since fiscal year 1968.

Mr. TIERNAN. And it has been the least effective of all of the services in producing manpower, is that correct?

Mr. KESTER. Well, I don't think you can take that to be a point of the program.

Mr. TIERNAN. Are there many other agencies?

Mr. KESTER. Many other agencies, all of the leading agencies.

Mr. TIERNAN. This is the agency that handles advertising for the Army?

Mr. KESTER. That is correct.

Mr. TIERNAN. Would you supply for the record how long they handled the advertising? I ask the same question of all the other services. The Marine Corps has used the Thompson agency, I understand. Would the other services supply for the record the advertising agency and dates and how long a period.

(The following information was received for the record:)

ADVERTISING AGENCIES USED BY SERVICE RECRUITING ORGANIZATIONS

Service	Agency	Initial contract date
Army.....	N. W. Ayer and Son, Inc.....	July 1, 1967
Navy.....	Young & Rubicam, Inc.....	Do.
Marine Corps.....	J. Walter Thompson Co.....	July 1, 1947.
Air Force.....	D'Arcy-MacManus-InterArmco, Inc.....	July 1, 1959.

Mr. TIERNAN. Now, from the testimony, your statement, you indicate you have received in the last year \$6 million of free time, is that correct?

Mr. WOLLSTADT. The Army?

Mr. TIERNAN. I say the Army has received that.

Mr. KESTER. Putting a value on it is somewhat arbitrary.

*Rural areas are defined as towns with less than 5,000 population and farms, rancher, etc.

Mr. TIERNAN. What does it cost to produce the programs?

Mr. KESTER. The production of commercials?

Mr. TIERNAN. Yes, for 1970.

Mr. KESTER. I can supply it for the record. (See table, p. 42.)

Mr. TIERNAN. Did the amount of service available, free time available, to the Army decrease in 1970 over 1969?

Mr. KESTER. I don't believe so.

Mr. TIERNAN. Do you have the figures?

Mr. KESTER. We can try to supply those. I don't know if we have them.

Mr. TIERNAN. Would you supply us back to, say, 1965?

Mr. KESTER. We can try.

Mr. TIERNAN. I am talking about now the amount of free time you received since 1965 up until 1970. Your testimony indicates the Army received benefits they estimate at \$6 million in free radio and TV time, is that correct?

Mr. KESTER. As I say, the \$6 million is rather arbitrary because we have no control over it. That is to some extent the broadcasters' own evaluation.

Mr. TIERNAN. I would assume the broadcasters sent you that information previously, too, didn't they? Did they or didn't they?

Mr. KESTER. I will have to check whether we can go back to 1965. We will try to give you what we have available on it. I think there has been little fluctuation in the amount of free time available over that period.

(The following information was received for the record:)

VALUE OF TV AND RADIO PUBLIC SERVICE TIME FOR ARMY RECRUITING

The value of TV and radio public service time provided the Army is unknown prior to 1970. The estimated value of public service time provided the Army in 1970 is approximately \$6 million. This estimate is based on a study conducted by an independent research organization, Broadcast Advertisers Report, Incorporated, during a full week in August 1969. The average TV station delivered 4.15 spots per week, the average AM radio station, 4.21, and the average FM radio station, 2.16 spots per week. The average industry rate card value in dollars of each spot is estimated at \$51 for TV, \$7 for AM radio, and \$4 for FM radio. This is due to most spots being aired during non-prime time. Projecting these figures to the approximately 600 TV, 4,300 AM, and 1,500 FM radio stations, the following estimated value is placed on public service time delivered on an annual basis:

TV	\$5, 400, 000
AM	5, 200, 000
FM	500, 000
Total (rate card value)	11, 100, 000

Discounting this estimated rate card value results in the Army's 1970 Public Service time value of \$6 million.

Mr. TIERNAN. The Marines received approximately \$5 million, as you estimated in free time?

General BECKINGTON. That is right.

Mr. TIERNAN. Your requirements are considerably less than what the Army manpower requirements are?

General BECKINGTON. Very much so, yes.

Mr. TIERNAN. So that proportionately, though, it appears you only received \$5 million as compared to \$6 million, your requirements are a great deal different?

General BECKINGTON. Yes, I would say that is correct, sir.

Mr. TIERNAN. Have you had any comment adverse to the procurement of recruitment ads through the method that is being undertaken by the Army, the Marines, the Navy, or Air Force, any of the services?

General BECKINGTON. From any particular source, Mr. Congressman, I am not sure I understand.

Mr. TIERNAN. Yes, either military or private sector.

General BECKINGTON. We have had the experience which Mr. Wollsadt, I believe, referred to in a general sense in the loss of some public service time which has occurred to us in a few isolated instances so far.

Mr. TIERNAN. Do you consider that significant at this time?

General BECKINGTON. I think we would have to wait a bit longer, quite frankly.

Mr. TIERNAN. Is that the experience with the other services, pretty much the same?

Admiral GREENE. Yes, for the Navy we have no comment on a significant adverse effect.

Mr. TIERNAN. At this time?

Admiral GREENE. Yes, at this stage in the pilot program.

Mr. TIERNAN. Do you have any feelings there may be further adverse reactions as a result of this test program?

Admiral GREENE. No, sir, not at this time.

Mr. TIERNAN. On your commercials in the past, the three services, did you have something indicating "to call a certain number for information," or did you just say, "Go see the Navy or Marine Corps recruiter," or say, "Call such and such a number?"

Admiral GREENE. We did not or do not have such an arrangement.

Mr. TIERNAN. Do either of the other services, Air Force and Marines?

General KIDD. Ours are generalized and say, "See your local Air Force recruiter."

Mr. TIERNAN. Has the Army in the past had a similar method of calling such and such a number in their recruitment program?

Mr. WOLLSTADT. No.

Mr. TIERNAN. So you are half-way through the test period and you experienced a total of 55,000 phone calls in half of the test program, is that correct?

Mr. KESTER. Through April 11.

Mr. TIERNAN. You have no way of determining that of those inquiries how many resulted in manpower, how many individuals?

Mr. KESTER. We are following up on that.

Mr. TIERNAN. Could you tell the committee what the results of those 55,000 calls are?

Mr. KESTER. We have received, I believe, about 4,000 that have left their names with recruiters and said, "I want to get in touch with you later." Of those, I think around—I will supply the precise figure for the record—have been enlisted directly as a result of calling the

service, and there are also a large number of people who walk into the station and they are asked what caused them to come in, and a large number will say, "I saw something on television."

Mr. TIERNAN. Are those included in the 55,000?

Mr. KESTER. They are not. Although there may be overlap to some extent, so that is another group. We are also measuring that.

(The following information was received for the record:)

INITIAL RESULTS OF IMPACT OF ARMY'S TV-RADIO ADVERTISING CAMPAIGN

We can now provide a more current figure on response to the TV-radio advertising messages.

During the period 1 March to 25 April 1971 there has been a total of 75,548 Listfax telephone inquiries. Of this number, 4,546 have been named referrals. After screening the refined Listfax numbers, there were 3,841 eligible leads. These were forwarded to recruiters expeditiously for immediate follow-up.

Of the 3,841 eligible live leads provided, 235 enlistments and five delayed entry enlistments have been reported as being directly attributed to these live leads. An additional 888 enlistments and twelve delayed entry enlistments have been reported as a result of walk-in traffic or telephonic inquiries resulting from the exposure to the Army advertising.

It is too early to measure the impact of the advertising effort. Many young men have been exposed to the advertising messages who will not be available for enlistment until the completion of the school year. We are also finding that the weekly number of enlistments attributable to advertising is increasing compared to the early weeks of the campaign.

Mr. VAN DEERLIN. Will you yield?

Mr. TIERNAN. Yes, if he concluded.

Mr. VAN DEERLIN. You would agree, would you not, on the basis of monthly recruiting figures, that regardless of the existing draft calls to which you referred for both January and February of 1970, you had lower enlistment figures—voluntary enlistments—than you did for January and February 1971, and for the month of March, the first complete month under this broadcast program, you had fewer voluntary enlistments than you had for the month of March 1970?

Mr. WOLLSTADT. Excuse me, I do have the Army enlistment figures for March and they actually were up almost 10 percent.

Mr. VAN DEERLIN. What figure do you have for the month of March?

Mr. WOLLSTADT. 12,600 Army enlistments in March.

Mr. VAN DEERLIN. I have 12,657. I got 57 more than you have.

Mr. WOLLSTADT. According to my fact sheet here, it is 1,200 more than the March 1970 total.

Mr. VAN DEERLIN. Well, the Army recruiting service has told us for the month of March 1970 there were 14,360.

Mr. WOLLSTADT. I am sorry, I can't explain that.

Mr. VAN DEERLIN. Let's be sure we get the exact figures. Will they be provided?

Mr. KESTER. We will be happy to provide the figures, and, as I said, there is a difference in the draft calls for 2 years. We can't leave it out of the calculation.

Mr. VAN DEERLIN. Precisely, but from what is shown for the months of January and February, you did better without the advertising program in 1971 than you were doing in 1970, whereas for

the month of March, while the advertising campaign was on, you dropped for the first time as compared with 1970.

Mr. KESTER. Mr. Lee, I think, has information.

Mr. LEE. You are correct as to the figures for March 1970 if all accessions are included. The March 1970 total which you have is not the same as we have because our figure is for new male personnel only. On the relationship between this year and last year, you are generally correct on the basis of all accessions, but this is independent of the advertising campaign and it would in my opinion be an error to conclude that the reason for the difference in the figures was the advertising campaign.

There are a great many other variables in it. The easiest one to explain is the seasonal nature of the recruiting market. Generally speaking, we aim at a high school graduate. Our recruiting policy in the high school, is to urge boys to stay in school and graduate. For this reason, January, being a midterm, an end of term, and end of semester is seasonally higher than March.

Mr. TIERNAN. Before you go on, and I am going to take back the time I have because I don't want you to pursue this further, because I think Mr. Van Deerlin made the point clear that the enlistments in January and February were higher than the figure supplied, then, for January and February of 1970, that the figures for March of 1971 are lower than the figures of March of 1970, so those are the same months and the same factors and, additionally, you have a greater number of unemployed people in the country than you did a year ago and those are certainly to be considered in recruitment of all personnel for the military services, and Mr. Lee, I will let you answer, but let me say this, we are running out of time and the chairman indicated he wants to show the film and I wish we had more time, but if the figure was up for March 1971 over 1970, you would be telling us it was a result of the advertising campaign that you put on on radio and television, wouldn't you?

Mr. LEE. That is a conclusion with which I wouldn't agree either for the same reason I wouldn't agree that the results that have happened so far are attributable to the advertising campaign. The year-to-year total in our accession requirements is lower this year than last year.

Our draft calls are lower this year than last year, so draft pressure on enlistment is lower.

In March, which is seasonally one of the lowest months of the year, the number of new males recruited was much better than a year ago, as Mr. Wollstadt indicated.

Mr. TIERNAN. What are you going to do when you have no draft calls?

Mr. LEE. If I may finish, we had seasonally this year for male recruits one of the best Marches in the Army that we have had in years. I am not willing to attribute that to the advertising campaign—just as I would be unwilling to attribute the inference that a drop would be due to the advertising campaign. In my opinion neither is the case. There are other factors in the situation.

Mr. TIERNAN. What other factors?

Mr. LEE. One factor is we increased the number of recruiters this year as compared to last. So that when we take all of the variables into consideration, it simply is, in my judgment, an incorrect opinion to attribute any month-to-month differences of the figures in the Army or other services to the advertising campaign.

Mr. TIERNAN. I am going to cut you off because the chairman said to, and I want to ask one question, if you would supply further amplification of the statement you want to make, we would appreciate it, but one question: The other services, what has your experience been January, February, and March of this year with regard to your recruitments?

(The following information was received for the record:)

ARMY MALE NON-PRIOR SERVICE ENLISTMENTS¹

	1970	1971
January.....	14,327	15,335
February.....	12,204	12,966
March.....	11,349	12,573

¹ Includes enlistments for warrant officer flight training, but excludes OCS candidates, Women's Army Corps, and student nurse enlistments and prior service enlistments.

The male non-prior service enlistment category shown in the above table are the most appropriate figures to use in measuring the impact of recruitment advertising and other Project Volunteer actions aimed at attracting additional new male enlistments.

Mr. TIERNAN. Has it been better than 1970 or do you know? I am speaking of the individual services.

Admiral GREENE. For the Navy our recruitment has been about the same. However, we have had fewer people to enlist into the Navy because of the cut of 15 percent in manpower and also, if I may base some other analogy here, the unemployment could be a factor and also we worked awfully hard in the past month or past 2 months in recruiting.

Mr. TIERNAN. Have you changed your recruiting program?

Admiral GREENE. Yes, sir.

Mr. TIERNAN. In the Air Force?

General KIDD. Yes, sir. Although we are expanding our program, we are having a more difficult time this year at the precise moment than we were last year.

Mr. TIERNAN. How about the Marines?

General BECKINGTON. The two periods are not easy to compare because our recruiting requirements are so sharply down this year, the strength of the Marine Corps has dropped approximately one-third in the last 18 months, and of course this has had a sharp impact upon our manpower requirements, so I don't really believe I could draw a valid comparison. We have not, however, increased our recruiting service.

Mr. TIERNAN. You have not?

General BECKINGTON. No, sir.

Mr. TIERNAN. Thank you.

Mr. MACDONALD. Mr. Collins.

Mr. COLLINS. Three questions. I am interested in the media. You use only radio and television and didn't use any other media in making the test? That is, no newspaper or magazines?

Mr. WOLLSTADT. Well, there is a magazine campaign going simultaneously.

Mr. COLLINS. Practically, then, everything is in radio and television?

Mr. KESTER. It is a significant figure, about \$2 million.

Mr. COLLINS. What is the motivation that causes people to call in on the telephone? What sort of appeal are you making so that they are calling in?

Mr. WOLLSTADT. We have the commercial.

Mr. COLLINS. You say you are getting only so much information; that you get their names, and are they interested people?

Mr. KESTER. A high percentage turns out to be interested. We asked the answering service initially to give us a reading on the number of crank calls and people who were calling out of curiosity and they found the figure was extremely low.

Mr. COLLINS. What reason do they call if you can't get their name to allow you to give information?

Mr. KESTER. They get the name of their local recruiter and many then go to the recruiter, but they may not be willing to give their name and ask literature to be sent to them, but they want the name of the recruiter to follow up on it later.

Mr. COLLINS. You are saying really only 4,000 are willing to identify themselves, is that right?

Mr. KESTER. Yes.

Mr. COLLINS. One out of 13 and the rest are pretty casual sort of inquiries?

Mr. KESTER. They are not necessarily casual. I think that is not an uncommon ratio of people willing to identify themselves. I think the number, though, calling in is significant and it may motivate people to respond to magazine ads. We have had as many responses to magazine coupons in the month of March, almost as many, as we had during 6 months in 1970, and we think that the campaign as a coordinated effort is probably responsible for it. But we don't want to make any firm judgment at this point.

We are in the middle of the stream.

Mr. COLLINS. That is all.

Mr. MACDONALD. Does anyone coordinate with the Peace Corps, who ran a similar program for this?

Did you get the benefit of their mistakes as to where to concentrate and what type of program?

Mr. WOLLSTADT. As far as I know, no.

Mr. MACDONALD. Any reason why not?

Mr. KESTER. I was not aware the Peace Corps ever bought time.

Mr. MACDONALD. They put on a big drive to get people. They even used different records and that sort of thing on the radio to attract different segments throughout the 50 States.

I suggest that maybe someone should get hold of them. They have a lot of experience in the field.

Mr. Frey.

Mr. FREY. My first question is this: I was wondering if there has been overall analyses in DOD or anywhere within the Government on the recruiting question itself. Do you know of any?

Mr. WOLLSTADT. Has there been any other analysis?

Mr. FREY. Yes, like for the services. I recognize the services have differing problems, but do you have an overall approach on it?

Mr. WOLLSTADT. Yes, we had a recruiting conference last November attended by all services and Secretary Packard and Secretary Kelley, and in which all of them exchanged their experiences.

Mr. FREY. But you never did an in-depth study of the whole picture, but it has been done only on a piecemeal basis?

Mr. WOLLSTADT. We do it on a continuing basis really.

Mr. FREY. Well, the reason I point it out is because I am much in agreement with your goal and recognize the problems that you have, especially the effect of Vietnam as far as recruiting people is concerned. But it seems to me you have approached this partly in the clouds without looking at all of the factors.

Mr. KESTER. May I say we have in the Army analyzed this in great depth and ran a study of the whole problem of recruiting in an atmosphere of lower or no draft calls, and one of the conclusions of the study was that we had greatly to increase our advertising.

Mr. FREY. I don't think it would take much study to figure that out.

Mr. KESTER. It is not surprising.

Mr. FREY. As far as the problems of the separate services to recruit, do you feel you are going to have to expend public funds to purchase time?

That is what this is all about, not necessarily this program, but the total overall picture we are looking at.

Mr. WOLLSTADT. I would be glad to answer it later more fully for the record, but to answer it now, this is what we would hope to find out in evaluating the tests the Army is conducting.

Mr. FREY. As far as you see it, the only need for the Army to purchase time in the foreseeable future is just on the question of the volunteer Army recruitment?

Mr. WOLLSTADT. Yes, for the volunteer Army and because the Army is going to have a hard time getting recruits that it needs.

Mr. FREY. Could we get each of the services to maybe briefly comment on it, because I think this is the whole crux of the issue.

General KIDD. As Mr. Wollstadt said, the future depends upon the results of the study of the test and it can go either way. If it turns out to be an effective way of gaining recruits, then the Air Force would have an interest, too.

Mr. FREY. What you are saying, quite frankly, is that until this test is finished, you are not going to be able to answer the question?

General KIDD. Precisely.

Admiral GREENE. The Navy does not plan any paid advertising until we lose a competitive edge. We might have to reconsider and we have a plan in our pockets if we have to go that direction. We plan to expand on a proven program.

Mr. FREY. General?

General BECKINGTON. The Commandant of the Marine Corps has consistently supported the public service approach to this problem.

He does now and he plans to continue to do so unless we are forced, as Admiral Greene just indicated, by the impact of some other program, to ourselves consider the same sort of approach.

Mr. FREY. What you are saying is, in essence, if the paid advertising works and it takes all of the people, you are going to have to get into the market, too?

General BECKINGTON. Yes, sir.

General KIDD. Yes, sir.

Mr. FREY. OK. Fine.

Mr. MACDONALD. Thank you very much, gentlemen. We have arrangements now for a film to be shown. Thank you very much.

We will now watch a showing of a film.

[Showing of film.]

Mr. MACDONALD. During this session I would like to point out, I think, that where the sponsorship is listed on that film, do you think it would be helpful if you said "paid for by" or is it something you don't want to identify, that it is being paid for by the Army?

Mr. KESTER. Mr. Chairman, we think that "sponsored by" adequately identifies the sources. In fact, the Army has been puzzled all along about the problem of identification, since as far as I know, we are the only Army advertising in the United States and we think the identification is adequate.

Mr. MACDONALD. I don't know. I think the Confederate Army is interested in the problem.

Mr. KESTER. They do not have the resources that we have.

Mr. MACDONALD. That is for sure.

All right, the hearing is recessed until 2 o'clock this afternoon.

(Whereupon, at 12:10 p.m. the subcommittee recessed, to reconvene at 2 p.m. of the same day.)

AFTER RECESS

(The subcommittee reconvened at 2 p.m., Hon. Torbert H. Macdonald (chairman) presiding.)

Mr. MACDONALD. The subcommittee will come to order.

The first witness this afternoon is Harry C. Groome, Jr., senior vice president of finance and administration, N. W. Ayer & Son, Inc., in Philadelphia, Pa., together with Mr. H. D. Nalle, senior vice president of that company.

Would you gentlemen come forward?

Mr. GROOME. Mr. Chairman, we have with us Mr. Donald Reath, vice president of our media operation, and probably better prepared to answer questions than either Mr. Nalle or I, if it is agreeable to you.

Mr. MACDONALD. Certainly.

STATEMENT OF H. D. NALLE, SENIOR VICE PRESIDENT, N. W. AYER & SON, INC.; ACCOMPANIED BY HARRY G. GROOME, JR., SENIOR VICE PRESIDENT OF FINANCE AND ADMINISTRATION; AND DONALD R. REATH, VICE PRESIDENT, MEDIA DIRECTOR

Mr. NALLE. Mr. Chairman and members of the subcommittee, the Army's test of a coordinated advertising program on prime radio and television time is in support of the overall recruiting effort

aimed at reducing reliance on the draft. It is just one of many experimental projects in the current modern volunteer army program.

Others include pay incentives, elimination of unnecessary irritants of service life, better living conditions, and more recruiters. The test is specifically targeted on determining the effect of increased recruiting advertising on attracting new enlistments, particularly for the combat arms—the infantry, armor, and field artillery.

This is where the problem is—infantry, armor, and artillery.

The Army's test began on March 2 and will run for 13 weeks. It involves television messages on all the major networks and radio coverage on 2,070 stations. It aims particularly at the audience of young men 17 to 21 years old. Its specific purposes are—

To test and determine what messages and media will increase inquiries at the recruiting stations and subsequently increase the number of enlistments.

To provide current data to assist in designing the most effective advertising plan.

To test and determine what broadcast medium or combination thereof will most effectively reach the audience of men 17 to 21 years old and, secondly, those adults who advise them on career decisions.

To increase the awareness and knowledge by potential enlistees of job opportunities available in the Army.

The President has established the goal of reducing reliance on the draft and moving toward zero draft calls. To do so, the Army must have more volunteers.

For the Army this is a task of sizable proportions. The Army needs approximately 250,000 new accessions in the coming fiscal year. Half the men who enter the Army are drafted. Of the other half, those who enlist, we know from analyzing lottery sequence numbers that only about half are true volunteers—men who would have enlisted even if there were no draft. The balance of the enlistees volunteer only to avoid the draft and thereby select their time of enlistment or, if they enlist for 3 years, a training or assignment choice.

Thus the Army in order to achieve a zero draft must at least quadruple the number of true volunteers. And in some skill areas the problem is much more acute than that. Currently only 4 percent of the requirement for new accessions in the infantry, armor, and field artillery is filled by men who selected those skills. In these basic branches of the Army, the volunteer rate will have to increase by a factor of at least 25.

Faced with a task of this magnitude, the Army concluded that it must do more to let young men know about enlistment opportunities. Reducing reliance on the draft will depend in large part on informing the youth of this Nation of the advantages of a military career. The judicious use of advertising is a necessary part of a successful advertising campaign.

For many years the Army has purchased space for recruiting messages in magazines and newspapers. It has also made commercial messages available to local radio and television stations and requested broadcasters to air them without charge as a public service. But most such messages, if they are broadcast at all, do not appear during the hours when the audience we seek to reach is watching. A

study showed that only 4 percent of the Army messages on public service television time were aired during prime viewing hours. Most are fill-ins for commercial time for which there were small audiences, low prices and few buyers—on television early in the morning, late at night, or during daytime hours. Exposure during such hours cannot effectively reach the audience of young men who might enlist for military service.

Moreover, broadcasters are flooded by legitimate requests for free time. The Army must compete for the limited free time available with many public service ads from a variety of public and private groups. The amount of time any one applicant can expect to receive is small.

Public service announcements are hardly ever shown on network television. Only local stations run public service announcements, usually each in its own discretion.

Public service time is at best hit or miss. An effective advertising campaign must be coordinated and controlled. Planners must know when, where, and with what frequency messages will appear. They must be able to select the times and the program favored by the audience we are trying to reach—in this case, young men 17 to 21. The Army is grateful for the time public-spirited broadcasters have contributed in the past. We have no reason to doubt they will continue to do so in the future. But in spite of excellent cooperation by the vast majority of radio and television stations in the country, it simply is beyond their ability to provide on the traditional public service basis the time the Army needs to test these media fairly.

Public service time cannot form the heart of a coordinated and effective electronic media advertising campaign. The latter requires planning and the assurance that messages will be aired at particular times. Although broadcasters are licensed without charge to use the airwaves to serve the public interest, convenience and necessity, they are not required to donate free time to the Army or to any other public agency. Thus to conduct an effective recruitment advertising campaign, the Army has no choice but to purchase time, like any other advertiser, during the hours when it will have the most effect.

Congress in section 502 of title 10, United States Code, has specifically directed the secretaries of the military departments to "conduct intensive recruiting campaigns to obtain enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, and Regular Coast Guard." Our advertising efforts are a part of such an intensive recruiting campaign. It was contemplated, in the words of one of the sponsors of that legislation, that "all available media of publicity will be employed." We do not believe an intensive recruiting campaign can ignore radio and television, two of the principal media of communication today. We believe that to test the capability of those media in a meaningful way we must air our messages in a planned and coordinated fashion.

House Concurrent Resolution 215, the resolution under consideration by this committee, states that:

Freedom of expression and vigorous and unfettered media for the dissemination of news, views and information are essential parts of this Nation's legal

and social traditions and are absolutely necessary to the existence of any free democratic society.

We endorse that language without reservation. Nothing in advertising for enlistments in the Army detracts from the letter or spirit of it. Nor would it serve the public interest to fetter the media and the Army by denying recruiting information the same opportunity to public exposure that is routinely exercised by manufacturers of automobiles or soap.

The proposed resolution suggests that paid recruiting advertising "raises the specter of Government influence" over the media. I do not believe this specter has substance. As I noted earlier, all the services have purchased recruiting advertising space in the print media without in any way interfering with editorial policies.

I have not heard anyone contend that the current test has affected any broadcaster's news or editorial policy. We have not attempted, and would not in the future attempt, to use recruitment advertising expenditures to influence any medium—newspaper, magazine, radio, or television.

Recruiting advertising is a unique category of information activity. It does not involve advocating policies, or influencing public opinion on defense issues. It is aimed simply at informing young men and women of the career opportunities available in the Army. The distinction is a familiar one. Congress has consistently recognized it, for example, in the annual Department of Defense Appropriation Acts, which prohibit defense contractors from using funds for advertising in general, but make an exception for advertisements to recruit personnel to perform defense work.

We believe the Army's advertisements are forthright, informative, and in good taste. We have received many unsolicited compliments about them from members of the general public, and a negligible number of complaints. You have seen a sampling and can judge for yourselves.

In summary, the Army is attempting in a number of ways to attract more volunteers. One part of this comprehensive program is a test of a coordinated recruiting advertising program on radio and television during the hours when young men are listening. Future advertising on the electronic media will depend on the results of the test.

The Army has an enormous task before us to recruit volunteers in the numbers and skills required for the Army of the 1970's. We must test the capability of the media of the 1970's to assist us in seeking that objective.

That concludes, Mr. Chairman, our written testimony.

Mr. MACDONALD. When you talk about the clips, the three clips we saw today?

Mr. NALLE. Four.

Mr. MACDONALD. Four clips. Did we see four or three?

Mr. NALLE. Four.

Mr. MACDONALD. Is that the entire substance of your contributions?

Mr. NALLE. If not, we have a reasonable number of others which are on a different kind of tape we are unable to project in this room, but which are available for your consideration.

Mr. MACDONALD. Right. How many do you have?

Mr. NALLE. Twenty-two other additional and that includes some in 60-seconds and some 30-seconds and it is a 30-second version of the 60.

Mr. MACDONALD. The reason I asked is in this morning's testimony they broke down the cost of that of more than \$10 million and I thought the production—and I don't have it here with me, but maybe someone else does—but the production cost seemed to me very high and what was the figure they used?

It is \$1.2 million I see here for production. Do you handle that?

Mr. NALLE. Our agency does.

Mr. MACDONALD. Yes. Well, inasmuch as I saw this morning that most of the personnel and certainly all of the equipment is owned by the Government, I was wondering, and that is except, of course, as we discussed, the Philadelphia Eagles, but the rest of them, the ones I saw all dealt with Army material, the "Boy about to Buy the Tank" and that sort of thing, have a career, and those were not professional actors, were they?

Mr. NALLE. I do not believe—well, there were no professional actors except Retzlaff, I believe, in the ones you saw this morning.

Mr. MACDONALD. I am not going to pursue it at great length, but it seems to me a pretty good whack for the amount of production cost.

If you have somebody who wants to discuss it, you can introduce them and I would be happy to have them answer a few questions.

Mr. REATH. That also includes radio commercials and network furnishing charges involved.

Mr. MACDONALD. Radio and what else?

Mr. REATH. Radio commercials and network furnishing charges. That is when you supply a film or tape to the network, they charge you a fee to insert it into a program. There are other charges besides the commercial production.

Mr. MACDONALD. How does that fee thing work? If you buy space, why do you have to pay a fee?

Mr. REATH. That is the way the networks play the game.

Mr. NALLE. They have to integrate, that is technical term of the trade. Any network program you see is probably normally put together several days in advance and you have to put pieces and bits together and they charge you an integration fee, sometimes \$1,000, depending on a lot of circumstances, to put our message in with the regular program for national, which in some cases is initiated in one place and in some cases with delayed broadcasting starts at several places throughout the country, and you have to pay fees in each case, I understand.

It is complicated.

Mr. MACDONALD. On page 6 you say:

Nor would it serve the public interest to fetter the media and the Army by denying recruiting information the same opportunity of public exposure that is routinely exercised by manufacturers of automobiles or soap.

Of course, the hearing is not about that. I don't think anybody says, in this investigation, that we are trying to fetter either the media or the Army, but I am rather surprised you rank the Army with manufacturers of automobiles and soap. No. 1, it seems a rather crude analogy inasmuch as these boys are not being sold, but they are going to serve the country and they are doing us a favor, we are not doing them one, even though your slogan says, "The Army wants to join you."

They are still sacrificing a good deal to go into the service, in my judgment, mainly a chance of losing their lives very easily, so I think that, No. 1, saying that "You are selling this as automobiles and soap" is not terribly well phrased. The more important thing is that you are being paid not by a private commercial person who is asking you to sell their product, you are being paid public funds to go over, or for something that is going to go over a public network owned by the public and also what you are selling really to these young men is an opportunity and a demonstrated need to serve their country.

Could you elaborate a little bit as to why you think that this account that you have with the Army is similar to your other commercial accounts?

Mr. NALLE. Maybe the reference is not as appropriate as it might be, but we have an assignment to make our offer known and that is what we are trying to do, to explain the benefits to young men of military service.

Mr. MACDONALD. Do you think you can do it in 30 seconds?

Mr. NALLE. I would never say you could do it in 30 seconds, but this combination with the other things we are doing, we think some of our 30-second messages are very good.

Mr. MACDONALD. What are the other things you do?

Mr. NALLE. We have 30- and 60-second versions of the commercial, but the problem is, Mr. Chairman, in prime time, sometimes all you can get nowadays is 30-second availability, and this is a characteristic of network programming.

Mr. MACDONALD. That is not what the networks tell us. They are always moaning they don't have enough ads. They say we hurt them by taking cigarette commercials off and they have voids to fill and I would think it wouldn't be hard to buy pretty good time.

Mr. NALLE. Their business is extremely good right now, amazingly so, and it is hard to get good availability of network television prime time.

Mr. MACDONALD. I would like to get the network representatives and you and somebody else to go at it sometime to see what is true. They say they have time begging.

Mr. NALLE. Six weeks ago they had a lot of time, but suddenly they don't. It changes almost overnight.

Mr. MACDONALD. When did your program first go into effect?

Mr. NALLE. Our first television commercial was May 6 and first radio was May 2.

Mr. MACDONALD. A year ago?

Mr. NALLE. No, sir, just 6 weeks ago. I am sorry, I said "May," but it is March. We started in March.

Mr. MACDONALD. Wasn't time pretty easily available at that point?

Mr. NALLE. We think that we bought at a pretty good time, but it is not available right now according to the advertising media.

Mr. MACDONALD. Well, you are buying contracts and I hope you don't buy them daily?

Mr. NALLE. No.

Mr. MACDONALD. When did you sign the contract?

Mr. REATH. We made our buys on the networks in the last 2 weeks of February. It is under contract for the full 13 weeks, that we are protected, and though the price may rise in the market, we still have it bought at the original price.

Mr. MACDONALD. I don't understand your point that time is tough to get, according to the networks I happen to know that time was being sold at cutrates at that time.

Mr. NALLE. You said the networks are complaining about the fact of a lot of available time; and they did then and not now.

Mr. MACDONALD. We are going far afield on that.

Mr. REATH. On your point about the 30 and 60 seconds, in 1969, 89 percent of all commercials on television were 30 seconds, network television, and the trend has stayed that way through 1970 so far.

Mr. MACDONALD. How long are your radio spots, longer than the TV spots?

Mr. NALLE. Never longer than a minute, sometimes 30 seconds and sometimes a minute.

Mr. MACDONALD. You think you can do an adequate a job of selling, or on changing a career in a 30-second to a 1-minute commercial?

Mr. NALLE. We don't assume these prospects are going to hear one message. We think that the combination of messages is going to give them a pretty good idea.

Mr. MACDONALD. They get the same message fairly regularly, don't they?

Mr. NALLE. Yes.

Mr. MACDONALD. Once they have heard it, I don't think they are going to go home and just think about that particular message that they got.

If you keep going back and back and over and over the same thing, it loses its value after a while.

Mr. NALLE. Well, the Anacin Co. used the same commercial for years without changing it and they had a great success story. So that is a debatable point.

Mr. MACDONALD. Well, you do not really change your career because you buy Anacin or aspirin, or whatever other kinds there are. You are not selling aspirin.

Mr. NALLE. I don't mean to imply that.

Mr. MACDONALD. But you are selling a career. What puzzles me is why the Army is willing to put up over \$10 million in one 30-second spot or a 1-minute spot.

Mr. NALLE. One problem is it is hard to buy anything over 1 minute and we think we can tell parts of our story in each of the series of commercials.

Mr. MACDONALD. Thank you very much.

I have to go to the floor. Mr. Van Deerlin will take over. Thank you. I will be back.

Mr. VAN DEERLIN (presiding). Mr. Nalle, did the Army ask a presentation for this campaign from a number of agencies or is your ongoing representation of the Army the reason you were selected for this campaign?

Mr. NALLE. We competed for renewal of the contract and this particular campaign occurred after we had been awarded the renewal of the contract.

Mr. VAN DEERLIN. How much leadtime did you have to exercise in the preparation of this campaign?

Mr. NALLE. I can't tell you specifically. I could look it up.

Mr. VAN DEERLIN. Roughly. I mean when did you receive notice you were going to be doing it, and start preparing the spots and getting them out?

Mr. NALLE. We knew that we had some commercials available that had previously run in public service time, so we were ready to run some of the spots at the inception of the program.

I think we had 30 days.

Mr. REATH. About 30 days to begin to produce new material that came onstream as we built the intensity of our program during the first month.

Mr. VAN DEERLIN. The motif was new, "The Army wants to join you." This is the approach?

Mr. NALLE. Yes, it was.

Mr. VAN DEERLIN. Can you provide the committee with a list of the stations, the broadcasters, that are sharing in this campaign?

Mr. NALLE. Yes, sir.

Mr. VAN DEERLIN. I would appreciate your doing that. Also I would like to know how many of the licensees rejected the business.

Mr. REATH. To my knowledge, sir, there have been 22 stations which are members in some cases of a broadcasting group like Westinghouse, which has taken a position, and WGN Broadcasting in Chicago and a few independents beyond that, to my knowledge, 22.

(The following information was received for the record:)

LIST OF TV AND RADIO STATIONS SHARING IN THE ARMY'S PAID BROADCAST
ADVERTISING TEST

U.S. ARMY RECRUITING COMMAND, RADIO/TV TEST, MARCH 1-JUNE 13, 1971

Radio allocation

Network/representative firm:	Number of stations
ABC (contemporary network).....	250
Blair represented network.....	1, 268
Robert E. Eastman & Co., Inc.....	65
H-R Representatives, Inc.....	32
The Katz Agency, Inc.....	58
McGavren-Guild-PGW Radio, Inc.....	91
Alan Torbet Associates, Inc.....	44
CBS Radio Spot Sales.....	5
CBS-FM.....	2
Radio Advertising Representatives, Inc.....	2
RKO Radio Representatives, Inc. and RKO-FM.....	8
Dome-Messervey Co., Inc.....	15
Petry Radio Sales, Inc.....	17
Avco Radio Sales.....	10
Avery-Knodel, Inc.....	9
The Christal Co.....	18
Metro Radio Sales.....	16
Major Market Radio.....	9
Mort Bassett Co.....	1
Selective Broadcasting Co.....	2
Jack Masla & Co., Inc.....	30
Meeker Radio, Inc.....	6
Pro-Time Sales, Inc.....	4
Steinman Stations, Inc.....	4
Storer Radio Stations.....	1
Adam Young, Inc.....	14
Savalli-Gates, Inc.....	10
Bernard Howard Co., Inc.....	25
Spectrum.....	15
UBC Sales, Inc.....	7
Grant Webb & Co., Inc.....	1
Direct (individual stations).....	32
Total.....	2,070

U.S. ARMY RECRUITMENT STATION LIST

City and State	ABC-Contemporary network	Station
Aberdeen, Md.....		WAMD
Abilene, Tex.....		KRBC
Albany, Ga.....		WALG
Albany, N.Y.....		WPTR
Ann Arbor, Mich.....		WNRZ-FM
Albuquerque, N. Mex.....		KPAR
Alexandria, La.....		KDBS
Altoona, Pa.....		WFBG
Anderson, Ind.....		WHUT
Anderson, S.C.....		WANS
Asheville, N.C.....		WISE
Atlantic City, N.J.....		WMID
Augusta, Ga.....		WRDW
Austin, Tex.....		KTAP
Baltimore, Md.....		WWIN
Bangor, Maine.....		WABI

U.S. ARMY RECRUITMENT STATION LIST—continued

<i>City and State</i>	<i>Station</i>
Baton Rouge, La.....	WAFB-FM
Battle Creek, Mich.....	WKFR
Beaufort, S.C.....	WBEU
Beaumont, Port Arthur, Tex.....	KOLE
Big Spring, Tex.....	KBST
Biloxi, Miss.....	WBIL
Biloxi, Miss.....	WBIL-FM
Binghamton, N.Y.....	WENE
Birmingham, Ala.....	WJLD
Boone, N.C.....	WATA
Booneville, Miss.....	WBIP
Boston, Mass.....	WMEX
Bristol, Va.....	WFGH
Buffalo, N.Y.....	WYSL
Burlington, Iowa.....	KBUR
Burlington, Vt.....	WDOT
Canton, Ohio.....	WINW
Cedar Rapids, Iowa.....	KCRG
Centerville, Ind.....	WHON
Centralia, Ala.....	WBIB
Champaign-Urbana, Ill.....	WCCR
Charleston, W. Va.....	WKAZ
Charlotte, N.C.....	WAYS
Chattanooga, Tenn.....	WFLI
Chelan, Wash.....	KOZI
Cheyenne, Wyo.....	KVWO-FM
Chicago, Ill.....	WLS
Christiansburg, Va.....	WJJJ
Clarksburg, W. Va.....	WHAR
Cleveland, Ohio.....	WIXY
Cincinnati, Ohio.....	WCIN
Clinton, S.C.....	WPCC
Cocoa, Fla.....	WEZY
Cody, Wyo.....	KODI
Coffeyville, Kans.....	KGGF
Colorado Springs, Colo.....	KPIK
Columbia, S.C.....	WOIC
Columbus, Ga.....	WCLS
Columbus, Ohio.....	WNCI-FM
Corvallis, Oreg.....	KFLY
Crawfordsville, Ind.....	WCVL
Cumberland, Md.....	WCUM
Dallas, Tex.....	KVIL
Danville, Va.....	WYPR
Dayton, Ohio.....	WONE-FM
Daytona Beach, Fla.....	WMFJ
Deland, Fla.....	WETO
Denver, Colo.....	KTLN
Des Moines, Iowa.....	KIOA
Detroit, Mich.....	WWWW-FM
Duluth, Minn.....	WEBC
Durham, N.C.....	WSSB
Dyersburg, Tenn.....	WTRO
Easton, Pa.....	WEEX
El Paso, Tex.....	KINT
Enid, Okla.....	KCRC
Erie, Pa.....	WWGO-FM
Eugene, Oreg.....	KASH
Evansville, Ind.....	WJPS
Fairfield, Iowa.....	KMCD
Fairmount, W. Va.....	WTCS
Fargo, N. Dak.....	KQWB

U.S. ARMY RECRUITMENT STATION LIST—continued

<i>City and State</i>	<i>Station</i>
Fayetteville, N.C.	WFLB
Flint, Mich.	WTAC
Florence, Ala.	WOWL
Fort Campbell, Ky.	WABD
Fort Wayne, Ind.	WLYV
Fort Worth-Dallas, Tex.	KXOL
Fredericksburg, Va.	WFVA
Fremont, Nebr.	KHUB
Fresno, Calif.	KIRV
Grand Rapids, Mich.	WLAV
Grangeville, Idaho	KORT
Green Bay, Wis.	WDUZ
Greensboro-Winston-High Point, N.C.	WCOG
Greenville, S.C.	WQOK
Guntersville, Ala.	WGSV
Harrisburg, Pa.	WIOO
Hastings, Nebr.	KICS
Hattiesburg, Miss.	WHSY
Henderson, Nev.	KBMT
Hoquiam, Wash.	KGHO
Houston, Tex.	KYOK
Huntington-Ashland, W. Va.	WKEE
Huntsville, Ala.	WVOV
Indianapolis, Ind.	WNAP
Jackson, Mich.	WIBM
Jackson, Miss.	WRBC
Jacksonville, Fla.	WPDQ
Jacksonville, N.C.	WBBS
Johnstown, Pa.	WCRO
Joplin, Mo.	KQYX
Kansas City, Mo.	KUDL
Kinston, N.C.	WISP
Knoxville, Tenn.	WKGN
Lake Charles, La.	KAOK
Lakeland, Fla.	WONN
Lancaster, Pa.	WLAN
Lansing, Mich.	WVIC
Las Vegas, Nev.	KBMT
Lawton, Okla.	KSWO
Lewiston-Auburn, Maine	WLAM
Lewiston, Idaho	KOZE
Lineville, Ala.	WANL
Lompoc, Calif.	KNEZ
Los Angeles, Calif.	KGBS
Los Angeles, Calif.	KGBS-FM
Little Rock, Ark.	KAAY
Louisville, Ky.	WAKY
Lowell-Lawrence, Mass.	WLLH
Lubbock, Tex.	KLBK
Lynchburg, Va.	WLVA
Macon, Ga.	WNEX
Madisonville, Ky.	WTTL
Manchester, N.H.	WFEA
Marietta, Ga.	WFOM
Marshall, Tex.	KDOX
Marysville, Calif.	KMYC
Mason City, Iowa	KRIB
Massena, N.Y.	WYBG
Memphis, Tenn.	WDIA
Meridian, Miss.	WMOX
Miami-Ft. Lauderdale, Fla.	WFUN
Minneapolis, Minn.	KDWB
Mobile, Ala.	WABB
Modesto-Turlock, Calif.	KFIV

U.S. ARMY RECRUITMENT STATION LIST—continued

<i>City and State</i>	<i>Station</i>
Monroe, La.	KNOE
Monroe, N.C.	WMAP
Montgomery, Ala.	WHHY
Muncie, Ind.	WERK
Nashville, Tenn.	WVOL
Natchez, Miss.	WQNZ-FM
Newark, Del.	WNRK
New Orleans, La.	WNOE
New York, N.Y.	WABC
Norfolk, Va.	WNOR
Ocala, Fla.	WWKE
Ocilla-Douglas, Ga.	WSIZ
Odessa, Tex.	KOYL-FM
Oklahoma City, Okla.	WKY
Omaha, Nebr.	KRCB
Orafino, Idaho	KLER
Orangeburg, S.C.	WDIX
Orlando, Fla.	WTLN
Owensboro, Ky.	WVJS
Oxnard-Ventura, Calif.	KACY
Palm Springs, Calif.	KDES
Panama City Beach, Fla.	WGNE
Peoria, Ill.	WIRL
Philadelphia, Pa.	WHAT
Phoenix, Ariz.	KPHO
Phoenix, Ariz.	KURX
Pipestone, Minn.	KLOH
Pittsburgh, Pa.	KQV
Pittsfield, Mass.	WBEC
Poplar Bluff, Mo.	KLID
Portland, Oreg.	KGAR
Portland, Oreg.	KPAM
Portland, Oreg.	KPAM-FM
Portland, Oreg. (secondary)	KRDR
Poughkeepsie, N.Y.	WKIP
Raleigh, N.C.	WRNC
Redding, Calif.	KRDG
Reno, Nev.	KONE
Richmond, Va.	WLEE
Roanoke, Va.	WROV
Rochester, N.Y.	WBBF
Rockford, Ill.	WRKO
Rocky Mount, N.C.	WEED
St. Louis, Mo.	KIRL
Ste. Maries, Idaho	KOFE
St. Petersburg, Fla.	WLCY
Sacramento, Calif.	KROY
Salem, Oreg.	KBZY
Salinas-Monterey-Carmel, Calif.	KRML
Saline, Mich.	WNRS
Salt Lake City, Utah	KNAK
San Angelo, Tex.	KGKL
San Antonio, Tex.	KTSA
San Bernardino, Calif.	KMEN
San Diego, Calif.	KPRI-FM
Santa Ana, Calif.	KYMS-FM
Santa Monica, Calif.	KDAY
Savannah, Ga.	WSGA
Seaside, Oreg.	KSWB
Seattle, Wash.	KJR
Sedalia, Mo.	KSIS-FM
Selma, Ala.	WHBB
Sikeston, Mo.	KSIM
Silver City, N. Mex.	KSIL
Sioux Falls, S. Dak.	KISD
Spartanburg, S.C.	WHCQ

U.S. ARMY RECRUITMENT STATION LIST—continued

<i>City and State</i>	<i>Station</i>
Spokane, Wash.....	KJRB
Springfield, Ill.....	WCVS
Springfield-Chicopee-Holyoke, Mass.....	WTXL
Springfield, Ohio.....	WIZE
State College, Pa.....	WRSC
Statesville, N.C.....	WSIC
Stockton, Calif.....	KSTN
Syracuse, N.Y.....	WNDR
Talladega, Ala.....	WEYY
Tallahassee, Fla.....	WTAL
Terre Haute, Ind.....	WBOW
Toledo, Ohio.....	WOHO
Toledo, Ohio.....	WTTO
Tucson, Ariz.....	KTKT
Utica-Rome, N.Y.....	WRNY
Vineland, N.J.....	WWBZ
Waco, Tex.....	WACO
Washington, D.C.....	WEAM
Waterbury, Conn.....	WWCO
Watertown, S. Dak.....	KSDR
Watkins Glen, N.Y.....	WGFM
Waupaca, Wis.....	WDUX
Waycross, Ga.....	WACL
Waynesboro, Pa.....	WAYZ
Weldon, N.C.....	WSMY
West Point, Ga.....	WRLD
Wichita, Kans.....	KEYN
Wilkes-Barre, Pa.....	WILK
Williamsport, Pa.....	WMPT
Wilmington, Del.....	WAMS
Wichita Falls, Tex.....	KNIN
Winchester, Va.....	WINC
Worcester-Fitchburg-Leominster, Mass.....	WAAB
Youngstown, Ohio.....	WNIO

Blair Network

ALABAMA

<i>City</i>	<i>Station</i>	<i>City</i>	<i>Station</i>
Alexander City.....	WRFS	Andalusia.....	WCTA
Anniston.....	WANA	Athens.....	WKAC
Bay Minette-Mobile.....	WBCA	Birmingham.....	WYAM
Brewton.....	WEBJ	Butler.....	WPRN
Carrollton.....	WRAG	Centre.....	WEIS
Centerville.....	WBIB	Clanton.....	WKLF
Cullman.....	WKUL	Decatur.....	WMSL
Demopolis.....	WXAL	Dothan.....	WDIG
Enterprise.....	WIRB	Eufaula.....	WULA
Evergreen.....	WBLO	Fairhope.....	WABF
Fayette.....	WWWF	Florence.....	WJOI
Fort Payne.....	WZOB	Gadsden.....	WJBY
Geneva.....	WGEA	Huntsville.....	WGYV
Guntersville.....	WGSV	Greenville.....	WJBB
Hamilton.....	WERH	Haleyville.....	WVOV
Jasper.....	WWWB	Marion.....	WJAM
Monroeville.....	WMFC	Montgomery.....	WHHY
Moulton.....	WLCB	Opelika.....	WAOA
Ozark.....	WOKL	Pell City.....	WFHK
Piedmont.....	WPID	Prattville.....	WPXC
Roanoke.....	WEIR	Russellville.....	WWWR
Scottsboro.....	WROS	Selma.....	WHBB
Talledega.....	WNUZ	Thomasville.....	WJDB
Troy.....	WTBF	Tuscaloosa.....	WTBC
Tuskegee.....	WABT	Vernon.....	WVSA
Wetumpka.....	WETU		

U.S. ARMY RECRUITMENT STATION LIST—continued

ALASKA

City	Station	City	Station
Anchorage-----	KENI	Fairbanks-----	KFAR
Juneau-----	KINY	Nome-----	KKY

ARIZONA

Casa Grande-----	KPIN	Douglas-----	KAPR
Flagstaff-----	KCLS	Holbrook-----	KDJI
Miami-----	KIKO	Nogales-----	KFBR
Phoenix-----	KPHO	Safford-----	KATO
Tucson-----	KHYT	Wickenburg-----	KSWW
Winslow-----	KINO		

ARKANSAS

Augusta-----	KMOW	Osceola-----	KOSE
Brinkley-----	KBRI	Paris-----	KCCL
Clarksville-----	KLYR	Pocahontas-----	KPOC
Corning-----	KCCB	Siloam Springs-----	KUOA
Dardanelle-----	KCAB	Stuttgart-----	KWAK
Fordyce-----	KBJT	Walnut Ridge-----	KRLW
Benton-----	KBBA	Hope-----	KXAR
Camden-----	KAMD	Jonesboro-----	KBTM
Conway-----	KCON	Malvern-----	KBOK
Crossett-----	KAGH	Marked Tree-----	KPCA
El Dorado-----	KELD	Mena-----	KENA
Forrest City-----	KXJK	Morrilton-----	KVOM
Helena-----	KFFA	Paragould-----	KDRS
Hot Springs-----	KXOW	Pine Bluff-----	KADL
Little Rock-----	KARK	Russellyville-----	KARV
Marianna-----	KZOT	Springdale-----	KBRB
McGehee-----	KVSA	Van Buren-----	KFDF
Monticello-----	KHBM	Warren-----	KWRF

CALIFORNIA

Arcata-----	KATA	Arroyo Grande-----	KOAG
Auburn-----	KAHI	Bakersfield-----	KWAC
Barstow-----	KIOT	Bishop-----	KIBS
Blythe-----	KYOR	Concord-----	KWUN
Crescent City-----	KPLY	Dinuba-----	KRDU
El Centro-----	KXO	Fort Bragg-----	KDAX
Fresno-----	KFRE	Indio-----	KREO
King City-----	KRKC	Lompoc-----	KKOK
Los Angeles-----	KPOL	Los Banos-----	KLBS
Marysville-----	KNYC	Modesto-----	KFIV
Oxnard-Ventura-----	KQIQ	Palm Springs-----	KWKY
Paradise-----	KEWQ	Paso Robles-----	KPRL
Redding-----	KCLM	Sacramento-----	KCRA
Salinas-----	KRSA	San Bernardino-----	KCKC
San Diego-----	KCBQ	San Francisco-----	KGO
Santa Barbara-----	KACL	Sonora-----	KVML
Stockton-----	KWG	Susanville-----	KSUE
Taft-----	KTKR	Vallejo-Napa-----	KVON
Willows-----	KIQS		

COLORADO

Alamosa-----	KGIW	Brighton-----	KBRN
Burlington-----	KNAB	Colorado Springs-----	KPIK
Craig-----	KRAI	Denver-----	KBTR
Durango-----	KIUP	Fort Collins-----	KCOL
Greeley-----	KYOU	Gunnison-----	KGUC
Loveland-----	KLOV	Monte Vista-----	KSLV
Montrose-----	KUBC	Pueblo-----	KCSJ
Rocky Ford-----	KAVI	Sterling-----	KGEK
Trinidad-----	KCRT		

U.S. ARMY RECRUITMENT STATION LIST—continued

CONNECTICUT

City	Station	City	Station
Bridgeport-Norwalk-----	WNLK	Hartford-----	WPQP
New Haven-----	WNHC	New London-----	WICH
Waterbury-----	WATR		

DELAWARE

Seaford-----	WSUX	Wilmington-----	WJWL
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DISTRICT OF COLUMBIA

Washington-Fairfax-----	WEEL
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FLORIDA

Arcadia-----	WAPG	Bradenton-----	WTRL
Brooksville-----	WWJB	Chiefland-----	WLQH
Chipley-----	WBGC	Clearwater-----	WTAN
Crestview-----	WCNU	Dade City-----	WDCF
De Funiak Springs-----	WGTX	Deland-Daytona Beach-----	WETO
Melbourne-----	WTAI	Fernandina Beach-----	WFBF
Fort Myers-----	WINK	Fort Pierce-----	WIRA
Gainesville-----	WUWU	Immokalee-----	WCOF
Inverness-----	WYSE	Jacksonville-----	WVOJ
Key West-----	WKWF	Kissimmee-----	WACY
Lake City-----	WGRO	Lake Wales-Lakeland-----	WIPC
Lake Worth-W. Palm-----	WLIZ	Leesburg-----	WLBE
Live Oak-----	WNER	Madison-----	WMAF
Marianna-----	WTOT	Miami-----	WQAM
Naples-----	WNOG	New Port Richey-----	WGUL
Ocala-----	WMOP	Okeechobee-----	WOKC
Orlando-----	WDBO	Palatka-----	WWPF
Panama City-----	WDLF	Pensacola-----	WPFA
Perry-----	WPRY	Plant City-----	WPLA
Port St. Joe-----	WJOE	Quincy-----	WCNH
St. Augustine-----	WFOY	Sanford-----	WTRR
Sarasota-----	WKXY	Sebring-----	WJCM
Starke-----	WPXE	Stuart-----	WSTU
Tallahassee-----	WMEN	Tampa-----	WFLA
Titusville-----	WRMF	Vero Beach-----	WTTB
Wauchula-----	WAUC	Winterhaven-----	WINT
Windermere-----	WVCF		

GEORGIA

Adel-----	WBIT	Albany-----	WJAZ
Alma-----	WULF	Athens-----	WDOL
Americus-----	WDEC	Austell-----	WACX
Atlanta-----	WGST	Barnesville-----	WBAF
Bainbridge-----	WMGR	Blakely-----	WBBK
Baxley-----	WUFE	Bremen-----	WWCC
Brunswick-----	WYNR	Buford-----	WDYX
Cairo-----	WGRA	Camilla-----	WCLB
Canton-----	WCHK	Carrollton-----	WLBB
Cartersville-----	WBHF	Cedartown-----	WGAA
Claxton-----	WCLA	Cleveland-----	WRWH
Cochran-----	WVMG	Columbus-----	WPNX
Cordele-----	WMJM	Dalton-----	WBLJ
Dawson-----	WDWD	Douglas-----	WDMG
Dublin-----	WMLT	Eastman-----	WUFF
East Point-----	WTJH	Fitzgerald-----	WBHB
Fort Valley-----	WFPM	Gainesville-----	WNRJ
Gordon-----	WKOQ	Griffin-----	WKEU
Hawkinsville-----	WCEH	Hazlehurst-----	WVOH
Jesup-----	WLOP	LaFayette-----	WLFA

U.S. ARMY RECRUITMENT STATION LIST—continued

GEORGIA—continued

City	Station	City	Station
La Grange.....	WLAG	Macon.....	WCRY
Louisville.....	WPEH	Madison.....	WYTH
Manchester.....	WFDR	Marietta.....	WFOM
McRae.....	WDAX	Milledgeville.....	WMVG
Moultrie.....	WMGA	Perry.....	WPGA
Quitman.....	WSFB	Rome.....	WROM
Savannah.....	WEAS	Sylvania.....	WSYL
Sylvester.....	WOGA	Thomaston.....	WSFT
Thomasville.....	WLOP	Thomason.....	WTWA
Tifton.....	WWGS	Toccoa.....	WLET
Valdosta.....	WGAF	Vidalia.....	WVOP
Washington.....	WLOV	Waycross.....	WAYX
Winder.....	WIMO	West Point.....	WBMK

HAWAII

Hilo.....	KHLO	Honolulu.....	KAIM
Makawoa.....	KNUI	Waipahu.....	KAHU

IDAHO

Caldwell.....	KCID	Idaho Falls.....	KUPI
Jerome.....	KART	Montpelier.....	KVSI
Mountain Home.....	KFLI	Payette.....	KYET
Preston.....	KPST	Rexburg.....	KRXX
St. Anthony.....	KIGO	Salmon.....	KSRA
Soda Springs.....	KBRV	Twin Falls.....	KEEP

ILLINOIS

Anna.....	WRAJ	Beardstown.....	WRMS
Canton.....	WBYS	Casey.....	WKZI
Champaign-Urbana.....	WRTL	Charleston.....	WEIC
Chicago.....	WLS	Chester.....	KSGM
Danville.....	WITY	Decatur-Clinton.....	WHOW
De Kalb.....	WLBK	Fairfield.....	KFIW
Geneseo.....	WGEN	Granite City.....	WGNU
Harrisburg.....	WBBQ	Herrin.....	WJPF
Jacksonville.....	WLDS	Jerseyville.....	WJBM
Mendota.....	WGLC	Metropolis.....	WMOK
Morris.....	WCSJ	Mt. Carmel.....	WVMC
Murphysboro.....	WINI	Olney.....	WVLN
Paris.....	WPRS	Peoria.....	WPEO
Princeton.....	WZOE	Robinson.....	WTAY
Rochelle.....	WRHL	Rockford.....	WYFE
Salem.....	WJBD	Springfield.....	WTAX
Taylorville.....	WTIM	Vandalia.....	WPMB
Watseka.....	WGFA	West Frankfort.....	WFRX
Zion.....	WZBN	Sterling.....	WDSR

INDIANA

Anderson.....	WHBU	Boonville.....	WBNL
Corydon.....	WPDF	Decatur.....	WADM
Fort Wayne.....	WFWR	Frankfort.....	WILO
Goshen.....	WKAM	Huntington.....	WHLT
Indianapolis.....	WIBC	Jasper.....	WITZ
Linton.....	WBOT	Madison.....	WORX
Mount Vernon.....	WPCO	Muncie.....	WERK
Paoli.....	WVAK	Plymouth.....	WTCA
Portland.....	WPGW	Richmond.....	WHON
Seymour.....	WJCD	Shelbyville.....	WSVL
South Bend.....	WJVO	Tell City.....	WTCJ
Terre Haute.....	WAAC	Washington.....	WAMW

U. S. ARMY RECRUITMENT STATION LIST—continued

IOWA

<i>City</i>	<i>Station</i>	<i>City</i>	<i>Station</i>
Burlington.....	KKUZ	Cedar Rapids.....	KHAK
Cherokee.....	KCHE	Council Bluffs.....	KRCB
Davenport.....	WOC	Des Moines.....	WHO
Fort Madison.....	KXGI	Grinnell.....	KGRN
Independence.....	KOUR	Indianola.....	KBAB
Iowa Falls.....	KIFG	Mason City.....	KSMN
Sioux City.....	KSCJ	Storm Lake.....	KAYL

KANSAS

Abilene.....	KABI	Chanute.....	KKOY
Concordia.....	KNCK	Dodge City.....	KEDD
Emporia.....	KVOE	Fort Scott.....	KMDO
Garden City.....	KIUL	Goodland.....	KLOE
Independence.....	KIND	Iola.....	KALN
Junction City.....	KJCK	Larned.....	KANS
Leavenworth.....	KCLO	Liberal.....	KLIB
Manhattan.....	KMAN	Marysville.....	KNDY
McPherson.....	KNEX	Newton.....	KJRG
Norton.....	KNBI	Parsons.....	KLKC
Phillipsburg.....	KKAN	Pittsburg.....	KSEK
Russell.....	KRSL	Scott City.....	KFLA
Topeka.....	WREN	Wichita.....	KFH

KENTUCKY

Albany.....	WANY	Bardstown.....	WBRT
Benton.....	WCBL	Bowling Green.....	WLBJ
Cadiz.....	WKDZ	Campbellsville.....	WTCO
Central City.....	WNES	Columbia.....	WAIN
Corbin.....	WCTT	Cumberland.....	WCPM
Cynthiana.....	WCYN	Danville.....	WHIR
Elizabethtown.....	WIEL	Franklin.....	WFKN
Fulton.....	WFUL	Georgetown-Lexington.....	WAXU
Glasgow.....	WKAY	Harlan.....	WHLN
Harrodsburg.....	WHBN	Hartford.....	WLLS
Hazard.....	WKIC	Henderson-Evansville.....	WSON
Hopkinsville.....	WKOA	Irvine.....	WIRV
Jamestown.....	WJKY	Louisville.....	WAKY
Leitchfield.....	WMTL	Liberty.....	WKDO
Madisonville.....	WFMW	Manchester.....	WXXL
Maysville.....	WFTM	Middlesboro.....	WMIK
Monticello.....	WFLW	Morehead.....	WMOR
Murray.....	WNBS	Neon.....	WNKY
Nicholasville.....	WNVL	Paducah.....	WKYX
Paintsville.....	WSIP	Paris.....	WPDE
Pikeville.....	WPKE	Prestonsburg.....	WPRT
Princeton.....	WPKY	Richmond.....	WEKY
Russellville.....	WRUS	Scottsville.....	WLCK
Shelbyville.....	WCND	Somerset.....	WTLO
West Liberty.....	WLKS	Lebanon.....	WLBN

U.S. ARMY RECRUITMENT STATION LIST—continued

LOUISIANA

<i>City</i>	<i>Station</i>	<i>City</i>	<i>Station</i>
Alexandria.....	KDBS	Bastrop.....	KVOB
Baton Rouge.....	WLUX	Bogalusa.....	WIKC
Columbia.....	KCTO	Crowley.....	KSIG
Denham Springs.....	WLBI	De Ridder.....	KDLA
Donaldsonville.....	WSLG	Farmerville.....	KTDL
Houma.....	KJIN	Jena.....	KCNW
Jennings.....	KJEF	Jonesboro.....	KTOC
Lake Charles.....	KIKS	Lake Providence.....	KLPL
Leesville.....	KLLA	Many.....	KWLA
Marksville.....	KAPB	Minden.....	KASO
Monroe.....	KMLB	New Iberia.....	KNIR
New Orleans.....	WDSU	New Roads.....	KWRG
Oakdale.....	KREH	Oak Grove.....	KWCL
Port Sulphur.....	KPBC	Rayville.....	KRTH
Ruston.....	KRUS	Shreveport.....	KEEL
Tallulah.....	KTLN	Thibodaux.....	KTIB
Ville Platte.....	KVPI	White Castle.....	KLSU
Winnfield.....	KVCL	Winnsboro.....	KMAR

MAINE

Dover-Foxcroft.....	WDME	Houlton.....	WHOU
Lincoln.....	WLKN	Madawaska.....	WSJR
Portland.....	WGAN	Rumford.....	WRUM

MARYLAND

Aberdeen.....	WAMD	Baltimore.....	WFBR
Easton.....	WEMD	La Plata.....	WSMD
Laurel.....	WLMD	Ocean City.....	WETT
Salisbury.....	WICO		

MASSACHUSETTS

Beverly.....	WMLO	Boston.....	WHDH
Holyoke.....	WREB	Milford.....	WMRC
Northampton.....	WHMP	Springfield.....	WHYN
Worcester.....	WTAG		

MICHIGAN

Albion-Battle Creek.....	WALM	Jackson.....	WJCO
Big Rapids.....	WBRN	Lansing.....	WITL
Clare.....	WCRM	Marine City.....	WSMA
Dowagiac.....	WDOW	Menominee.....	WAGN
Flint.....	WMRP	Mt. Pleasant.....	WCEN
Grand Rapids.....	WMAX	Niles.....	WNIL
Holland.....	WHTC	Port Huron.....	WHLS
Ishpeming.....	WJPD	St. Johns.....	WRBJ
Kalamazoo.....	WKPR	Sandusky.....	WMIC
Ministique.....	WTIQ	Ypsilanti-Ann Arbor.....	WSDS
Bad Axe.....	WLEW	Midland.....	WMDN
Charlotte.....	WCER	Muskegon Heights.....	WKJR
Detroit.....	WXYZ	Otsego.....	WAOP
Escanaba.....	WLST	Rockford.....	WJPW
Fremont.....	WSHN	Saginaw-Bay City.....	WSAM
Hastings.....	WBCH	Tawas.....	WIOS
Iron River.....	WIKB		

U.S. ARMY RECRUITMENT STATION LIST—continued

MINNESOTA

City	Station	City	Station
Aitkin.....	KKIN	Albany.....	KASM
Bemidji.....	KBUN	Benson.....	KBMO
Brainerd.....	KVBR	Breckenridge.....	KBMW
Cloquet.....	WKLK	Duluth-Superior.....	WWJC
Ely.....	WELY	Eveleth.....	WEVE
Grand Rapids.....	KOZY	Hastings.....	KDWA
Int'l Falls.....	CFOB	Minneapolis.....	WDGY
Moorehead-Fargo.....	KVOX	Northfield.....	KYMN
Owatonna.....	KRFO	Pine City.....	WCMP
Pipestone.....	KLOH	St. Peter.....	KRBI
Sauk Rapier.....	WVAL	Shakopee.....	KSMM
Stillwater.....	WAVN	Wadena.....	KWAD
Windom.....	KDOM	Winona.....	KAGE

MISSISSIPPI

Amory.....	WAMY	Batesville.....	WBLE
Belzoni.....	WELZ	Biloxi-Gulfport.....	WGCM
Booneville.....	WBIP	Brandon.....	WRKN
Brookhaven.....	WJMB	Carthage.....	WECF
Clarksdale.....	WROX	Cleveland.....	WCCL
Columbia.....	WCJU	Columbus.....	WCBI
Corinth.....	WCMA	Forest.....	WMAG
Fulton.....	WFTO	Greenville.....	WDDT
Greenwood.....	WGMR	Grenada.....	WNAG
Hattiesburg.....	WHSY	Hazlehurst.....	WMDC
Holly Springs.....	WKRA	Houston.....	WCPC
Indianola.....	WNLA	Jackson.....	WJQS
Kosciusko.....	WKOZ	Laurel.....	WAML
Lexington.....	WXTN	Louisville.....	WLSM
Lucedale.....	WRBE	Magee.....	WSJC
McComb.....	WHNX	Meridian.....	WOKK
Natchez.....	WMIS	New Albany.....	WNAU
Oxford.....	WSUH	Pascagoula.....	WPMP
Philadelphia.....	WHOC	Picayune.....	WRJW
Powtotoe.....	WSEL	Senatobia.....	WSAO
Starkville.....	WSSO	Taylorsville.....	WSCO
Tylertown.....	WTYL	Tupelo.....	WELO
Vicksburg.....	WQBC	Waynesboro.....	WABO
West Point.....	WROB	Winona.....	WONA
Yazoo City.....	WAZF		

MISSOURI

Boliver.....	KBLR	Branson.....	KBHM
Cape Girardeau.....	KZYM	Carrollton.....	KAOL
Carthage.....	KDMO	Caruthersville.....	KCRV
Charleston.....	KCHR	Chillicothe.....	KCHI
De Soto.....	KHAD	Dexter.....	KDEX
Doniphan.....	KDFN	El Dorado Springs.....	KESM
Farmington.....	KREI	Fredericktown.....	KFTW
Kirksville.....	KIRX	Lebanon.....	KLWT
Macon.....	KLTI	Malden.....	KTCB
Marshfield.....	KEMM	Maryville.....	KNIM
Monett.....	KRMO	Mountain Grove.....	KLRS
Neosho.....	KBTN	Nevada.....	KNEM
Poplar Bluff.....	KWOC	Portageville.....	KMIS
Rolla.....	KTTR	St. Louis.....	KSD
Sedalia.....	KDRO	Springfield.....	KICK
Thayer.....	KALM	Trenton.....	KTTN
Warrensburg.....	KOKO	Warrenton.....	KWRE
West Plains.....	KWPM		

U.S. ARMY RECRUITMENT STATION LIST—continued

MONTANA

City	Station	City	Station
Belgrade.....	KGVW	Billings.....	KURL
Deer Lodge.....	KDRG	Glendive.....	KGLE
Hamilton.....	KLYQ	Havre.....	KOJM
Helena.....	KCAP	Kalispell.....	KGEZ
Livingston.....	KPRK	Missoula.....	KGMV
Shelby.....	KSEN	Wolf Point.....	KVCK

NEBRASKA

Alliance.....	KCOW	Columbus.....	KJSK
Cozad.....	KAMI	Fairbury.....	KGMT
Falls City.....	KTNC	Hastings.....	KHAS
Holdrege.....	KUVR	Kearney.....	KGFV
Kimball.....	KIMB	Lincoln.....	KLIN
McCook.....	KBRL	Ogallala.....	KOGA
Omaha.....	WOW	O'Neill.....	KBRX
Superior.....	KRFS	Wayne.....	KTCH

NEVADA

Las Vegas.....	KENO	Reno.....	KBET
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NEW HAMPSHIRE

Berlin.....	WBRL	Exeter.....	WKXR
Manchester.....	WGIR	Nashua.....	WSMN
Newport.....	WCNL		

NEW JERSEY

Atlantic City.....	WLDB	Newton.....	WNNJ
Ocean City.....	WSLT	Salem.....	WJIC
Trenton.....	WTTM	Vineland.....	WDVL

NEW MEXICO

Alamogordo.....	KALG	Albuquerque.....	KPAR
Artesia.....	KSVP	Carlsbad.....	KAVE
Clayton.....	KLMX	Clovis.....	KCLV
Gallup.....	KYVA	Grants.....	KMIN
Hobbs.....	KWEW	Las Cruces.....	KGRT
Raton.....	KRTN	Roswell.....	KBIM
Ruidoso.....	KRRR	Sante Fe.....	KUSF
Santa Rosa.....	KSIX	Silver City.....	KSIL

NEW YORK

Albany.....	WROW	Auburn.....	WAUB
Binghamton.....	WNBF	Buffalo.....	WKBW
Canandaigua.....	WGR	Dundee.....	WFLR
Dunkirk.....	WDOE	Ellenville.....	WELV
Elmira.....	WEHH	Jamestown.....	WJTN
Massena.....	WYBG	New York.....	WABC
Rochester.....	WBBF	Olean.....	WMNS
Saranac Lake.....	WNBZ	Syracuse.....	WHEN
Ticonderoga.....	WIPS	Utica-Rome.....	WKAL
Watertown.....	WATN		

U.S. ARMY RECRUITMENT STATION LIST—continued

NORTH CAROLINA

<i>City</i>	<i>Station</i>	<i>City</i>	<i>Station</i>
Albemarle.....	WABZ	Belmont.....	WCGC
Benson.....	WPYB	Black Mountain.....	WBMS
Boone.....	WATA	Burgaw.....	WPGF
Burlington.....	WBBB	Charlotte.....	WBT
Concord.....	WEGO	Durham.....	WTIK
Eden.....	WLOE	Edenton.....	WCDJ
Elizabeth City.....	WCNC	Elizabethtown.....	WBLA
Fayetteville.....	WFAI	Forest City.....	WBBO
Franklin.....	WFSC	Fuquay.....	WAKS
Goldsboro.....	WFMC	Greenville.....	WPXY
Havelock.....	WKVO	Henderson.....	WHNC
Hendersonville.....	WHKP	High Point.....	WHPE
Kinston.....	WELS	Laurinburg.....	WLNC
Lenoir.....	WJRI	Lumberton.....	WTSB
Marshall.....	WMMH	Monroe.....	WMAF
Morganton.....	WMNC	Mount Airy.....	WPAQ
Murphy.....	WKRK	Newton.....	WNNC
No. Wilkesboro.....	WKBC	Oxford.....	WOXF
Plymouth.....	WPNC	Raleigh.....	WRNC
Reidsville.....	WFRC	Rockingham.....	WLWL
Rocky Mount.....	WCEC	Shelby.....	WOHS
Smithfield.....	WMPM	Southern Pines.....	WEEB
Spruce Pine.....	WTOE	Statesville.....	WDBM
Sylva.....	WMSJ	Tabor City.....	WTAB
Taylorsville.....	WTLK	Thomasville.....	WTNC
Troy.....	WJRM	Waynesville.....	WHCC
Weidon.....	WSMY	West Jefferson.....	WKSK
Wilson.....	WLLY	Windsor.....	WBTE

NORTH DAKOTA

Bismarek.....	KFYR	Carrington.....	KDAK
Grafton.....	KGPC	Jamestown.....	KEYJ
Minot.....	KHRT	Oakes.....	KEYD
Rugby.....	KGCA	Valley City.....	KOVG
Williston.....	KEYZ		

OHIO

Ashland.....	WNCO	Ashtabula.....	WAQI
Bellaire.....	WOMP	Bellefontaine.....	WTOO
Bryan.....	WBNO	Bucyrus.....	WBEO
Cambridge.....	WILE	Chillicothe.....	WBEX
Cincinnati.....	WCKY	Cleveland.....	WGAR
Columbus.....	WBNS	Delaware.....	WDLR
Dayton.....	WAVI	Gallipolis.....	WJEH
Hamilton.....	WMOH	Hillsboro.....	WSRW
Ironton.....	WIRO	Jackson.....	WLMJ
Kent-Akron.....	WKNT	Lima.....	WCIT
Logan.....	WLGK	Lorain-Elyria.....	WLOR
Mansfield.....	WCLW	Marietta.....	WBRJ
Massillon-Canton.....	WTIG	Portsmouth.....	WIOI
Piqua.....	WPTW	Toledo.....	WOHO
Springfield.....	WBLY	Van Wert.....	WERT
Uhrichsville.....	WBTC	Wilmington.....	WMWN
Washington Ct. House.....	WCHO	Youngstown.....	WHHH
Wooster.....	WWST		
Xenia.....	WGIC		

U.S. ARMY RECRUITMENT STATION LIST—continued

OKLAHOMA

City	Station	City	Station
Ada.....	KAKA	Altus.....	KHWH
Alva.....	KALV	Ardmore.....	KVSO
Atoka.....	KEOR	Blackwell.....	KLTR
Chickasha.....	KWCO	Claremore.....	KWPR
Clinton.....	KWOE	Cushing.....	KUSH
Duncan.....	KRHD	Durant.....	KSEO
El Reno.....	KELR	Enid.....	KCRC
Guthrie.....	KWRW	Hobart.....	KTJS
Lawton.....	KCCO	McAlester.....	KNED
Miami.....	KGLC	Muskogee.....	KBIX
Norman.....	KNOR	Oklahoma City.....	KOMA
Okmulgee.....	KOKL	Pauls Valley.....	KVLH
Pawhuska.....	KOSG	Poteau.....	KLCO
Pryor.....	KOLS	Sapulpa.....	KXOJ
Tulsa.....	KHYT	Vinita.....	KVIN
Wagoner.....	KWLK	Wewoka.....	KWSH
Woodward.....	KSIW		

OREGON

Albany.....	KRKT	Astoria.....	KVAS
Baker.....	KBKR	Bend.....	KBND
Burns.....	KRNS	Coquille.....	KWRO
Corvallis.....	KLOO	Cottage Grove-Eugene.....	KNND
Enterprise.....	KWVR	Grants Pass.....	KAJO
Hillsboro.....	KUIK	Hood River.....	
John Day.....	KJDY	Lakeview.....	KQIK
Lincoln City.....	KBCH	Newport.....	KNPT
Pendleton.....	KUMA	Portland.....	KGW
Roseburg.....	KYES	St. Helens.....	KOHI
Salem.....	KSLM	Tillamook.....	KTIL
Woodburn.....	KWRC		

PENNSYLVANIA

Allentown.....	WHOL	Altoona.....	WFBG
Ambridge.....	WMBA	Appollo.....	WAVL
Barnesboro.....	WNCC	Bedford.....	WBFD
Berwick.....	WBRX	Butler.....	WISR
Carbondale.....	WCDL	Carlisle-Harrisburg.....	WIOO
Charleroi.....	WESA	Columbia.....	WCOY
Corry.....	WOTR	Emporium.....	WLEM
Erie.....	WWGO	Farrell.....	WFAR
Huntingdon.....	WHUN	Johnstown.....	WWBR
Kane.....	WKZA	Kittanning.....	WACB
Latrobe.....	WQTW	Lebanon-Reading.....	WLBR
Lehighton.....	WYNS	Lewisburg.....	WUDO
Nanticoke-Wilkes Barre.....	WNAK	New Castle.....	WKST
Norristown.....	WNAR	Oil City.....	WKRZ
Philadelphia.....	WFIL	Pittsburgh.....	WWSW
Punxsutawney.....	WPME	Red Lion-Lancaster.....	WGCB
Roaring Spring.....	WKMC	Towanda.....	WTTC
Scranton.....	WSCR	Waynesboro.....	WAYZ
Waynesburg.....	WANB	Williamsport.....	WLYC
York-Hanover.....	WHVR		

RHODE ISLAND

Providence.....	WPRO
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U.S. ARMY RECRUITMENT STATION LIST—continued

SOUTH CAROLINA

<i>City</i>	<i>Station</i>	<i>City</i>	<i>Station</i>
Abbeville.....	WABV	Aiken.....	WAKN
Allendale.....	WDOG	Anderson.....	WAIM
Barnberg.....	WWBD	Barnwell.....	WBAW
Beaufort.....	WBEU	Bennettsville.....	WBSC
Bishopville.....	WAGS	Camden.....	WACA
Charleston.....	WOKE	Cheraw.....	WCRE
Chester.....	WGCD	Clinton.....	WPCC
Columbus.....	WQXL	Darlington.....	WDAR
Dillon.....	WDSC	Easley.....	WELP
Florence.....	WOLS	Gaffney.....	WFGN
Georgetown.....	WGTN	Greenwood.....	WGSW
Greer.....	WEAB	Hampton.....	WBHC
Johnston.....	WJES	Kingstree.....	WDKD
Lancaster.....	WLCM	Loris.....	WLSC
Manning.....	WYMN	Mullins.....	WJAY
Newberry.....	WKDK	N. Augusta.....	WFNL
Orangeburg.....	WTND	Ridgeland.....	WBUG
Rock Hill.....	WRHI	Seneca.....	WSNW
Spartanburg.....	WASC	Sumter.....	WDXY
Union.....	WBCU	Walterboro.....	WALD
Winnsboro.....	WCKM		

SOUTH DAKOTA

Belle Fourche.....	KBFS	Lemmon.....	KBJM
Madison.....	KJAM	Pierre.....	KCCR
Redfield.....	KFCB	Watertown.....	KSDR

TENNESSEE

Athens.....	WLAR	Boliver.....	WBOL
Brownsville.....	WBHT	Camden.....	WFWL
Chattanooga.....	WRIP	Clarksville.....	WJZM
Cleveland.....	WBAC	Columbia.....	WMCP
Cookeville.....	WHUB	Copperhill.....	WLSB
Covington.....	WKBL	Dayton.....	WDNT
Dickson.....	WDKN	Dyersburg.....	WDSG
Erwin.....	WEMB	Fayetteville.....	WEKR
Franklin.....	WAGG	Gallatin.....	WHIN
Greeneville.....	WGRV	Henderson.....	WAHM
Himboldt.....	WIRJ	Jackson.....	WTJS
Jamestown.....	WCLC	Knoxville.....	WNOX
La Gollette.....	WLAF	Lawrenceburg.....	WDXE
Lenoir City.....	WLIL	Lexington.....	WDXL
Maryville.....	WGAP	McKenzie.....	WHDM
McMinnville.....	WAKI	Memphis.....	WMC
Morristown.....	WCRK	Murfreesboro.....	WGNS
Nashville.....	WNAH	Newport.....	WLK
Oak Ridge.....	WATO	Oneida.....	WBNT
Paris.....	WTPR	Rogersville.....	WRGS
Rockwood.....	WRKS	Ripley.....	WTRB
Selmer.....	WDTM	Savannah.....	WORM
South Pittsburg.....	WEPG	Shelbyville.....	WLJ
Springfield.....	WDBL	Sweetwater.....	WDEH
Tullahoma.....	WJIG	Union City.....	WENK
Waverly.....	WPHC	Woodbury.....	WBFJ

U.S. ARMY RECRUITMENT STATION LIST—continued

TEXAS

City	Station	City	Station
Abilene	KNIT	Alice	KOPY
Alpine	KVLF	Amarillo	KZIP
Andrews	KACT	Athens	BKUD
Atlanta	KALT	Austin	KTAP
Bay City	KIOX	Big Lake	KWGH
Big Spring	KBYG	Bonham	KFYN
Borger	KBBB	Bowie	KBAN
Brady	KNEL	Brehnam	KWHI
Brownfield	KKUB	Brownsville-Harlingen	KBOR
Brownwood	KBWD	Bryan	KORA
Carrizo Springs	KBEN	Carthage	KGAS
Center	KDET	Childress	KCTX
Clarksville	KCAR	Cleburne	KCLE
Cleveland	KVLB	Coleman	KSTA
Colorado City	KVMC	Conroe	KMCO
Corsicana	KAND	Crockett	KIVY
Dagnerfield	KBGG	Dallas/Ft. Worth	KLIF/KFJZ
Del Rio	KDLK	Denton	KDNT
Dumas	KDDD	Eastland	KERC
El Paso	KINT	Falfurrias	KPSO
Farwell	KZOL	Floydada	KFLD
Ft. Stockton	KFST	Fredericksburg	KNAF
Freeport	KBRZ	Gainesville	KGAF
Gonzales	KCTI	Greenville	KGVL
Hamilton	KCLW	Henderson	KWRD
Hereford	KPAN	Houston	KTRH
Huntsville	KSAM	Jasper	KTXJ
Kenedy-Karnes	KAML	Kermit	KERB
Killeen-Waco	KML	La Grange	KVLG
Lamesa	KPET	Laredo	KVOZ
Levelland	KLVT	Lockhart	KHRB
Longview	KLUE	Lufkin	KRBA
Marshall	KMHT	Memphis	KBGH
Mexia	KBUS	Midland	KJBC
Mission-McAllen Pharr	KIRT	Morton	KRAN
Mt. Pleasant	KIMP	Wharton	KANI
New Braunfels	KGNB	Nacogdoches	KEEE
Palestine	KNET	Odessa	KOYL
Paris	KPLT	Pampa	KGRO
Pecos	KIUM	Pearsall	KVWG
Plainview	KVOP	Perryton	KEYE
Port Neches-Beaumont	KPNG	Pleasanton	KBOP
Rusk	KTLU	Robston-Corpus Christi	KROB
San Antonio	KTSA	San Angelo	KPEP
Seymour	KSEY	San Saba	KBAL
Snyder	KSNY	Slaton-Lubbock	KCAS
Taylor	KTAE	Sulphur Springs	KSST
Texarkana	KTFS	Terrell	KTER
Stephenville	KSTV	Texas City-Galveston	KTLW
Tulia	KTUE	Tyler	KTBB
Uvalde	KVOU	Vernon-Wichita Falls	KVWC
Victoria	KVIC	Waxahacie	KBEC

UTAH

Logan	KVNU	Moab	KURA
Ogden	KSVN	Price	KOAL
Provo	KEYY	Salt Lake City	KSXX
Vernal	KVEL		

VERMONT

Middlebury	WFAD	Montpelier	WSKI
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U.S. ARMY RECRUITMENT STATION LIST—continued

VIRGINIA

City	Station	City	Station
Ashland.....	WIVE	Blackstone.....	WKLV
Bristol.....	WCYB	Brookneal.....	WODI
Chase City.....	WMEK	Christiansburg.....	WJJJ
Clintwood.....	WDIC	Covington.....	WKEY
Crozet.....	WPED	Danville.....	WDVA
Emporia.....	WEVA	Falls Church.....	WFAX
Franklin.....	WYSR	Front Royal.....	WFTR
Galax.....	WBOB	Gate City.....	WGAT
Cloucester.....	WDDY	Gretna.....	WMNA
Herndon.....	WHRN	Hopewell.....	WHAP
Lawrenceville.....	WLES	Lexington.....	WREL
Lynchburg.....	WWOD	Marion.....	WMEV
Martinsville.....	WMVA	Mt. Jackson.....	WSIG
Norfolk.....	WGH	Norton.....	WNVA
Pulaski.....	WPUB	Richlands.....	WRIC
Richmond.....	WEET	Rocky Mount.....	WYTI
Salem.....	WBLU	South Boston.....	WHLF
Staunton.....	WAFC	Stuart.....	WHEO
Suffolk.....	WLPM	Vinton-Roanoke.....	WKBA
Warrenton.....	WEER	Warsaw.....	WNNT
Williamsburg.....	WMBG	Wytheville.....	WYVE

WASHINGTON

Blaine.....	KARI	Colfax.....	KCLX
Grand Coulee.....	KFDR	Kelso.....	KLOG
Mt. Vernon.....	KBRC	Olympia.....	KGY
Port Angeles.....	KONP	Prosser.....	KARY
Puyallup.....	KAYE	Quincy.....	KPOR
Raymont.....	KAPA	Seattle.....	KING
Spokane.....	KREM	Sunnyside.....	KREW
Wenatchee.....	KUEN	Yakima.....	KBBO

WEST VIRGINIA

Beckley.....	WWNR	Bluefield.....	WKOY
Buckhannon.....	WBUC	Charleston.....	WCHS
Elkins.....	WDNE	Fairmont.....	WTCS
Fikher.....	WELD	Hinton.....	WMTD
Keyser.....	WKLP	Logan.....	WLOG
Matewan.....	WHJC	Montgomery.....	WMCN
Morgantown.....	WCLG	Moundsville.....	WEIF
New Martinsville.....	WETZ	Parkersburg.....	WPAR
Princeton.....	WLOH	Ravenswood.....	WMOV
Richwood.....	WVAR	Ronceverte.....	WRON
Spencer.....	WVRC	St. Albans.....	WKLC
Sutton-Gassaway.....	WSGB	Welch.....	WELC
Weston.....	WHAW		

WISCONSIN

Appleton.....	WAPL	Ashland.....	WATW
Black River Falls.....	WWLS	Durand.....	WRDN
Eagle River.....	WERL	Eau Claire.....	WOKL
Green Bay.....	WBAY	Hartford.....	WTKM
Hayward.....	WHSM	Kenosha.....	WLIP
Ladysmith.....	WLDY	Lake Geneva.....	WMIR
Madison.....	WMAD	Mauston.....	WRJC
Medford.....	WIGM	Menomonie.....	WMNE
Merrill.....	WXMT	Milwaukee.....	WOKY
Oshkosh.....	WCWC	Park Falls.....	WNBI
Platteville.....	WSWW	Plymouth.....	WPLY
Portage.....	WPDR	Port Washington.....	WGLB
Racine.....	WRAC	Richland Center.....	WRCO
Shawano.....	WTCH	Shell Lake.....	WCSW
Sparta.....	WCOW	Sturgeon.....	WDOR
Two Rivers.....	WQTC	Watertown.....	WTTN
Waupun.....	WLKE	Wasusau.....	WXCO

U.S. ARMY RECRUITMENT STATION LIST—continued

WYOMING

City	Station	City	Station
Cheyenne.....	KVWO	Douglas.....	KWIV
Kemmerer.....	KMER	Laramie.....	KOWB
Newcastle.....	KASL	Rawlins.....	KRAL
Rock Springs.....	KVRS	Thermopolis.....	KRTR
Wheatland.....	KYCN	Worland.....	KWOR

PUERTO RICO

Guayama.....	WXRf	Mayaguez.....	WORA
Ponce.....	WPRP	San Juan.....	WQBS

U.S. ARMY RECRUITMENT STATION LIST

State	City	Station
Robert E. Eastman & Co., Inc.		
Alabama.....	Birmingham.....	WSGN
Do.....	Mobile.....	WABB
Arizona.....	Phoenix.....	KOY
Arkansas.....	Little Rock.....	KXLP
California.....	Bakersfield.....	KAFY
Do.....	Fresno.....	KYNO
Do.....	Los Angeles.....	KBIG
Do.....	San Bernardino.....	KFXM
Do.....	San Diego.....	KGB
Do.....	Stockton.....	KSTN
Colorado.....	Denver.....	KTLK
Connecticut.....	Bridgeport.....	WNAB
Do.....	New Haven.....	WAVZ
District of Columbia.....	Washington.....	WRC
Florida.....	Jacksonville.....	WAPE
Do.....	Miami.....	WFUN
Do.....	Orlando.....	WHOO
Do.....	Tampa/St. Petersburg.....	WDAE
Illinois.....	Chicago.....	WMAQ
Do.....	Davenport/Rock Island/Moline.....	WQUA
Do.....	Peoria.....	WIRL
Indiana.....	Indianapolis.....	WIRE
Iowa.....	Des Moines.....	KIOA
Kansas.....	Wichita.....	KLEO
Kentucky.....	Louisville.....	WKLO
Louisiana.....	New Orleans.....	WTIX
Maryland.....	Baltimore.....	WITH
Massachusetts.....	Boston.....	WEZE
Do.....	Springfield.....	WSPR
Michigan.....	Flint.....	WTRX
Do.....	Lansing.....	WJIM
Do.....	Saginaw.....	WKNX
Missouri.....	St. Louis.....	KXOK
New Mexico.....	Albuquerque.....	KQEO
New York.....	Albany/Schenectady/Troy.....	WTRY
Do.....	New York City.....	WMCA
Do.....	Utica/Rome.....	WTLB
North Carolina.....	Charlotte.....	WAYS
Do.....	Raleigh/Durham.....	WKIX
Do.....	Winston-Salem.....	WTOB
Ohio.....	Akron-Canton.....	WHLO
Do.....	Cleveland.....	WIXY
Do.....	Columbus.....	WCOL
Do.....	Dayton.....	WING
Do.....	Youngstown.....	WHOT
Oklahoma.....	Oklahoma City.....	KTOK
Do.....	Tulsa.....	KRMG
Pennsylvania.....	Pittsburgh.....	KQV
Do.....	Wilkes-Barre/Scranton.....	WARM
Do.....	York/Lancaster/Harrisburg.....	WSBA
Rhode Island.....	Providence.....	WICE
South Carolina.....	Charleston.....	WTMA
Tennessee.....	Chattanooga.....	WGOW
Texas.....	Austin.....	KNOW
Do.....	Beaumont/Port Arthur.....	KPAC
Do.....	El Paso.....	KHEY
Do.....	Ft. Worth.....	KXOL
Do.....	Houston.....	KULF
Do.....	San Antonio.....	KBAT
Utah.....	Salt Lake City.....	KSL
Virginia.....	Norfolk.....	WNOR
Washington.....	Seattle.....	KOL
Do.....	Spokane.....	KXLY
West Virginia.....	Wheeling.....	WWVA
Wisconsin.....	Milwaukee.....	WRIT

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
H-R Representatives, Inc.:		
Alabama	Mobile	WUNI
Arizona	Phoenix	KRIZ
California	Los Angeles	KRLA
Do	Sacramento	KRAK
Connecticut	New Haven	WELI
District of Columbia	Washington	WEAM
Florida	Jacksonville	WJAX
Do	West Palm Beach	WJNO
Georgia	Atlanta	WPLO
Indiana	Indianapolis	WIFE
Illinois	Chicago	WJJD
Maryland	Baltimore	WCAO
Massachusetts	Boston	WCOP
Michigan	Bay City	WXOX
Do	Lansing	WITL
Nebraska	Omaha	KOIL
New York	Binghamton	WINR
Do	Buffalo	WEBR
Do	New York	WJRZ
North Carolina	Greensboro	WCOG
Oregon	Portland	KISN
Pennsylvania	Scranton	WGIB
South Carolina	Charleston	WQSN
Do	Columbia	WCOS
Do	Greenville	WQOK
Tennessee	Knoxville	WATE
Do	Memphis	WMPS
Do	Nashville	WENO
Texas	Beaumont	KLVI
Do	Corpus Christi	KSIX
Washington	Seattle	KIXI
Do	Spokane	KGA
The Katz Agency, Inc.:		
Alabama	Birmingham	WBRC
Do	Mobile	WKRQ-AM
Do	do	WKRQ-FM
Arizona	Phoenix	KOOL
Arkansas	Little Rock	KAAY
California	Fresno	KMJ
Do	Los Angeles	KABC
Do	Sacramento	KFBK
Do	San Diego	KOGO
Do	San Francisco	KABL
Colorado	Denver	KLZ
Connecticut	Hartford	WRCH-AM/FM
District of Columbia	Washington	WJMD
Florida	Miami	WVCG/WYOR-FM
Do	Tampa	WLCY-AM
Illinois	Chicago	WNUS-AM/FM
Indiana	Indianapolis	WFBM
Do	South Bend	WSBT
Iowa	Des Moines	KRNT
Kansas	Wichita	KAKE
Kentucky	Louisville	WAYE
Louisiana	New Orleans	WWL
Massachusetts	Boston	WMEX
Do	Worcester	WAAB
Minnesota	Minneapolis	KRSI
Do	Duluth	WEBC
Missouri	Kansas City	WDAF
Michigan	Flint	WFDF
Do	Grand Rapids	WOOD-AM/FM
Nebraska	Omaha	KLNG
New York	Albany	WOKO
Do	Buffalo	WGR
Do	New York	WPAT
Do	Rochester	WHEC
Do	Syracuse	WNDR
Ohio	Akron	WSLR
Do	Cincinnati	WKRC
Do	Cleveland	WKYC
Do	Columbus	WTVN
Do	Youngstown	WKBN
Do	Toledo	WCWA-AM/FM
Oklahoma	Oklahoma City	WKY
Do	Tulsa	KAKC
Oregon	Portland	KYXI
Pennsylvania	Allentown	WKAP
Do	Harrisburg	WHP
South Carolina	Greenville	WFBC
Tennessee	Knoxville	WBIR
Do	Memphis	WREC
Do	Nashville	WLAC-AM/FM

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
The Katz Agency, Inc.—Continued		
Texas.....	Austin.....	KTBC
Do.....	Corpus Christi.....	KEYS
Do.....	Dallas.....	WFAA
Do.....	Houston/Beaumont.....	KNUZ/KAYC
Utah.....	Salt Lake City.....	KCPX
Virginia.....	Richmond.....	WLEE
Washington.....	Seattle.....	KOMO
Do.....	Spokane.....	KHQ
McGavren-Guild-PGW Radio, Inc.:		
Alabama.....	Birmingham.....	WYDE
Arizona.....	Phoenix.....	KRUX
Do.....	Tucson.....	KTKT
California.....	Bakersfield.....	KERN
Do.....	Fresno.....	KMAK
Do.....	Los Angeles.....	KFAC
Do.....	Oxnard.....	KACY
Do.....	Sacramento.....	KROY
Do.....	San Bernardino.....	KMEN
Do.....	San Diego.....	KSDO
Do.....	San Francisco.....	KNBR
Do.....	Stockton.....	KJOY
Colorado.....	Denver.....	KLAK
Connecticut.....	Bridgeport.....	WICC
District of Columbia.....	Washington.....	WMAL
Florida.....	Jacksonville.....	WPDQ
Do.....	Miami.....	WWOK
Do.....	Orlando.....	WLOF
Do.....	W. Palm Beach.....	WIRK
Georgia.....	Atlanta.....	WAOK
Illinois.....	Chicago.....	WKFM
Do.....	Pecora.....	WXCL
Indiana.....	Fort Wayne.....	WLYV
Iowa.....	Davenport.....	KSTT
Kansas.....	Kansas City.....	KCKN
Kentucky.....	Louisville.....	WINN
Louisiana.....	Baton Rouge.....	WLCS
Maryland.....	Baltimore.....	WBAL
Massachusetts.....	Springfield.....	WTXL
Do.....	Worcester.....	WORC
Michigan.....	Detroit.....	WWJ
Do.....	Flint.....	WTAC
Do.....	Grand Rapids.....	WLAV
Minnesota.....	Duluth.....	WDSM
Do.....	Minneapolis.....	KDWB
New Mexico.....	Albuquerque.....	KOB
New York.....	Binghamton.....	WENE
Do.....	Buffalo.....	WWOL
Do.....	New York.....	WNBC
Do.....	Rochester.....	WROC
Do.....	Syracuse.....	WFBL
North Carolina.....	Charlotte.....	WAME
Do.....	Durham.....	WDNC
Ohio.....	Akron.....	WAKR
Do.....	Cincinnati.....	WUBE
Do.....	Cleveland.....	WERE
Do.....	Columbus.....	WMNI
Do.....	Dayton.....	WONE
Do.....	Toledo.....	WTTT
Oklahoma.....	Tulsa.....	KELI
Oregon.....	Portland.....	KXL
Pennsylvania.....	Allentown.....	WAEB
Do.....	Harrisburg.....	WFEC
Do.....	Pittsburgh.....	WTAE
Do.....	Reading.....	WRAW
South Carolina.....	Charleston.....	WCSC
Do.....	Columbia.....	WIS
Do.....	Spartanburg.....	WSPA
Tennessee.....	Chattanooga.....	WDEF
Do.....	Knoxville.....	WKGN
Do.....	Nashville.....	WMAK
Texas.....	Austin.....	KVET
Do.....	Corpus Christi.....	KRYS
Do.....	Dallas.....	KBOX
Do.....	El Paso.....	KELP
Do.....	Fort Worth.....	KBUY
Do.....	Houston.....	KXYZ
Do.....	San Antonio.....	KONO
Utah.....	Salt Lake City.....	KLUB
Virginia.....	Bristol.....	WFHG
Do.....	Richmond.....	WRVA
Washington.....	Seattle.....	KJR
Do.....	Spokane.....	KJRB
West Virginia.....	Wheeling.....	KWKW
Wisconsin.....	Milwaukee.....	WISN

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
Alan Torbet Associates:		
Arkansas	Little Rock	KMYO
Arizona	Tucson	KAIR
California	Los Angeles	KFOX/KBBQ
Do	San Diego	KSON
Do	San Francisco	K-IOI
Delaware	Wilmington	WAMS
Florida	Jacksonville	WQIK
Do	Miami	WQBA
Do	Orlando	WABR
Do	Tampa	WQYK
Kansas	Wichita	KFDI
Louisiana	New Orleans	WSHO
Do	Shreveport	KJOE
Michigan	Detroit	WEXL
Do	Grand Rapids	WGRD
Do	Lansing	WILS
Minnesota	Minneapolis	WMIN/KEEY
Missouri	Kansas City	KUDL
Do	St. Louis	KIRL
New York	Rochester	WNYR
Do	Syracuse	WOLF
Ohio	Toledo	WTOD
Oklahoma	Tulsa	KCNW
Oregon	Portland	KWJJ
Pennsylvania	Wilkes-Barre	WBAX
Do	York	WNOW
Rhode Island	Providence	WHIM
Tennessee	Chattanooga	WMOC
Do	Kingsport	WKPT
Do	Knoxville	WIVK
Do	Memphis	WMQM
Do	Nashville	WKDA
Texas	Beaumont	KTRM
Do	Corpus Christi	KIKN
Do	Houston	KIKK
Do	San Antonio	KBER
Utah	Salt Lake City	KSOP
Virginia	Norfolk	WRAP
Wisconsin	Milwaukee	WMIL
CBS radio spot sales:		
California	Los Angeles	KNX
Florida	Miami	WIOD
Georgia	Atlanta	WSB
Illinois	Chicago	WBBM-FM
Do	do	WBBM
Minnesota	Minneapolis	WCCO
Missouri	St. Louis	KMOX
New York	New York	WCBS-FM
North Carolina	Charlotte	WSOC
Ohio	Dayton	WIIO
Pennsylvania	Philadelphia	WCAU
Radio Advertising Representatives, Inc.:		
Colorado	Denver	KHOW
Texas	San Antonio	KITE
Do	do	KEXL-FM
RKO Radio Representatives, Inc.:		
California	Fresno	KYNU-FM
Do	Los Angeles	KHJ
Do	San Francisco	KFRC
Massachusetts	Boston	WRKO
New York	New York	WOR-FM
Pennsylvania	Pittsburgh	WIXZ
Tennessee	Memphis	WHBQ
Utah	Salt Lake City	KALL
Dome-Messervy Co.:		
California	Sacramento	KJAY
Minnesota	Minneapolis	KUXL
Nebraska	Omaha	KOWH-FM
New York	Albany	WHRL
Pennsylvania	Bethlehem	WGPH
Do	Easton	WEEX
Do	Reading	WRFY-FM
Do	Scranton	WEJL
Washington	Seattle	KYAC

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
Petry Radio Sales, Inc.:		
Alabama	Birmingham	WVOK
Arkansas	Little Rock	KLRA
California	Sacramento	KCTC-FM
Do	San Bernardino	KBON
Connecticut	Hartford	WDRG-AM/FM
Florida	Jacksonville	WKTZ-AM/FM
Iowa	Davenport	WHBF
Do	Des Moines	KSO
Nebraska	Omaha	KFAB
New Mexico	Albuquerque	KDEF
Do	do	KOB
Ohio	Youngstown	WFMJ
Pennsylvania	Harrisburg	WCMB
Rhode Island	Providence	WLKV
South Carolina	Greenville	WESC
Tennessee	Chattanooga	WFLI
Texas	El Paso	KROD
Virginia	Richmond	WRNL
Avco Radio Sales:		
Arizona	Phoenix	KTUF/KNIX
California	Bakersfield	KUZZ/KZIN
Do	San Francisco	KYA/KOIT
Louisiana	New Orleans	WNOE-AM
Michigan	Detroit	WCAR-AM
Minnesota	Minneapolis/St. Paul	KSTP-AM
Missouri	Kansas City	KMBZ
Do	St. Louis	WRTN
New York	Buffalo	WYSL/WPHD
Ohio	Cincinnati	WLW
Texas	San Antonio	WOAI
Washington	Seattle	KIRO
Avery-Knodel Inc.:		
Arizona	Phoenix	KTAR-AM
Do	do	KTAR-FM
Michigan	Grand Rapids	WJEF
New York	Utica	WRUN
North Carolina	Durham	WSSB
Pennsylvania	Reading	WEEU
Do	Wilkes-Barre	WILK
Texas	El Paso	KTSM
Virginia	Norfolk	WTID
Washington	Seattle	KAYO
The Henry I. Christal Co.:		
Alabama	Birmingham	WAPI
California	Los Angeles	KFI
Do	San Diego	KFMB
Colorado	Denver	KOA
Connecticut	Hartford	WTIC
Illinois	Peoria	WMBD
Kentucky	Louisville	WHAS
Louisiana	Shreveport	KWKH
Michigan	Detroit	WJR
New York	Rochester	WHAM
Do	Schenectady	WGY
Do	Syracuse	WSYR
North Carolina	Raleigh	WPTF
Oklahoma	Tulsa	KVOO
Rhode Island	Providence	WEAN
Tennessee	Nashville	WSM
Texas	Dallas	WBAP
Virginia	Norfolk	WTAR
Wisconsin	Milwaukee	WTMJ
Metro Media:		
Colorado	Denver	KIMN
Florida	Miami	WINZ
Georgia	Atlanta	WOXI
Illinois	Chicago	WCFL
Louisiana	New Orleans	WSMB
Maryland	Baltimore	WCBM
Michigan	Detroit	WKNR
Missouri	St. Louis	WIL
New York	Albany	WPTR
Do	New York	WNEW
Ohio	Cincinnati	WSAI
Texas	Houston	KILT
Wisconsin	Milwaukee	WEMP

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
Major Market Radio:		
California.....	Los Angeles.....	KMPC
Do.....	San Francisco.....	KSFO
Florida.....	Miami.....	WGBS
Illinois.....	Chicago.....	WAIT
Michigan.....	Detroit.....	WDEE
Ohio.....	Cleveland.....	WJW
Do.....	Toledo.....	WSPD
Oregon.....	Portland.....	KEX
Texas.....	Houston.....	KPRC
Mort Bassett & Co.:		
District of Columbia.....	Washington.....	WPGC
Selective Broadcast Advertizing, Inc.:		
New Jersey.....	Princeton.....	WHWH
Do.....	Trenton.....	WTOA-FM
Jack Masla & Company, Inc.:		
California.....	Los Angeles.....	KWKW
Do.....	Oxnard.....	KOXR
Do.....	San Bernardino.....	KCAL
Florida.....	Fort Lauderdale.....	WFTL
Do.....	Miami.....	WMBM
Do.....	Orlando.....	WOKB
Do.....	West Palm Beach.....	WEAT-AM/FM
Georgia.....	Atlanta.....	WERD
Indiana.....	Fort Wayne.....	WKIG
Do.....	Indianapolis.....	WTLC
Louisiana.....	Baton Rouge.....	WYNK
Maryland.....	Baltimore.....	WEBB
Michigan.....	Bay City.....	WBCM
Do.....	Flint.....	WKMF
Missouri.....	Kansas City.....	KWKI
Do.....	St. Louis.....	KXLW
New York.....	Syracuse.....	WSEN
Oklahoma.....	Oklahoma City.....	KBYE
Do.....	do.....	KJEM
Tennessee.....	Johnson City.....	WJCW
Do.....	Knoxville.....	WIBE
Texas.....	Port Arthur.....	KCAW
Do.....	San Antonio.....	KAPE
Virginia.....	Roanoke.....	WTOY
The Meeker Co., Inc.:		
California.....	Los Angeles.....	KEZY
Do.....	Sacramento.....	KNDE
Michigan.....	Saginaw/Bay City.....	WSAM
New York.....	Utica/Rome.....	WIBX
Virginia.....	Bristol.....	WZAP
West Virginia.....	Weirton.....	WEIR
Pro-Time Sales, Inc.:		
California.....	Oxnard-Ventura.....	KVEN
Minnesota.....	Duluth.....	KAOH
New York.....	Binghamton.....	WKOP
North Carolina.....	Greensboro.....	WGBG
Steinman Stations, Inc.:		
Delaware.....	Wilmington.....	WDEL
Pennsylvania.....	Easton.....	WEST
Do.....	Lancaster.....	WGAL
Do.....	York.....	WORK
Storer Broadcasting Co.:		
Ohio.....	Cleveland.....	WCJW-FM
Adam Young Inc.:		
Arizona.....	Tucson.....	KHOS
California.....	Stockton.....	KWG
District of Columbia.....	Washington.....	WPIK
Florida.....	Tampa/St. Petersburg.....	WYOU
Indiana.....	South Bend.....	WNDU
Kansas.....	Wichita.....	KEYN
New Mexico.....	Albuquerque.....	KRZY
New York.....	Buffalo.....	WBLK
Virginia.....	Norfolk.....	WCMS

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
Savalli/Gates, Inc.:		
Arizona	Phoenix	KIFN
Do	Tucson	KEUT
California	Bakersfield	KWAC
Do	Fresno	KGST
Do	Oxnard	KQIQ
Colorado	Denver	KFSC
Indiana	Ft. Wayne	WGL
Iowa	Davenport	KWNT
New Mexico	Albuquerque	KABQ
North Carolina	Winston-Salem	WAIR
Texas	Corpus Christi	KUNO
Do	Houston	KCOH
West Virginia	Wheeling	WOMP
Bernard Howard Co.:		
Alabama	Birmingham	WENN
Do	Mobile	WMOO
Arkansas	Little Rock	KOKY
California	Los Angeles	KGFJ
Do	San Francisco	KDIA
District of Columbia	Washington	WOL
Florida	Jacksonville	WOBS
Georgia	Atlanta	WIGO
Illinois	Chicago	WVON
Kentucky	Louisville	WLOU
Louisiana	New Orleans	WYLD
Do	Shreveport	KOKA
Massachusetts	Boston	WILD
Michigan	Detroit	WJLB
New York	Buffalo	WUFO
Do	New York	WWRL
North Carolina	Charlotte	WGIV
Do	Durham	WSRC
Ohio	Cincinnati	WCIN
Do	Cleveland	WABQ
Do	Columbus	WYKO
Do	Dayton	WDAO-FM
Do	Toledo	WKLR
Pennsylvania	Pittsburgh	WAMO
Tennessee	Memphis	WDIA
Do	Nashville	WVOL
Texas	Beaumont	KJET
Do	Dallas/Ft. Worth	KNOK
Do	San Antonio	KCOR (Spanish)
Virginia	Richmond	WENZ
Wisconsin	Milwaukee	WNOV
Missouri	St. Louis	KATZ
Spectrum:		
Alabama	Birmingham	WJLD
Do	Mobile	WGOK
Arkansas	Little Rock	KALO
Florida	Tampa	WTMP
Illinois	Chicago	WGRT
Kansas	Kansas City	KPRS
Louisiana	Baton Rouge	WXOK
Do	New Orleans	WBOK
Michigan	Detroit	WCHD-FM
Missouri	St. Louis	KWK
North Carolina	Raleigh	WLLE
Do	Winston-Salem	WAAA
Colorado	Denver	KDKO
South Carolina	Charleston	WPAL
Do	Columbia	WOIC
Tennessee	Chattanooga	WNOO
Do	Memphis	WLOK
Texas	Dallas	KKDA
Do	Houston	KYOK
New York	New York	WLIB
Virginia	Norfolk	WHIH
Do	Richmond	WANT
North Carolina	Charlotte	WRPL
UBC Sales, Inc.:		
District of Columbia	Washington	WOOK
Maryland	Baltimore	WSDI
Ohio	Cleveland	WJMO

U.S. ARMY RECRUITMENT STATION LIST—Continued

State	City	Station
Grant Webb & Co., Inc. Michigan.....	Flint.....	WAMM
Individual Stations:		
California.....	San Francisco.....	KBRG
Do.....	do.....	KNBR
Colorado.....	Denver.....	KBPI
District of Columbia.....	Washington.....	WINX
Delaware.....	Wilmington.....	WJBR-FM
Do.....	do.....	WILM
Florida.....	Hollywood.....	WGMA
Illinois.....	Chicago.....	WLS
Iowa.....	Des Moines.....	WHO
Maryland.....	Baltimore.....	WLPL-FM
Do.....	do.....	WBMD
Do.....	do.....	WWIN
New Jersey.....	Trenton.....	WBUD
Do.....	Newark.....	WNJR
New York.....	Buffalo.....	WKBW
Do.....	New York.....	WADO
Do.....	do.....	WOR-AM
Do.....	do.....	WOR
Do.....	do.....	WABC
North Carolina.....	Charlotte.....	WBT
Oklahoma.....	Oklahoma City.....	KOMA
Pennsylvania.....	Levittown.....	WBCB
Do.....	Philadelphia.....	WFIL-FM
Do.....	do.....	WIP
Do.....	do.....	WFIL
Do.....	do.....	WDAS
Do.....	do.....	WHAT
Do.....	do.....	WPBS
Do.....	do.....	WIBG
Do.....	do.....	WDVR-FM
Do.....	do.....	WRCP
Do.....	Pittsburgh.....	WEEP

U.S. ARMY RECRUITING COMMAND—
SPOT TELEVISION

RECAPITULATION

March 15–June 13, 1971

8 Test Markets

Market:

Albany-Schneectady-Troy, N.Y.

Birmingham, Ala.

Buffalo, New York

Columbus, Ohio

Fresno, Calif.

Indianapolis, Ind.

Memphis, Tenn.

Sacramento, Calif.

Total, 8 markets

Sacramento, Calif.

Number of TV stations.....	4
ABC.....	KOVR
CBS-NBC.....	KXTL
CBS.....	KXTV
NBC.....	KCRA
Average number of spots per week.....	24

Memphis, Tenn.

Number of TV stations.....	3
ABC.....	WHBQ
CBS.....	WREC
NBC.....	WMC
Average number of spots per week.....	12

Indianapolis, Ind.

Number of TV stations.....	4
ABC.....	WLWI
CBS.....	WISH
NBC.....	WFBM
Independent.....	WTTV
Average number of spots per week.....	24

Fresno, Calif.

Number of TV stations.....	3
ABC.....	KJEO
CBS.....	KFRE
NBC.....	KMJ
Average number of spots per week.....	20

Columbus, Ohio

Number of TV stations----- 3
 ABC----- WTUN
 CBS----- WBNS
 NBC----- WLWC
 Average number of spots per
 week----- 18

Buffalo, N.Y.

Number of TV stations----- 2
 ABC----- WKBW
 NBC----- WGR
 Average number of spots per
 week----- 18

Birmingham, Ala.

Number of TV stations----- 2
 ABC----- WBRC
 NBC----- WAPI
 Average number of spots per
 week----- 14

Albany-Schenectady-Troy, N.Y.

Number of TV stations----- 3
 ABC----- WAST
 CBS----- WTEN
 NBC----- WRGB
 Average number of spots per
 week----- 21

U.S. ARMY RECRUITMENT STATION LIST

ABC-TV Network

Station:

City and State

KTEN-----	Ada-Ardmore, Okla.
WAKR-TV-----	Akron, Ohio
WAST-----	Albany-Schenectady-Troy, N.Y.
KOAT-TV-----	Albuquerque, N. Mex.
KVIL-TV-----	Amarillo, Tex.
KENI-TV-----	Anchorage, Alaska
WAIM-TV-----	Anderson, S.C.
WLOS-TV-----	Asheville, N.C.-Greenville-Spartanburg, S.C.
WQXI-TV-----	Atlanta, Ga.
WJBF-----	Augusta, Ga.
KAUS-----	Austin-Rochester, Minn.-Mason City, Iowa
KJTV-----	Bakersfield, Calif.
WJZ-TV-----	Baltimore, Md.
WEMT-----	Bangor, Maine
KBMT-----	Beaumont, Tex.
KWAB-----	Big Springs, Tex.
KULR-----	Billings, Mont.
WBJA-TV-----	Binghamton, N.Y.
WBRC-TV-----	Birmingham, Ala.
WSLA-TV-----	Selma, Ala.
WLOX-TV-----	Biloxi, Miss.
WNAC-TV-----	Boston, Mass.
WLTW-----	Bowling Green, Ky.
KBTX-----	Bryan, Tex.
WKBW-TV-----	Buffalo, N.Y.
KAVE-TV-----	Carlsbad, N. Mex.
KCRG-TV-----	Cedar Rapids-Waterloo, Iowa.
WUSN-TV-----	Charleston, S.C.
WCCB-TV-----	Charlotte, N.C.
WTVC-----	Chattanooga, Tenn.
WLS-TV-----	Chicago, Ill.
WSVI-TV-----	Christiansted, Virgin Islands
WKRC-TV-----	Cincinnati, Ohio
WEWS-----	Cleveland, Ohio
KRDO-TV-----	Colorado Springs, Colo.
WOLO-TV-----	Columbia, S.C.
WTVM-----	Columbus, Ga.
WTVN-TV-----	Columbus, Ohio
KIII-----	Corpus Christi, Tex.
WFAA-TV-----	Dallas-Ft. Worth, Tex.
WKEF-----	Dayton, Ohio
WAND-----	Decatur, Ill.
KBTW-----	Denver, Colo.
WOI-TV-----	Des Moines, Iowa

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

WXYZ-TV-----	Detroit, Mich.
KDUB-----	Dubuque, Iowa
WDIO-----	Duluth, Minn.
KELP-TV-----	El Paso, Tex.
WENY-TV-----	Elmira, N.Y.
WJET-TV-----	Erie, Pa.
KEZI-TV-----	Eugene, Oreg.
WTVW-----	Evansville, Ind.
KFAR-TV-----	Fairbanks, Alaska
KTHI-TV-----	Fargo, N. Dak.
WJRT-TV-----	Flint, Saginaw-Bay City-Lansing, Mich.
WPTA-----	Ft. Wayne, Ind.
KJEO-TV-----	Fresno, Calif.
WZZM-TV-----	Grand Rapids, Mich.
KFBB-TV-----	Great Falls, Mont.
WLUK-TV-----	Green Bay, Wis.
WGHP-----	Greensboro-High Point, N.C.
WCTI-TV-----	Greenville-New Bern, N.C.
WABG-TV-----	Greenwood, Miss.
ZFB-TV-----	Hamilton, Bermuda
WSIL-TV-----	Harrisburg, Ill.
KPOB-TV-----	Popular Bluff, Mo.
WTPA-----	Harrisburg, Pa.
WSVA-TV-----	Harrisonburg, Va.
WIRT-----	Hibbing, Minn.
WGHP-TV-----	Highpoint-Greensboro-Winston-Salem, N.C.
KHVV-TV-----	Honolulu, Hawaii
KHVO-----	Hilo, Hawaii
KMVI-TV-----	Wailuku, Maui, Hawaii
KTRK-TV-----	Houston, Tex.
WHTN-TV-----	Huntington-Charleston, W. Va.
WMSL-TV-----	Huntsville, Ala.
WLW-TV-----	Indianapolis, Ind.
WBBJ-TV-----	Jackson, Tenn.
WJYJ-TV-----	Jacksonville, Ill.
WJKS-----	Jacksonville, Fla.
KINY-TV-----	Juneau, Alaska
KODE-----	Joplin, Mo.
KAIT-TV-----	Jonesboro, Ark.
KMBC-TV-----	Kanass City, Mo.
KHOL-TV-----	Kearney, Nebr.
KHPL-TV-----	Hayes Center, Nebr.
KHQL-TV-----	Albion, Nebr.
KHTL-TV-----	Superior, Nebr.
WKTR-TV-----	Kettering, Ohio
WKPT-TV-----	Kingsport-Bristol-Johnson City, Tenn.
WTVK-----	Knoxville, Tenn.
KATC-----	Lafayette, La.
KSHO-TV-----	Las Vegas, Nev.
WBLG-TV-----	Lexington, Ky.
KATV-----	Little Rock, Ark.
KABC-TV-----	Los Angeles, Calif.
WLKY-----	Louisville, Ky.
KSEL-TV-----	Lubbock, Tex.
WLVA-TV-----	Lynchburg-Roanoke, Va.
WKOW-TV-----	Madison, Wis.
WMUR-TV-----	Manchester, N.H.
WHBQ-TV-----	Memphis, Tenn.
WPLG-TV-----	Miami, Fla.
WITI-TV-----	Milwaukee, Wis.
KMSP-TV-----	Minneapolis-St. Paul, Minn.
KORN-TV-----	Mitchell-Sioux Falls, S. Dak.
WEAR-TV-----	Mobile, Ala.-Pensacola, Fla.
WQAD-TV-----	Moline, Ill.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

KMOM-TV	Monahans, Tex.
WKAB-TV	Montgomery, Ala.
WSIX-TV	Nashville, Tenn.
WNHC-TV	New Haven, Conn.
WVUE	New Orleans, La.
WABC-TV	New York, N.Y.
WVEC	Norfolk, Va.
WOAY-TV	Oak Hill, W. Va.
KOCO-TV	Oklahoma City-Enid, Okla.
KETV	Omaha, Nebr.
WFTV	Orlando, Fla.
KTVO	Ottumwa, Iowa
KPLM-TV	Palm Springs, Calif.
KCND-TV	Pembina, N. Dak.
WIRL-TV	Peoria, Ill.
WFIL-TV	Philadelphia, Pa.
KTVK	Phoenix, Ariz.
WTAE-TV	Pittsburgh, Pa.
WMTW-TV	Portland, Me.-Mt. Washington, N.H.
KATU	Portland, Oreg.
WTEV	Providence-New Bedford, R.I.
WRAL-TV	Raleigh, N.C.
KRCR-TV	Redding, Calif.
KTVN-TV	Reno, Nev.
WXEX-TV	Richmond, Va.
WRFT	Roanoke, Va.
WOKR-TV	Rochester, N.Y.
WREX-TV	Rockford, Ill.
KOVR	Sacramento-Stockton, Calif.
KTVI	St. Louis, Mo.
KCPX-TV	Salt Lake City, Utah
KSAT-TV	San Antonio, Tex.
XETV	San Diego (Tiajuana, Mex.)
KGO-TV	San Francisco, Calif.
KNTV	San Jose, Calif.
KEY-TV	Santa Barbara, Calif.
WJCL-TV	Savannah, Ga.
WNEP-TV	Scranton-Wilkes-Barre, Pa.
KOMO-TV	Seattle, Wash.
KTBS-TV	Shreveport, La.
KCAU-TV	Sioux City, Iowa
WSJV-TV	South Bend-Elkhart, Ind.
KREM-TV	Spokane, Wash.
KMTC	Springfield, Mo.
WHYN-TV	Springfield-Holyoke, Mass.
KQTV	St. Joseph, Mo.
WNYS-TV	Syracuse, N.Y.
WLCY-TV	Tampa-St. Petersburg, Fla.
WDHO-TV	Toledo, Ohio.
KGUN-TV	Tucson, Ariz.
KTUL-TV	Tulsa, Okla.
WUTR-TV	Utica, N.Y.
WMAL-TV	Washington, D.C.
WAOW-TV	Wausau, Wis.
WEAT-TV	West Palm Beach, Fla.
KAKE-TV	Wichita, Kans.
KUPK-TV	Garden City, Kans.
KSWO-TV	Wichita Falls, Tex.-Lawton, Okla.
WWAY-TV	Wilmington, N.C.
WYTV	Youngstown, Ohio

U.S. ARMY RECRUITMENT STATION LIST—Continued

CBS-TV Network

Station:

City and State

KTXS-TV	Abilene-Sweetwater, Tex.
WTEN	Albany, N. Y.
WDCD	Adams, Mass.
KGGM-TV	Albuquerque, N. Mex.
WFBG-TV	Altoona, Pa.
KFDA-TV	Amarillo, Tex.
KFDW-TV	Clovis, N. Mex.
KFDO	Sayre, Okla.
KTVA	Anchorage, Alaska
WAGA-TV	Atlanta, Ga.
WRDW-TV	Augusta, Ga.
KTBC-TV	Austin, Tex.
KBAK-TV	Bakersfield, Calif.
WMAR-TV	Baltimore, Md.
WABI-TV	Bangor, Maine
WAFB-TV	Baton Rouge, La.
KFDM-TV	Beaumont, Tex.
KVOS-TV	Bellingham, Wash.
KOOK-TV	Billings, Mont.
WNBF-TV	Binghamton, N. Y.
WBMG-TV	Birmingham, Ala.
KXMB-TV	Bismarck, N. Dak.
KBOI-TV	Boise, Idaho
WHDH-TV	Boston, Mass.
KBTX-TV	Bryan, Tex.
WBEN-TV	Buffalo, N. Y.
WCAX-TV	Burlington, Vt.
KXLF-TV	Butte, Mont.
WWTW	Cadillac-Traverse City, Mich.
WWUP-TV	Sault Ste. Marie, Mich.
KFVS-TV	Cape Girardeau, Mo.
WMT-TV	Cedar Rapids, Iowa
WCIA	Champaign, Ill.
WCSC-TV	Charleston, S. C.
WCHS-TV	Charlottesville, W. Va.
WBTW	Charlotte, N. C.
WDEF-TV	Chattanooga, Tenn.
KFBC-TV	Cheyenne, Wyo.
KSTF	Scottsbluff, Nebr.
KTVS-TV	Sterling, Colo.
WBBM-TV	Chicago, Ill.
KHSL-TV	Chico, Calif.
WCPO-TV	Cincinnati, Ohio
WJW-TV	Cleveland, Ohio
KKTW	Colorado Springs-Pueblo, Colo.
WNOK-TV	Columbia, S. C.
WRBL-TV	Columbus, Ga.
WCBI-TV	Columbus, Miss.
WBNS-TV	Columbus, Ohio
KZTV	Corpus Christi, Tex.
KDFW-TV	Dallas, Tex.
WHIO-TV	Dayton, Ohio
KLZ-TV	Denver, Colo.
KRNT-TV	Des Moines, Iowa
WJBK-TV	Detroit, Mich.
KDIX-TV	Dickinson, N. Dak.
WTVY	Dothan, Ala.
KDAL-TV	Duluth, Minn.
WTVD	Durham, N. C.
KECC-TV	El Centro, Calif.
KROD-TV	El Paso, Tex.
KTVC	Ensign, Kans.
WSEE	Erie, Pa.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

KIEM-TV-----	Eureka, Calif.
WEHT-----	Evansville, Ind.
KTVF-----	Fairbanks, Alaska
KXJB-TV-----	Fargo-Valley City, N. Dak.
WBTW-----	Florence, S.C.
WINK-TV-----	Fort Meyers, Fla.
WTVX-----	Fort Pierce, Fla.
KFSA-TV-----	Fort Smith, Ark.
WANE-TV-----	Fort Wayne, Ind.
KFRE-TV-----	Fresno, Calif.
KXGN-TV-----	Glendive, Mont.
KLOE-TV-----	Goodland, Kans.
KREX-TV-----	Grand Junction, Colo.
KREY-TV-----	Montrose, Colo.
KREZ-TV-----	Durango, Colo.
KRTV-----	Great Falls, Mont.
WBAY-TV-----	Green Bay, Wis.
WPMY-TV-----	Greensboro-Winston-Salem, N.C.
WNCT-----	Greenville, N.C.
KGBT-TV-----	Harlingen, Tex.
WHP-TV-----	Harrisburg, Pa.
WTIC-TV-----	Hartford, Conn.
KAYS-TV-----	Hays, Kans.
KGMB-TV-----	Honolulu, Hawaii
KPUA-TV-----	Hilo, Hawaii
KHOU-TV-----	Houston, Tex.
WHNT-TV-----	Huntsville, Ala.
KID-TV-----	Idaho Falls, Idaho
WISH-TV-----	Indianapolis, Ind.
WJTV-----	Jackson, Miss.
WJXT-----	Jacksonville, Fla.
KRCG-TV-----	Jefferson City, Mo.
KMOS-TV-----	Sedalia, Mo.
WJHL-TV-----	Johnson City, Tenn.
WARD-TV-----	Johnstown, Pa.
KUHI-TV-----	Joplin, Mo.
WKZO-TV-----	Kalamazoo-Grand Rapids, Mich.
KCMO-TV-----	Kansas City, Mo.
KOTI-TV-----	Klamath Falls, Oreg.
WBIR-TV-----	Knoxville, Tenn.
WKBT-----	LaCrosse, Wis.
WLFI-TV-----	Lafayette, Ind.
KLFY-TV-----	Lafayette, La.
WLYH-TV-----	Lancaster-Lebanon, Pa.
WJIM-TV-----	Lansing, Mich.
KLAS-TV-----	Las Vegas, Nev.
KLEW-TV-----	Lewiston, Idaho
WKYT-TV-----	Lexington, Ky.
KOLN-TV-----	Lincoln, Nebr.
KGIN-TV-----	Grand Island, Nebr.
KTHV-----	Little Rock-Pine Bluff, Ark.
KNXT-----	Los Angeles, Calif.
WHAS-TV-----	Louisville, Ky.
KLBK-TV-----	Lubbock, Tex.
WMAZ-TV-----	Macon, Ga.
WISC-TV-----	Madison, Wis.
KEYC-TV-----	Mankato, Minn.
WLUC-TV-----	Marquette, Mich.
KGLO-TV-----	Mason, City, Iowa
KOBI-----	Medford, Oreg.
WREC-TV-----	Memphis, Tenn.
WTOK-TV-----	Meridan, Miss.
WTVJ-----	Miami, Fla.
WISN-TV-----	Milwaukee, Wis.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

WCCO-TV-----	Minneapolis, Minn.
KXMC-TV-----	Minot, N. Dak.
KPAX-TV-----	Missoula, Mont.
WKRK-TV-----	Mobile, Ala.
KNOE-TV-----	Monroe, La.
KMST-----	Monterey-Salinas, Calif.
WCOV-TV-----	Montgomery, Ala.
WLAC-TV-----	Nashville, Tenn.
WWL-TV-----	New Orleans, La.
WCBS-TV-----	New York, N.Y.
WTAR-TV-----	Norfolk, Va.
KOSA-TV-----	Odessa, Tex.
KWTV-----	Oklahoma, City, Okla.
WOW-TV-----	Omaha, Nebr.
WDBO-TV-----	Orlando, Fla.
KEPR-TV-----	Pasco, Wash.
WMBD-TV-----	Peoria, Ill.
WCAU-TV-----	Philadelphia, Pa.
KOOL-TV-----	Phoenix, Ariz.
KDKA-TV-----	Pittsburg, Pa.
WGAN-TV-----	Portland, Maine
KOIN-TV-----	Portland, Oreg.
WAGM-TV-----	Presque Isle, Maine
WPRI-TV-----	Providence, R.I.
KHQA-TV-----	Quincy-Hannibal, Mo.
KRSD-TV-----	Rapid City, S. Dak.
KDSJ-TV-----	Lead, S. Dak.
KOLO-TV-----	Reno, Nev.
WTVR-----	Richmond, Va.
KWRB-TV-----	Riverton, Wyo.
WDBJ-TV-----	Roanoke, Va.
WHEC-TV-----	Rochester, N.Y.
WCEE-TV-----	Rockford, Ill.
WHBF-TV-----	Rock Island-Davenport, Iowa
KBIM-TV-----	Roswell, N. Mex.
KXTV-----	Sacramento, Calif.
WKNX-TV-----	Saginaw, Mich.
KMOX-TV-----	St. Louis, Mo.
WBOC-TV-----	Salisbury, Md.
KSL-TV-----	Salt Lake City, Utah
KCTV-----	San Angelo, Tex.
KENS-TV-----	San Antonio, Tex.
KFMB-TV-----	San Diego, Calif.
KPIX-----	San Francisco, Calif.
KCOY-TV-----	San Maria, Calif.
WTOC-TV-----	Savannah, Ga.
WDAU-TV-----	Scranton-Wilkes Barre, Pa.
KIRO-TV-----	Seattle, Wash.
KSLA-TV-----	Shreveport, La.
KMEG-TV-----	Sioux City, Iowa.
KELO-TV-----	Sioux Falls, S. Dak.
KDLO-TV-----	Florence, S. Dak.
KPLO-TV-----	Reliance, S. Dak.
KIFW-TV-----	Sitka, Alaska
WSPT-TV-----	South Bend, Ind.
WSPA-TV-----	Spartanburg-Greenville, S.C.
KXLY-TV-----	Spokane, Wash.
KTTS-TV-----	Springfield, Mo.
WSTV-TV-----	Steubenville-Wheeling, W. Va.
WHEN-TV-----	Syracuse, N.Y.
WCTV-----	Tallahassee, Fla.-Thomasville, Ga.
WTVT-----	Tampa, Fla.
WTHI-TV-----	Terre Haute, Ind.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

WTOL-TV	-----	Toledo, Ohio
WIBW-TV	-----	Topeka, Kans.
KOLD-TV	-----	Tuscon, Ariz.
KOTV	-----	Tulsa, Okla.
KMVT	-----	Twin Falls, Idaho
KWTX-TV	-----	Waco, Tex.
KMAU-TV	-----	Wailuku, Hawaii
WTOP-TV	-----	Washington, D.C.
WWNY-TV	-----	Watertown-Carthage, N. Y.
WSAU-TV	-----	Wausau, Wis.
WDTV	-----	Weston, W. Va.
KAUZ-TV	-----	Wichita Falls, Tex.
KTVH	-----	Wichita-Hutchinson, Kans.
KXMD-TV	-----	Williston, N. Dak.
KIMA-TV	-----	Yakima, Wash.
WSBA-TV	-----	York, Pa.
WKBN-TV	-----	Youngstown, Ohio

NBC-TV Network

Station:

City and State

KCOO-TV	-----	Aberdeen, S. Dak.
KRBC-TV	-----	Abilene, Tex.
KACB-TV	-----	San Angelo, Tex.
WALB-TV	-----	Albany, Ga.
KOB-TV	-----	Albuquerque, N. Mex.
KALB-TV	-----	Alexandria, La.
KCMT	-----	Alexandria, Minn.
KNMT	-----	Walker, Minn.
KGNC-TV	-----	Amarillo, Tex.
KXII	-----	Ardmore, Okla.
WSB-TV	-----	Atlanta, Ga.
WRDW-TV	-----	Augusta, Ga.
KHFI-TV	-----	Austin, Tex.
KERO-TV	-----	Bakersfield, Calif.
WBAL-TV	-----	Baltimore, Md.
WLBZ-TV	-----	Bangor, Maine
WBRZ	-----	Baton Rouge, La.
KJAC-TV	-----	Beaumont-Port Arthur, Tex.
KULR-TV	-----	Billings, Mont.
WINR-TV	-----	Binghamton, N. Y.
WAPI-TV	-----	Birmingham, Ala.
KFYR-TV	-----	Bismarck, N. Dak.
WHIS-TV	-----	Bluefield, W. Va.
KTVB	-----	Boise, Idaho
KTVR	-----	La Grande, Oreg.
WBZ-TV	-----	Boston, Mass.
WCYB-TV	-----	Bristol, Va.-Johnson City, Tenn.
WGR-TV	-----	Buffalo, N. Y.
KTVM	-----	Butte, Mont.
KTWO-TV	-----	Casper, Wyo.
WICD	-----	Champaign-Danville, Ill.
WCIV	-----	Charleston, S.C.
WSOC-TV	-----	Charlotte, N.C.
WRCB-TV	-----	Chattanooga, Tenn.
WMAQ-TV	-----	Chicago, Ill.
WLW-TV	-----	Cincinnati, Ohio
WBOY-TV	-----	Clarksburg, W. Va.
WKYC-TV	-----	Cleveland, Ohio
KOMU-TV	-----	Columbia, Mo.
WIS-TV	-----	Columbia, S.C.
WYEA-TV	-----	Columbus, Ga.
WLW-C	-----	Columbus, Ohio
KRIS-TV	-----	Corpus Christi, Tex.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

WOC-TV	Davenport, Iowa
WLW-D	Dayton, Ohio
WESH-TV	Daytona Beach-Orlando, Fla.
KOA-TV	Denver, Colo.
WHO-TV	Des Moines, Iowa
WWJ-TV	Detroit, Mich.
WDAZ-TV	Devils Lake, N. Dak.
WDSM-TV	Duluth, Minn.-Superior, Wis.
WTVB	Durham-Raleigh, N.C.
WEAU-TV	Eau Claire, Wis.
KTVE	El Dorado-Monroe, La.
KTSM-TV	El Paso, Tex.
WICU-TV	Eric, Pa.
WJMN-TV	Escanaba, Mich.
KVAL-TV	Eugene, Oreg.
KPIC	Roseburg, Oreg.
KCBY-TV	Coos Bay, Oreg.
KVIQ-TV	Eureka, Calif.
WFIE-TV	Evansville, Ind.
WDAY-TV	Fargo, N. Dak.
KOAI	Flagstaff, Ariz.
WOWL-TV	Florence, Ala.
KVFD-TV	Fort Dodge, Iowa
WBBH-TV	Fort Myers, Fla.
KFSA-TV	Fort Smith, Ark.
WKJG-TV	Fort Wayne, Ind.
WBAP-TV	Fort Worth-Dallas, Tex.
KMJ-TV	Fresno, Calif.
WOOD-TV	Grand Rapids, Mich.
KCKT	Great Bend, Kans.
KGLD	Garden City, Kans.
KOMC	McCook, Nebr.
KRTV	Great Falls, Mont.
WFRV-TV	Green Bay, Wis.
WFBC-TV	Greenville-Spartanburg, S.C.
WHAG-TV	Hagerstown, Md.
WHNB-TV	Hartford-New Britain, Conn.
KHAS-TV	Hastings-Kearney, Nebr.
WDAM-TV	Hattiesburg-Laurel, Miss.
KDUH-TV	Hays Springs, Nebr.
WKYH-TV	Hazard, Ky.
KBLL-TV	Helena, Mont.
KPRC-TV	Houston, Tex.
WSAZ-TV	Huntington-Charleston, W. Va.
KIFI-TV	Idaho Falls, Idaho
WAAY-TV	Huntsville, Ala.
WFBM-TV	Indianapolis, Ind.
WLBT	Jackson, Miss.
WFGA-TV	Jacksonville, Fla.
WJAC-TV	Johnstown, Pa.
KCFW-TV	Kalispell, Mont.
WDAF-TV	Kansas City, Mo.
WATE-TV	Knoxville, Tenn.
KLNI-TV	Lafayette, La.
KPLC-TV	Lake Charles, La.
WGAL-TV	Lancaster-Harrisburg-York, Pa.
WILX-TV	Lansing-Onondaga, Mich.
KGNS-TV	Laredo, Texas
KORK-TV	Las Vegas-Henderson, Nev.
WLEX-TV	Lexington, Ky.
WILMA-TV	Lima, Ohio
KARK-TV	Little Rock, Ark.
KNBC	Los Angeles, Calif.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:

City and State

WAVE-TV-----	Louisville, Ky.
KCBD-TV-----	Lubbock, Tex.
KTRE-TV-----	Lufkin, Tex.
WCWB-TV-----	Macon, Ga.
WMTV-----	Madison, Wis.
KMED-TV-----	Medford, Oreg.
WMC-TV-----	Memphis, Tenn.
WHTV-----	Meridian, Miss.
WCKT-----	Miami, Fla.
KMID-TV-----	Midland-Odessa, Tex.
KYUS-TV-----	Miles City, Mont.
WTMJ-TV-----	Milwaukee, Wis.
KSTP-TV-----	Minneapolis-St. Paul, Minn.
KMOT-TV-----	Minot, N. Dak.
KGVO-TV-----	Missoula, Mont.
WALA-TV-----	Mobile, Ala.-Pensacola, Fla.
WSFA-TV-----	Montgomery, Ala.
WLBC-TV-----	Muncie, Ind.
WSM-TV-----	Nashville, Tenn.
WDSU-TV-----	New Orleans, La.
WNBC-TV-----	New York, N. Y.
WAVY-TV-----	Norfolk-Portsmouth, Va.
KNOP-TV-----	North Platte, Nebr.
WKY-TV-----	Oklahoma City, Okla.
KMTV-----	Omaha, Nebr.
WPSD-TV-----	Paducah, Ky.-Cape Girardeau, Mo.-Harrisburg, Ill.
WPTV-----	Palm Beach, Fla.
KMIR-TV-----	Palm Springs, Calif.
WJHG-TV-----	Panama City, Fla.
WTAP-TV-----	Parkersburg, W. Va.
WEEK-TV-----	Peoria, Ill.
WEEQ-TV-----	LaSalle, Ill.
KYW-TV-----	Philadelphia, Pa.
WCMC-TV-----	Wildwood, N.J.
KTAR-TV-----	Phoenix-Mesa, Ariz.
KOAM-TV-----	Pittsburg, Kans.-Joplin, Mo.
WIIC-TV-----	Pittsburgh, Pa.
WPTZ-----	Plattsburg, N. Y.-Burlington, Vt.
WCSH-TV-----	Portland, Maine
KGW-TV-----	Portland, Oreg.
WJAR-TV-----	Providence, R.I.
KOAA-TV-----	Pueblo-Colorado Springs, Colo.
WGEM-TV-----	Quincy, Ill.-Hannibal, Mo.
KOTA-TV-----	Rapid City, S. Dak.
KHSD-TV-----	Lead-Deadwood, S. Dak.
KRCR-TV-----	Redding, Calif.
KCRL-TV-----	Reno, Nev.
WAEO-TV-----	Rhineland, Wis.
WWBT-----	Richmond, Va.
WSLS-TV-----	Roanoke, Va.
KROC-TV-----	Rochester, Minn.
WROC-TV-----	Rochester, N. Y.
WTVQ-----	Rockford, Ill.
KSWS-TV-----	Roswell, N. Mex.
KCRA-TV-----	Sacramento, Calif.
WNEM-TV-----	Saginaw-Bay City, Mich.
KSD-TV-----	St. Louis, Mo.
KSBW-TV-----	Salinas-Monterey, Calif.
KSBY-TV-----	San Luis Obispo, Calif.
KUTV-----	Salt Lake City, Utah
WOAI-TV-----	San Antonio, Tex.
KOGO-TV-----	San Diego, Calif.
KRON-TV-----	San Francisco, Calif.

U.S. ARMY RECRUITMENT STATION LIST—Continued

Station:	City and State
WSAV-TV-----	Savannah, Ga.
WRGB-----	Schenectady, N.Y.
KING-TV-----	Seattle-Tacoma, Wash.
KTAL-TV-----	Shreveport, La.-Texarkana, Tex.
KTIV-----	Sioux City, Iowa
KSOO-TV-----	Sioux Falls, S. Dak.
WNDU-TV-----	South Bend-Elkhart, Ind.
KHQ-TV-----	Spokane, Wash.
WICS-----	Springfield-Decatur, Ill.
WWLP-----	Springfield-Holyoke, Mass.
WRLP-----	Greenfield, Mass.
KYTV-----	Springfield, Mo.
WSYR-TV-----	Syracuse, N.Y.
WSYE-TV-----	Elmira, N.Y.
WFLA-TV-----	Tampa-St. Petersburg, Fla.
KCEN-TV-----	Temple-Waco, Tex.
WTWO-----	Terre Haute, Ind.
WSPD-TV-----	Toledo, Ohio
KTSB-----	Topeka, Kans.
WPBN-TV-----	Traverse City, Mich.
WTOM-TV-----	Cheboygan, Mich.
KVOA-TV-----	Tucson, Ariz.
KTEW-TV-----	Tulsa, Okla.
WTWV-----	Tupelo, Miss.
KLTV-----	Tyler, Tex.
WKTU-----	Utica, N.Y.
WRC-TV-----	Washington, D.C.
WITN-TV-----	Washington-Greenville, N.C.
WATR-TV-----	Waterbury, Conn.
KWWL-TV-----	Waterloo-Cedar Rapids, Iowa
KRGV-TV-----	Weslaco, Tex.
WTRF-TV-----	Wheeling, W. Va.
KARD-TV-----	Wichita, Kans.
KFDX-TV-----	Wichita Falls, Tex.
WBRE-TV-----	Wilkes Barre-Scranton, Pa.
KUMV-TV-----	Williston, N. Dak.
WECT-----	Wilmington, N.C.
WSJS-TV-----	Winston Salem-Greensboro, N.C.
KNDO-----	Yakima, Wash.
KNDU-----	Richland, Wash.
WFMJ-TV-----	Youngstown, Ohio
KBLU-TV-----	Yuma, Ariz.
WHIZ-TV-----	Zanesville, Ohio

Mr. VAN DEERLIN. Of course, it was not the business of the agency, a commercial agency handling an account on a commercial basis, to go out and grub for free time, so to speak. But you were in some correspondence with a couple of these licensees. Mr. Ward Quaal had a chain of correspondence with N. W. Ayer which I should like to include for the record.

Mr. REATH. It came into my department.

Mr. VAN DEERLIN. This is from Mr. Quaal to Mr. Smith, in which he says:

While we appreciate the order in the amount of approximately \$50,000, Mr. Coverly-Smith, I have advised our people not to accept it because WGN Radio as well as WGN Television has always given time for such messages free of charge and we will continue to do so as long as I am steward of these previous properties. The same is true of our stations in Duluth (KDAL and KDAL-TV) and Denver (KWGN Television). For example, WGN Television

broadcast a total of eight (8) public service announcements for Armed Forces recruiting in December, 1970.

Mr. Coverly-Smith, please be assured that we will schedule spot announcements for recruitment purposes just as we carry messages for other public service entities, including the Navy and the Air Force. I suggest that you write or call Mr. Gene Filip to make the appropriate arrangements.

I will include that for the record.
(The letters referred to follow:)

WGN CONTINENTAL BROADCASTING CO.,
CHICAGO, ILL., February 15, 1971.

MR. JOHN COVERLY-SMITH,
Broadcast Supervisor, N. W. Ayer & Sons, Inc.,
Philadelphia, Pa.

DEAR MR. COVERLY-SMITH: This is in reference to the sales order regarding the campaign by the United States Army to recruit volunteers to achieve an all-volunteer force by 1973.

While we appreciate the order on the amount of approximately \$50,000, Mr. Coverly-Smith, I have advised our people *not* to accept it because WGN Radio as well as WGN Television has always given time for such messages free of charge and we will continue to do so as long as I am steward of these precious properties. The same is true of our stations in Duluth (KDAL and KDAL-TV) and Denver (KWGN Television). For example, WGN Television broadcast a total of eight (8) public service announcements for Armed Forces recruiting in December, 1970.

Mr. Coverly-Smith, please be assured that we will schedule spot announcements for recruitment purposes just as we carry messages for other public service entities, including the Navy and the Air Force. I suggest that you write or call Mr. Gene Filip to make the appropriate arrangements.

All good wishes, Mr. Coverly-Smith, and I trust you understand our position.
Very sincerely,

WARD L. QUAAL.

N. W. AYER & SON, INC.,
Philadelphia, Pa., February 24, 1971.

MR. WARD L. QUAAL,
President,
WGN Broadcasting Co.
Chicago, Ill.

DEAR MR. QUAAL: Thank you for your letter of February 15 outlining the position of WGN Broadcasting Co. with regard to the U.S. Army paid broadcast test. We understand your decision to continue to classify our client as a public service advertiser. However, so you may fully understand our problem, let me spend a moment highlighting the events that have led the Army to undertake this test.

The problem today, is that the number of young men volunteering for the Army has declined. Besides an unpopular involvement of U.S. forces in South East Asia, the new *lottery* draft system has removed the "fear" of the draft from large numbers of eligible men 17-21. Both have had a depressing effect on enlistments.

N. W. Ayer's assignment is to reverse the current enlistment trend as the first step toward determining the feasibility of an all volunteer Army (or zero draft if you will). We respect the difficulty of the assignment.

In spite of the fine cooperation of WGN and hundreds of other broadcasters around the country in airing Army commercials on a public service basis the total "pressure" of the advertising, including the paid print effort is not meeting current enlistment goals. For this reason we as professionals would be remiss in not suggesting the testing of the *full* power of broadcast media on a sharply controlled and scheduled basis. I'm sure you would agree that to achieve maximum effectiveness in broadcast requires the purchase of time. This is what the test is all about.

We appreciate your offer to continue to air Army commercials on a public service basis during our paid test. It will help our overall effort. I will see

that our production people furnish the new commercials that we will be using starting March 1, 1971, to your stations as quickly as possible.

In this connection to give us and our client an indication of the total exposure given by your stations, it will be helpful to have monthly reports sent covering the number of spots by time period during March, April and May.

Thanking you again for your letter and best regards.

I remain,

Yours truly,

JOHN F. COVERLEY-SMITH.

WGN CONTINENTAL BROADCASTING Co.,
Chicago, Ill., March 1, 1971.

MR. JOHN F. COVERLEY-SMITH,
N. W. Ayer & Son, Inc.,
Philadelphia, Pa.

DEAR MR. COVERLEY-SMITH: Thank you for your good letter in regard to my comments on our policy position on the paid broadcast "test" of the recruiting service of the United States Army.

Certainly we respect your efforts in this regard, Mr. Coverley-Smith, and we understand the professional intent involved, but we cannot alter our policy to accept these spots on anything but a public service basis.

We are very happy indeed to supply you with a statement each month on the number of spots and their position in our schedule for March, April and May. Such reports will be furnished to you by Mr. Eugene Filip, Manager of Public Affairs, WGN and WGN Television, Chicago.

With kindest personal regards and my gratitude for your understanding.

Very sincerely,

WARD L. QUAAL.

MR. VAN DEERLIN. Also I have had personal correspondence with Mr. Quaal and Mr. Donald McGannon of Westinghouse Broadcasting Co., Inc. I will include these letters for the record as well. In his letter addressed to me, Mr. McGannon says:

We were contacted by the Advertising Agency in this matter and, in turn, were asked to submit availabilities for announcements covering the subject area. It had long been policy that announcements concerning public service issues, and this includes certain public informational activities of government at all levels, should be handled on a non-payment public service basis. We follow this approach in the presentation of religious programming and also in the presentation of controversial issues.

As a consequence, we declined the schedule for the reason stated and indicated to the agency that we would carry an adequate number of recruitment announcements for the Army but on a no-charge public service basis.

This is a new element now introduced by Mr. McGannon's letter about which I would like to question you. He says:

A new and additional element of this program which subsequently developed, but was not controlling in our decision, was the fact that the agency indicated that it did not plan to purchase time on our three all-news radio stations in New York, Los Angeles and Philadelphia because they did not want these announcements to be in proximity to casualty reports.

(The letters referred to follow:)

GROUP W, WESTINGHOUSE BROADCASTING Co., INC.,
New York, N.Y., April 20, 1971.

HON. LIONEL VAN DEERLIN,
Member of Congress,
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN VAN DEERLIN: I have received correspondence from your office and have had a telephone conversation with your Administrative Assistant concerning H. Con. Res. 215 and especially concerning the recent undertaking by the United States Army to purchase time on radio and television stations for recruitment purposes.

We were contacted by the Advertising Agency in this matter and, in turn, were asked to submit availabilities for announcements covering the subject area. It had long been our policy that announcements concerning public service issues, and this includes certain public informational activities of government at all levels, should be handled on a non-payment public service basis. We follow this approach in the presentation of religious programming and also in the presentation of controversial issues.

As a consequence, we declined the schedule for the reason stated and indicated to the Agency that we would carry an adequate number of recruitment announcements for the Army but on a no-charge public service basis.

A new and additional element of this program which subsequently developed but was not controlling in our decision, was the fact that the Agency indicated that it did not plan to purchase time on our three all-news radio stations in New York, Los Angeles and Philadelphia because they did not want these announcements to be in proximity to casualty reports. A similar condition was placed on the purchase of time on our standard format radio stations requiring a 15 minute separation from any news broadcast in presenting the recruitment announcements.

We also had a concern that an imbalance would be created if one of the services had a substantially larger campaign than the other three because of the availability of a budget. Our public service announcements will be the same for all 4 services in frequency and placement.

I regret that I could not present these views to you and the Committee in person but a commitment to be out of town on both hearing days, undertaken several weeks ago, prevented this.

If I or our company can be of any further help to you in this connection, please advise.

Kindest regards.

Sincerely,

DONALD H. MCGANNON,
President and Chairman of the Board.

WGN CONTINENTAL BROADCASTING CO.,
Chicago, Ill., April 23, 1971.

HON. LIONEL VAN DEERLIN,
Washington, D.C.

MY DEAR MR. VAN DEERLIN: In recent weeks you and I have had an opportunity to discuss by phone and through the mails, the policy decision of WGN Continental in regard to the Army recruitment spots.

Mr. Van Deerlin, our policy in refusing commercial acceptance of same is really nothing new in the way of a business posture at our company, but rather an extension of a theme of operations which are of long standing.

Mr. Van Deerlin, we are licensed to serve the public and, indeed, everything we do comes within the general "framework" of that rather vague phrase mentioned in Section 303 and thirteen other times in the Communications Act of 1934 as amended. I refer to "the public interest, convenience and necessity."

It would seem to me, Mr. Van Deerlin, as one who loves his country, that one of our responsibilities is to keep America "strong" and that means from "within" and "without" and that includes military preparedness and all that is associated with it. Therefore, I just can not see the propriety of taking dollars from the taxpayers to recruit men to wear the uniform of our beloved land.

I am enclosing herewith, my exchange with Mr. John Coverly-Smith of the N. W. Ayer agency, Philadelphia. Kindly note that in refusing to accept these recruitment spots on a commercial basis I offer to present them in the public interest, free of charge. Not only have I kept this promise but I have seen to it that my people, at each of our broadcasting properties, have given prominent position throughout the broadcast schedule to these Army recruitment messages. Also, we will report to Mr. Coverly-Smith on a monthly basis as to the frequency and the position of these spots in behalf of the U.S. Army.

Finally, let me say, as the president of several prominent broadcasting companies, that if the efforts of the U.S. Army are to be emulated by other ele-

ments of government, federal, state and local, and paid announcements are to be implemented on station schedules, we will soon have competition for "position" in broadcasting as is true today with the manufacturers of soaps, dentifrices, automobile tires, chewing gum and petroleum products. This, to me, doesn't make very much sense.

I repeat, Mr. Van Deerlin, that I feel it is the responsibility of a licensee to give time free of charge, either in the form of spots or programs, for those areas of activity that are meaningful to the constituency we have the good fortune to serve with our transmitters. With this statement I am not suggesting an outflow of government "propaganda" on any area of activity and I am certainly not suggesting promotion by one or more political parties but where the public interest is involved, such as the recruitment of military personnel, this certainly falls in the public service area and should not be something to be considered "commercial" from the standpoint of a broadcast operation.

It is respectfully suggested that these comments be made a part of the Record of hearings pursuant to the introduction of H. Con. Res. 215.

Respectfully submitted,

WARD L. QUAAL.

Mr. VAN DEERLIN. Would you comment on the policy that was established here, whether it was imposed by the agency or by the Army?

Mr. REATH. I would like to answer that, yes, sir. It is part of our responsibility in the media area to set down for our clients and propose to our clients certain buying guidelines. One of the guidelines we established for this campaign was in terms of our buying of network and also radio and television when we bought it locally, that we did not want positions in news programs or adjacent to them.

Further, we went on to say that our guidelines called for buying positions, not in certain types of programing, a good example being where there is a movie on the network that may have been counterproductive to the message that we were trying to deliver.

The same reasoning was followed in the news position. And we did not feel that positions in such broadcasts or adjacent to them was in keeping with what we were trying to do and, in fact, was counterproductive and tended to neutralize our advertising.

Mr. VAN DEERLIN. So, to have any of these spots appearing within a short range of time with news accounts from Vietnam might run counter to the suggestion of a volunteer that will serve in Germany or in much pleasanter points than Vietnam?

Mr. REATH. Yes, sir.

Mr. VAN DEERLIN. How were the stations that were included on the schedule you are going to provide the committee, how were they selected and what was the basis of what stations were to participate and which would be omitted from the campaign?

Mrs. REATH. In television and radio, the program draws an audience. That audience is measured by a number of rating services and networks, such as Nielsen, and at the local market radio level it is Pulse, and local market television it is ARB, and these are services that we buy as an agency, as do all major agencies.

They break down the audiences of shows by size and type and in terms of demographic figures and man versus woman, by age ranges, and so forth. So a given program will draw a certain type of audience in television.

In radio it is the format of the station that determines the type of audience it draws, an all-news format, an all-news format in

radio all day long will have a certain balance of people within their audience. A "top 40," which is an inside term in our business, it is a rock station or contemporary music station, will automatically, because of its programing content, draw an audience of younger people, men and women.

So, setting up our target audience of 17 to 21 years of age, young men, and then also including the parts of the total public that can influence or counsel a young man in his decision on a career as our secondary audience, we can go into every market in terms of radio and local television and look at the programing and buy into the programing that delivers the highest number of young people that we are after and/or their parents and uncles and aunts for the best price.

Those are the ground rules that we set up as we went in to make the buy, and stations were bought accordingly. Basically our stations were the best-rated stations in every market, the No. 1, 2, or 3 stations in some markets in the contemporary programing area and in the middle-of-the-road programing area, which is the kind of station that most parents would listen to.

In network television we selected shows that delivered a large audience, one; and, No. 2, a high percentage which is relative to other shows for young men in our target audience.

Mr. VAN DEERLIN. Were there other considerations that went into the selection of outlets?

Mr. REATH. No, those are the buying guidelines and we think we bought the entire program especially, well, not especially, but entirely on that basis.

Mr. VAN DEERLIN. As one who has been rather close to the whole business, with the discussion that it aroused since the campaign began, I suppose that an article appearing in the Wall Street Journal on March 15 by John E. Cooney, came to your attention. The paragraph that I wish to mention from that story concerns a broadcaster in Burns, Oreg., who is quoted as saying: "When I heard about the campaign, I was burnt up and sent a letter to the Department of the Army," says Howard McDonald, coowner of station KRNS in Burns, Oreg. "They sent me a letter back saying we would be part of the campaign. I think they only included us because I jumped up and yelled."

Now, I have established contact with Mr. McDonald, who related that they were indeed omitted from the first schedule of stations, that he complained loudly about this, and that on or about February 12 sent a letter to the Army recruiting command, protesting the fact that they, having given considerable public service time in the past, were being omitted now that the Army was paying for what they had received free before.

He says that 4 days later he got a phone call assuring him he would share in the schedule, that the tapes on order, which were dated February 15, actually reached him there in Oregon on February 27, 2 or 3 days before the campaign began.

Now, the witness for the Army this morning testified they had left entirely to the judgment of the agency the selection of stations to participate in the campaign. What I would like to ask you is this: Who called Mr. McDonald in Burns, Oreg?

Mr. REATH. Sir, I think I can give you an explanation of the sequence of events. It will require a background of how radio networks are put together and represented, if you would like me to go into it.

I can explain, I think, how the situation developed.

Well, we bought the Blair Radio Network, which is not a wired-together network, but a represented sales organization network. There are some 1,200 stations represented by Blair. In that list of 1,200 stations, they have the option on the station, if he does not feel they are being represented or sold well, they can drop out or they can add stations and so forth and so on. This occurs constantly and it happens even during our campaign.

I believe this station entered the Blair Network representation field, joined up with Blair after our original planned availabilities were called for and there was confusion as to whether this station belonged to the Blair Network or it didn't. In fact, when we found out it did belong at a certain point in time, they got their order.

Mr. VAN DEERLIN. Blair is their national representative?

Mr. REATH. Yes.

Mr. VAN DEERLIN. Instead of ordering individual station by individual station ratings and the format, as you described, you do buy by package with national representatives?

Mr. REATH. Yes, in the case of Blair, the large number of stations in that particular organization tend to be the smaller one-station cities that are provided coverage in this campaign for the rural areas of the country.

We did not go into all of the markets below 200 in major cities and go through all of the mathematics that are required since we could, by buying one network, provide the coverage in the rural and small town areas.

Mr. VAN DEERLIN. Mr. McDonald was under the impression he had been talking with the Army recruiting service on that phone call. I can only judge from the testimony given us this morning, because it would surely not be my feeling that anybody would come before this committee without telling the full truth—it would be my conclusion it was not the Army recruiting service. But it does seem, however, he would have been aware, if he was talking to his own national representatives, the Blair Co. Did someone from the agency call and placate Mr. McDonald?

Mr. REATH. I do not know that, sir. I do know that they are part of the Blair Network at this point and are on our station list.

Mr. MACDONALD. Could you yield?

Mr. VAN DEERLIN. Yes. Indeed I will. I want to answer the quorum call myself.

Mr. MACDONALD. You can go and I will ask my questions.

Mr. VAN DEERLIN. Yes. Thank you.

Mr. MACDONALD. The story is every time we got on a question, we would get sort of a fuzzy reply and we would try to understand what the reply was and he would always say, "Well, the agency is handling that."

If I remember correctly, when we asked them what the mechanics were of checking out what effect this has on free time spots, they said they were going to use your agency to check it out.

Mr. NALLE. There are large numbers of research projects being imposed upon by this test by the Army, the agencies, by the other services and by the Department of Defense. One of the projects we have commissioned an outside research organization to do involves pretesting before the campaign started which has been completed and the tab runs are coming in now. The exact same questionnaire will go out again after the completion of the test.

This is designed to measure, as well as possible, what kind of results the test had.

Mr. MACDONALD. I understand what you are after. We are after the same truth you are after, because we put up money for this. You want to find out, but you are still being paid whether it goes well or not. We are putting out the taxpayers' money and, therefore, we are equally as interested, if not more so, than you, so let's assume we are both on the same side.

Mr. NALLE. Surely.

Mr. MACDONALD. What I was trying to find out this morning and cannot, is how is this checking going to be done? How is it done?

Mr. REATH. Are you asking about public service, the effect of the campaign on public service time?

Mr. MACDONALD. Yes.

Mr. REATH. I listened to the testimony this morning and, frankly, the question of public service time is one that no one can measure. There is no way that you can effectively, accurately measure what happened last year or last month in public service time, because there is no reporting to the FCC or to any independent of the total log of every station in the country.

Mr. MACDONALD. Right. That was my impression, but every time I asked a further question, they would say, "Well, the agency is going to do it."

So I thought, "Well, maybe this agency can walk on water."

Apparently, the Defense Department thinks you can.

Mr. REATH. We have attempted and have in fact taken samples of station logs and projected them nationally to arrive at a figure of \$6 million for Army public service time. I would be the first one to admit it is subject to some projectable errors. I would say that in \$6 million also are WAC commercials and commercials for other aspects of the Army assignments like nurses.

I should also say all the figures you heard this morning are rate card figures and there is no resemblance between a rate card figure and what you can actually buy the time for.

Mr. MACDONALD. I understand that very well. Fine.

Mr. REATH. At best, they are loose estimates, sir.

Mr. MACDONALD. They are hopes, not expectations, right?

Mr. REATH. I would think they would be indicators, at best.

Mr. MACDONALD. They referred, once again, to agency, I believe, when I asked about the telephone answering service, and would you people handle that, too?

Mr. NALLE. I would like to describe what function it performs.

Does the committee know clearly what the telephone answering service is?

Mr. MACDONALD. I know what it is.

Mr. NALLE. This is not the same as a regular telephone answering service.

Mr. MACDONALD. Go ahead.

Mr. NALLE. Well, I am trying to keep this short.

We feel that our objective, in this program, is this—

Mr. MACDONALD. No. 1, if you don't mind, would you answer the question? Do you handle the telephone answering service, too?

Mr. NALLE. No, we have contracted this to an outside company called LISTFAX, located in Stamford, Conn., and it is a brand new kind of office. What we are trying to do is produce leads for the recruiters and also disseminate information and I would suggest this—

Mr. MACDONALD. Well, wait, you know, if I sound dull I don't mean to, but I am trying to get this clear in my mind. They said they made, if I remember, they had received 55,000 calls and they got 1,000 names back. Is this normal for this kind of thing?

Mr. NALLE. I think there were more names than that, Mr. Chairman.

Mr. MACDONALD. I had it down here some place.

Mr. REATH. It is about 4,000.

Mr. NALLE. It is 4,000, about.

Mr. MACDONALD. That is right. I remember. I was going to ask the question: "What happened to the other 51,000?" So you are quite right, it is 4,000 names.

How do you get a ratio like that?

Mr. REATH. I think, perhaps, Mr. Chairman, you indicated the difficulty of selling a career in 60-second commercials. In fact, to get someone to pick up the phone and to call a long distance number, which they don't pay for, and seek information about their future, particularly if it is something that is connected with the military, there has to be a very high, or, rather, very low ratio of takers going in.

So, is the 55,000 phone calls a lot or a little?

I think it is a surprisingly large number of people who are willing to pick up the phone and make that call.

Mr. MACDONALD. This is in all of the 50 States?

Mr. REATH. Yes, but it excludes Alaska and Hawaii.

Mr. MACDONALD. It comes to about—what, a 1,500 averaging out?

Mr. REATH. Yes.

Mr. MACDONALD. Well, maybe you are surprised by that ratio but I am surprised at the ratio of 55,000 calls and only 4,000 names. It is difficult to place a long distance call, but I think there would be enough difficulty there that they would leave their names to get further information.

Mr. NALLE. The first thing they are asked, when the listening back operator answers, or the first thing she gives them is the location of the nearest Army recruiter and following the delivery of that, which is done by computers in ZIP codes and so forth, and she gives the phone number of the nearest Army recruiter, she asks if they would like additional information, and at that point she gets the name.

I suggest you should call and see how that works and maybe you will get the feeling.

Mr. MACDONALD. I have had some bad suggestions in my life, and that is one of them. I have already done my time in the service.

Mr. REATH. We wanted to be careful here, that we were not, asking a young man, and we do get a lot of calls from parents, by the way, seeking information for their children, but we were very careful because we did not want to offend any young person who might feel a little uncomfortable in giving their names and addresses because it is like a used car salesman, to many of these young people, the image of the Army recruiter, which is one of the problems we are working against, so we did not purposely try to extract, in some careful way, their names, but left it very much up to them.

Those are the names that are then fed brochures through the direct mailings to cover our combat arms options and so forth, as well as being passed on to the recruitment commands who follow up at the local levels.

Mr. MACDONALD. Well, it just seemed to me, I was facetious when I heard there would be no overrun about that answering service, but if you take the figures about how many or how much money you pay and how many names you get, I am told it breaks down to about \$132,500 per name.

Mr. REATH. I believe that is only the first 7 or 8 weeks of the campaign so we hope—well, the numbers are increasing each week.

Mr. MACDONALD. Well, the gentlemen this morning indicated we are getting into a bad season, the way I understood it, now.

Mr. REATH. I think what he referred to was the traditional March, April, and May months as being low months in terms of actual raising of a hand for enlistment in the military or armed services.

Mr. MACDONALD. My next question is this: If you get 4,000 names, how do you follow through to see how many bodies, or young men, will raise their hands to step forward as a result of this?

Mr. REATH. Those names are disseminated to the local recruiting level and they are, I believe, instructed to make contact with the individual and follow through to see if it turns into an enlistment so they can very easily determine that.

Mr. MACDONALD. I understand they would follow up. I would guess it would be with material and maybe even a phone call to the young men, but how do you know so you can tell the Army so the Army can tell us?

Mr. REATH. That is handled entirely by the Army and we provide the names and LISTFAX provides the names and the Army goes on.

Mr. NALLE. There is a survey available for every recruiting non-commissioned officer to accomplish for himself or everybody that comes into his recruiting station, and that, among other things, especially if they enlist him, ask him how he heard about the offer, was he familiar with the advertising taking place in various areas, and what was the chain of events that led him to sign on?

Incidentally, getting back to something we talked about earlier, we hope out of the research project will come some better definition of which method is the best and which links are the best. We didn't conclude it and it is debatable. We are doing what we can to find out which is best, 30 or 40 second commercials.

Mr. MACDONALD. I understand the company is well paid and that is why you all get ulcers, I am told. I will ask you the question I asked of the Army people, have you had contact with people who ran the Peace Corps drive to get recruits?

Mr. NALLE. Not to my knowledge.

Mr. REATH. No, sir, but, to my knowledge, the Peace Corps has never purchased time.

Mr. MACDONALD. You mean all of the time they had received was donated?

Mr. REATH. Public service; yes, sir.

Mr. MACDONALD. Because they are on frequently, indeed, in my area.

Mr. REATH. That becomes the local option in how well they told the importance of what they were doing to the local broadcaster.

Mr. MACDONALD. Do you have a way of picking and choosing, say, for example, if I read the papers correctly, the highest group of enlistees comes from low-income areas of the country, in the cities, so-called inner cities, also in the rural south, where wages and so forth are not very good, and do you have anything beamed directly at those people?

Mr. REATH. Yes.

Mr. MACDONALD. Like what? We have not seen one.

Mr. NALLE. Well, Mr. Chairman, it is a little difficult on television. And I will turn it over to Mr. Reath, but we have a special commercial aimed at those audiences, commercials as to a soul kind of music, which they might be interested in, and also commercials for the Spanish Americans and other ethnic groups.

Mr. MACDONALD. You don't do it on TV but you do it on radio?

Mr. NALLE. At this point I don't believe we use ethnic TV stations. There are not many of them.

Mr. REATH. By buying broadcasts, you reach millions of people and a bulk of the people are middle of the road people and we have pretty much middle of the road commercials, in terms of geographical areas.

Mr. MACDONALD. Well, once again, I am getting far afield from the purpose of this hearing, but it seems to me you should not have middle of the road commercials because you are not after the middle of the road person, not after somebody who has money and not after somebody who is affluent, not after somebody with a college education; you are after, hopefully, high school graduates but, of course, I don't guess you would turn back dropouts—do you? I would think you would aim at those people and not aim it at the average middle-class man from Ohio.

Mr. NALLE. We try to get, and this is not always controllable, a cross-section, where possible. One of the goals here of the modern Army, it has so much sophisticated equipment that it needs not just the less well-educated people.

Mr. MACDONALD. I understand all of that. I don't need a lecture about that.

The gentleman this morning said the places they need them are in the infantry, the Marines were way down, and there is where you need them, so why go after a scientist or somebody who can run a

weather bureau? I don't think you would be successful if that is the type of person you go after with these \$10½ million of expenditures, but I guess that is a gratuitous thought.

Mr. Van Deerlin?

Mr. VAN DEERLIN. Thank you, Mr. Chairman.

At the risk of nitpicking, on this matter of the \$200,000 for the telephone answering service, why is it decided to decentralize the response in this matter rather than dubbing in, as advertisers frequently do—local outlets, so to speak, a local recruiting service number, where they would have had an immediate response at the local level and it might have cut down on the expense of handling whimsical calls?

Mr. REATH. Sir, the production cost of having each station roll in a network and put a local title slot in with a local phone number, as well as rerecording tags on all of the radio commercials, would be more expensive than using the centralized phone number.

Mr. NALLE. It should be added if you call the number you are given the number of your local recruiting office.

Mr. VAN DEERLIN. So there would be two calls made in every case, would there not?

Mr. NALLE. Yes, sir, but it seemed like the fastest, most economical way to do it.

Mr. VAN DEERLIN. That is a responsive answer. Might we have a copy of the contract with the agency covering this campaign—whatever contract exists between the Department of the Army and the N. W. Ayer Co.—submitted for the record?

Mr. NALLE. Yes.

(The following material was received for the record:)

RECEIVED DEPARTMENT OF THE ARMY OFFICE OF THE CHIEF OF STAFF WASHINGTON, D. C.		DATE 1941	
BY [Signature]		FOR [Signature]	
[Signature]		[Signature]	
[Signature]		[Signature]	
[Signature]		[Signature]	

COPY OF CONTRACT BETWEEN DEPARTMENT OF ARMY AND
N. W. AYER & SON, INC.

STANDARD FORM 30, JULY 1964 GENERAL SERVICES ADMINISTRATION NO. HCS-100-2, CFI 1-16.101		AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		PAGE 1 OF 1
1. AMENDMENT/MODIFICATION NO. PO12		2. EFFECTIVE DATE 71 Jan. 20	3. REQUISITION/PURCHASE REQUEST NO. USAREC, ROTC & OCAR	4. PROJECT NO. (If applicable)
5. ISSUED BY Procurement Division Bldg. 28 Fort Monroe, Virginia 23351		6. ADMINISTERED BY (If other than block 5)	CODE	
7. CONTRACTOR NAME AND ADDRESS N. W. Ayer & Son, Inc. West Washington Square Philadelphia, Pennsylvania 19106		8. AMENDMENT OF SOLICITATION NO. DATED _____ (See block 9) MODIFICATION OF CONTRACT/ORDER NO. DABR25-67-C-0065 DATED 6 June 1967 (See block 11)		
9. THIS BLOCK APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS ☐ The above numbered solicitation is amended as set forth in block 12. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended. Offerors must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation, or as amended, by one of the following methods: (a) By signing and returning _____ copies of this amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE ISSUING OFFICE PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If, by virtue of this amendment you desire to change on offer already submitted, such change may be made by telegram or letter, provided such telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
10. ACCOUNTING AND APPROPRIATION DATA (If required) TO BE CITED ON DELIVERY ORDERS AS ISSUED				
11. THIS BLOCK APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS (a) ☐ This Change Order is issued pursuant to _____ The Changes set forth in block 12 are made to the above numbered contract/order. (b) ☐ The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc.) set forth in block 12. (c) ☐ This Supplemental Agreement is entered into pursuant to authority of 10 U. S. C. 2304(a)(10) It modifies the above numbered contract as set forth in block 12.				
12. DESCRIPTION OF AMENDMENT/MODIFICATION The above contract is modified in the following respects: - Under Section H - Para e. Compensation is deleted and new Para e. substituted in lieu thereof. The Compensation Schedule showing "Advertising Operations Hourly Rates by Department and Grade of Manpower" is deleted and the revised Compensation Schedule for FY 1971 is substituted in lieu thereof. - Under Part III - General Provisions are deleted in their entirety and updated General Provisions substituted in lieu thereof. - For the purpose of limitation of cost for FY 1971, the total amount of Delivery Orders to be placed under this contract shall not exceed \$9 million. - If this contract has been assigned in accordance with the Assignment of Claims Act of 1940, the contractor agrees to notify the assignee of this modification.				
Exempt as provided herein, all terms and conditions of the document referenced in block 8, as herebefore changed, remain unchanged and in full force and effect.				
13. ☐ CONTRACTOR/OFFEROR IS NOT REQUIRED TO SIGN THIS DOCUMENT ☒ CONTRACTOR/OFFEROR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 3 COPIES TO ISSUING OFFICE				
14. NAME OF CONTRACTOR/OFFEROR BY H.C. Groome Jr. (Signature of person authorized to sign)		17. UNITED STATES OF AMERICA BY Amado Narvaez (Signature of Contracting Officer)		
15. NAME AND TITLE OF SIGNER (Type or print) H.C. GROOME JR. SENIOR VP		16. DATE SIGNED Jan 13, 1971	18. NAME OF CONTRACTING OFFICER (Type or print) AMADO NARVAEZ	19. DATE SIGNED 1/13/71

PART II—THE SCHEDULE

SECTION E—SUPPLIES/SERVICES AND PRICES

A. The Contractor shall furnish supplies and services in connection with the creation, planning, and preparation of advertising ideas necessary for the creation and production of advertising for the United States Army Recruiting Command (USAREC), the Reserve Officers Training Corps Directorate, Headquarters, Continental Army Command (ROTC Directorate) and the Office, Chief of Reserves (OCAR), to be utilized by each agency for its recruitment program. Services and supplies are to be furnished pursuant to delivery orders issued during the term of this contract, 1 July 1970 through 30 June 1971.

B. The hourly compensation rate schedules are listed below. The rates listed in this schedule shall be binding on both parties and shall be utilized by the Contractor in submitting proposed prices for all proposals with respect to in house labor and utilized by the Government in establishing that portion of the price term of all delivery orders attributable to in house labor.

Compensation schedule—advertising operations hourly rates by department and grade of manpower

Department	Total hour rate
Account management:	
Management supervisors.....	\$53.44
Account supervisors.....	32.09
Senior account executive.....	28.67
Account executive.....	21.15
Copy:	
Creative director.....	31.79
Supervisor.....	24.35
Writer.....	20.68
Art:	
Supervisor.....	28.02
Senior designer.....	21.40
Designer.....	15.50
Buyer.....	22.40
Commercial production:	
Senior producer.....	36.07
Producer.....	25.90
Associate producer.....	12.31
Technician.....	23.56
Media:	
Supervisor.....	41.00
Time buyer.....	31.57
Space buyer.....	29.07
Traffic production:	
Supervisor.....	15.32
Planners.....	11.75
Radio-TV:	
Creative.....	32.46
Production.....	20.76
Marketing services:	
Marketing managers.....	34.39
Marketing directors.....	27.53
Senior planners.....	14.87
Research:	
Director of research.....	33.11
Research analyst.....	17.47
Clerical assistants.....	8.94

Public relations operations hourly rates by grade of manpower

Grade of manpower:	
A.....	19. 12
B.....	22. 02
C.....	24. 04
D.....	26. 24
E.....	28. 89
F.....	32. 06
G.....	34. 09
H.....	36. 78
I.....	39. 39
J.....	13. 11

SECTION F—DESCRIPTION

The Contractor will furnish the following supplies and services during the term of this Contract:

a. Creation, planning and preparation of the advertising ideas, writing the advertising messages; selecting the advertising headlines; preparing the rough forms of all illustrations, selecting the type to be used; preparing the layout; selecting the particular media; preparing placement orders for the time and frequency; assembling the various mechanical units into complete advertisements; supervising the transmittal of copy, plates, etc., to media used; and keeping the necessary accounting, advertising and statistical records on all advertising offered to publishers for insertion in newspapers, magazines and professional journals.

b. Creation, planning, and preparation of the advertising ideas; writing the advertising messages; selecting the advertising headlines; preparing the rough forms of all illustrations; selecting the lettering to be used; preparing the layouts; selecting the locations, obtaining the permission and cooperation of Federal, State and Local Authorities; preparing the placement orders for time and particular locations; assembling the various mechanical units into complete advertisements; supervising the transmittal of copy, artwork, sketches, plates, etc., to the advertisers; checking locations and continuity; and keeping the necessary accounting, advertising and statistical records on all advertising offered to publishers for insertion of bill board posters and bus/car cards, as either public-service or purchase space advertising.

c. Creation, planning and preparation of the advertising ideas, preparing and producing the advertising messages, ordering the broadcasting of the advertising messages and assembling statistical records, reports and data as to broadcast of spot announcements and shows on radio and/or television either as public service placement or as paid placement.

d. Preparation, planning, presentation and when requested, distribution, or arranging for and supervising the preparation, planning, presentation and when requested, distribution of advertising messages which include, but are not limited to audio-visual aids, motion picture films, display posters, brochures, and printed electrical, mechanical and other types of displays.

e. Selection, supervision and furnishing or purchasing finished and semi-finished artwork, typography, mats, stereotypes, electrotypes, lithographs, special radio and television pressings, and mechanical and electronic supplies and services necessary for the creation and production of the advertising specified above.

f. Determining the availability, adequacy and appropriateness of the entertainment to be presented on radio and television in connection with recruiting advertising; preparing or arranging for and supervising the preparation of scripts, properties, programs and shows; selecting or arranging for and supervising the selection of talent; producing or arranging for and supervising the production of the programs and shows; monitoring or arranging for and supervising the monitoring of such programs and shows; and assembling or arranging for and supervising the assembly of statistical records, reports and data concerning such programs or show which are broadcast or telecast upon or through radio or television by means of records, recordings, transcriptions, live performances, films, kinescopes and otherwise.

g. Performing, or arranging for and supervising the performance of such publicity and public relations functions as are required, including, but not limited to, the development of plans, procedures and ideas for obtaining news and editorial material in newspapers, magazines, and other media; making contacts or arranging for contacts to be made with editors, reporters, radio station managers, television station managers, program directors and others; and arranging for and supervising other publicity and public relations work.

h. Performing such services in connection with the program for training recruiters as are required to implement the advertising plan and ideas so developed to insure fulfillment of the recruiting mission and furnishing or purchasing, if necessary, material or services required and essential to the training program.

i. Performing or arranging for and supervising such specific research as necessary to obtain data and information on a particular subject concerning which research has not been done in the depth desired by the Government, or concerning which the Contractor possesses insufficient information.

SECTION H—PERFORMANCE, ORDERING, DELIVERY AND COMPENSATION

a. Requirements

(1) This is a requirements contract for the supplies or services specified in the Schedule, and for the period set forth therein. Delivery of supplies or performance of services shall be made only as authorized by orders issued in accordance with the clause entitled "Ordering". The quantities of supplies or services specified herein are estimates only, and are not purchased hereby. Except as may be otherwise provided herein in the event the Government's requirements for supplies or services set forth in the Schedule do not result in orders in the amounts or quantities described as "estimated" or "maximum" in the Schedule, such event shall not constitute the basis for an equitable price adjustment under this contract.

(2) Except as otherwise provided in this contract, the Government shall order from the Contractor all the supplies or services set forth in the Schedule which are required to be purchased by the Government activity identified in the "Ordering" clause.

(3) The Government shall not be required to purchase from the Contractor requirements in excess of the limit on total orders under the Contract, if any.

(4) Orders issued during the effective period of this contract and not completed within that time shall be completed by the Contractor within the time specified in the order, and the rights and obligations of the Contractor and the Government respecting those orders shall be governed by the terms of this contract to the same extent as if completed during the effective period of this contract, *provided* that the Contractor shall not be required to make any deliveries under this contract after 31 December 1971.

(5) If delivery of any quantity of an item covered by the contract is required by reason of urgency prior to the earliest date that delivery may be specified under this contract and if the Contractor will not accept an order providing for the accelerated delivery, the Government may procure this requirement from another source.

(6) The Government may issue orders which provide for delivery to or performance at multiple destinations.

(7) Subject to any limitations elsewhere in this contract, the Contractor shall furnish to the Government all supplies and services set forth in the Schedule which are called for by delivery orders issued in accordance with the "Ordering" clause of this contract.

b. Ordering

(1) Supplies and services to be furnished under this contract shall be ordered by the issuance of delivery orders by the Procurement Division, Fort Monroe, Virginia. Orders may be issued under this contract from 1 July through 30 June 1971.

(2) All delivery orders issued hereunder are subject to the terms and conditions of this contract. This contract shall control in the event of conflict with any delivery order.

(3) When mailed, a delivery order shall be "issued" for purposes of this contract at the time the Government deposits the Order in the mail.

c. Delivery Orders

(1) Each delivery order shall contain the final negotiated terms regarding price, performance, delivery and other relevant provisions for each project to be performed. The Contractor shall not be required to begin performance on any project until notification of the issuance of a delivery order by the Contracting Officer. Notification may be either by receipt of the delivery order or verbal notification by the Contracting Officer, provided that in all cases where verbal notification is used, the delivery order will be deposited in the mail at the time of notification.

(2) When the Government intends to have the Contractor furnish services and/or supplies for a project under this contract, the Contracting Officer will send to the Contractor a request for proposals (RFP) which will contain information sufficient for the Contractor to submit one or more proposals, as requested, for the performance of the contemplated project. If in the Contractor's opinion, the RFP is insufficiently detailed a request may be submitted to the Contracting Officer for additional information. The RFP may contain desired delivery terms, including time and place of delivery and terms regarding time and place of performance.

(3) Unless otherwise specified in the RFP, the Contractor will submit its proposals within fifteen (15) working days of the receipt of the RFP in the case of routine projects and thirty (30) working days of receipt of the RFP in the case of detailed projects. The production of posters and advertisements and the procurement of advertising space shall be considered routine, direct mail and research projects shall be considered detailed. If the Contractor submits his proposals by mail, mailing will be accomplished so as to allow sufficient time for receipt by the Government within the above stated time limits. All proposals will be submitted to the Contracting Officer in six (6) copies.

(4) The proposal submitted will contain the Contractor's suggested course of performance regarding the project outlined in the RFP. If the RFP requires alternate or multiple proposals, the Contractor will submit his suggested course of performance in the alternate or in the multiples requested. With each proposal submitted a detailed statement of proposed costs and hours shall be included. For all in house labor, the following will be included: total number of hours required for completion of performance, types of employees to be utilized, number of hours required for each type of employee and total costs for in house labor. In house labor costs, which shall include salary, departmental and general overhead, and profit, will be established by multiplying the employee hourly rates, contained in the Schedule, by the number of hours required per employee. The materials to be utilized including proposed costs shall be contained in an itemized list. If subcontracting is required, a proposed costs of subcontracting will be included. If the work to be subcontracted is other than that considered routine and normally performed under this agreement by subcontractors, the Contractor shall include three bids from firms capable of performing the required work. A proposed list of costs not otherwise mentioned above shall also be included. In its computation of the proposed price, the Contractor shall not add overhead or profit to the costs of subcontracting, materials or other costs. In the case of proposals for the placement of advertising in media, the Contractor shall include the proposed costs of placement, which cost shall not exceed the published or certified card or schedule rates for space or time in the media concerned. If the media in which the advertising is proposed to be placed allows cash discounts for prompt payment, the proposed cost shall not exceed the card or schedule rates based on the taking of the maximum discount.

(5) If the RFP contains terms regarding the time and place of delivery or performance, the Contractor's proposal shall be premised upon the specified delivery or performance terms unless the Contractor considers those terms manifestly unreasonable, in which event, it may in addition propose alternate delivery or performance terms. If no terms regarding time of performance or delivery is contained in the RFP, the Contractor shall propose a date for performance in its proposal. If no place of delivery is specified in the RFP, the Contracting Officer will specify the place or delivery on or before completion.

(6) All proposals submitted shall contain a Proposal Number assigned by the Contractor, and shall also contain a certification that the price quoted is fair and reasonable.

(7) Upon receipt of a proposal, the Contracting Officer and the Contractor will conduct negotiations concerning the terms of the delivery order, including the proposed course of performance, the price, the time and place of delivery or performance and other relevant terms and conditions. During the course of that portion of the negotiations relating to price, the Government and the Contractor shall be bound, as regards in house labor, the rates contained in the Schedule which shall represent the hourly direct salary, departmental and general overhead and profit. Other issues relating to price; i.e. estimates of the type and number employees to be utilized, estimated number of hours each employee shall be utilized, cost of materials, subcontracting costs and other expenses; shall be subject to negotiations. The Contracting Officer shall have the right at any time prior to the issuance of a delivery order to reject any or all proposals or alternate proposals submitted and to require the Contractor to submit additional proposals. When negotiations are completed concerning a proposal, the Contracting Officer will prepare a negotiation summary.

(8) Upon completion of negotiations, the Contracting Officer shall issue a delivery order containing the essential terms required for performance of the accepted proposal. Each delivery order will contain a firm, fixed price for completion of the project, a time of delivery or deliveries, the place or places of delivery, or if no delivery term is included, a date for required completion of performance with a provision that delivery will be made at the direction of the Contracting Officer, or if there is no delivery required, a place of performance, and any other relevant terms and conditions. Upon notification of the issuance of a delivery order by the Contracting Officer, which notification may be made either by delivery of the order or verbal notification followed by mailing of the order as described above; the Contractor shall be required to begin performance and complete the project according to the terms of the delivery order.

e. Compensation

(1) For all services rendered and supplies furnished, the Contractor shall be paid in accordance with the price contained in the delivery order under which performance is rendered. Each delivery order shall contain a firm, fixed price for the services and/or supplies to be obtained thereunder.

(2) Price shall be established through negotiations for each project conducted by the Contractor and the Contracting Officer; provided, however, the following principles shall apply in arriving at a negotiated price for the services of supplies to be furnished under a delivery order. The Schedule of hourly rates for in house labor, which shall contain the hourly direct salary rate, departmental and general overhead and profit, is binding on both parties. The contractor shall not add overhead or profit to the proposed cost of subcontracting, materials or other expenses.

(3) In the placement of advertising in media, the following principles related to price shall apply. The proposed cost of placement contained in a submitted proposal shall not exceed the published or certified card or schedule rates for space or time in the media concerned. If cash discounts for prompt payment to media for advertising placed are available to the Contractor, the proposed cost of placement contained in the proposal, and, if accepted, in the delivery order shall not exceed the established certified or schedule rates for space or time less the maximum amount of the discount available. Rates contained in proposals shall be those in effect at the time the proposal is submitted. The Contractor shall not be compensated for services rendered in the placement of advertisements in media except by the normal space, cost commission granted to the Contractor by the media. In the event a particular media does not grant the Contractor a space, cost commission for placement of advertising, the Contractor will be compensated for the placement in that particular media in an amount mutually agreed upon between the Contractor and the Contracting Officer, to be determined prior to the issuance of the delivery order and incorporated therein.

f. Deliveries

(1) Delivery shall be made in accordance with the terms of the delivery order regarding time and place of delivery, and in accordance with the terms of this contract regarding destination. If a delivery order so specifies, delivery

shall be made when directed by the Contracting Officer at a place of delivery designated by the Contracting Officer. In all cases where the time and place of delivery are not designated in the delivery order, a date of completion of performance shall be designated, and the Contracting Officer shall not establish a delivery date which is earlier than the completion date. Delivery orders may provide for delivery at multiple destinations designated in the delivery order, or if not specified therein, designated by the Contracting Officer. In the case of multiple deliveries, the dates of delivery may be either designated in the delivery order or designated by the Contracting Officer.

(2) The Contractor will insure that items prepared for production by the Government Printing Office, or other Government Agency meet the requirements and limitations imposed by those agencies, and are complete in every detail required by such agencies for production. The Contractor will, when requested by the Contracting Officer, have a representative present when materials are submitted to such agency to assist in resolving any problems and to insure that the item can be produced as intended.

SECTION I—INSPECTION AND ACCEPTANCE

All inspections shall be conducted at the place of delivery. The place of acceptance shall be the place of delivery. The place of delivery will either be designated in the delivery order, or if the delivery order so provides, designated by the Contracting Officer. In the case of services for which no delivery is to be made, the place of inspection and acceptance shall be the place of performance.

SECTION J—OTHER SPECIAL PROVISIONS

a. *Checking Copies.* When the Contractor places written advertising in media, the Contracting Officer shall be supplied two advance checking copies of the publication in which the message appears and filing copies of the advertisements as they appear in final form.

b. *Releases.* Upon the Government's acceptance of a proposal by the issuance of a delivery order, the Contractor will obtain for the Government the following rights and releases:

(1) Talent and model releases entitling the Government to own, free and clear of any claim on the part of any person whomsoever, including all the talent and models, military or otherwise, all rights of any kind in the work or contribution of the talent or model in a motion picture, phonograph, artwork or recording initially produced for the Government under this contract; and

(2) Worldwide music performance rights enabling the Government to exhibit any film or recording, in whole or in part, initially produced for the Government under this contract, at any time and through any method of projection or transmission. In the event that any or all of these rights and releases cannot be obtained, the Contractor will advise the Contracting Officer of the unavailability of the right or release and of any substitute or lesser right or release which may be obtained. The Contracting Officer, may, within thirty (30) days of notification by the Contractor of his inability to obtain the required rights and releases, cancel the delivery order under which the project was to be performed, thus extinguishing all of the Government's obligations under that delivery order.

c. *Subcontracting.* No contract shall be entered into between the Contractor and any third party for the furnishing of supplies or services herein contracted for which, at the date of this contract, the Contractor is capable of performing except in cases where it is the normal procedure for advertising agencies to employ subcontractors whose specialized abilities are required to produce a more effective product and whose utilization will result in lowering of costs. In all other cases, written approval will be obtained from the Contracting Officer before a subcontract is awarded; provided, however, this provision shall not be construed to effect the rights of the Contractor to enter into contracts of employment with persons to perform personal services hereunder.

d. *Payments.* Payments will be made in accordance with the terms of the delivery order under which the work was performed.

e. *Reproduction Materials:* (1) Various mechanical devices produced by the Contractor within the scope of any delivery order issued, such as electro-plates, engravings, and roto-prints, will be the property of and be returned to the

Government; however, the devices will remain in the custody of the Contractor for the duration of the contract or any extension thereof.

(2) All camera-ready materials, such as mechanicals and photos, in their entirety shall be the property of, and be returned to, the Government upon termination of their immediate need by the Contractor. Photographs, slides, film footage, trims and cuts, excess to the final accepted product, shall be the property of the Government.

f. *Control of Personnel.* The Contractor agrees that he will exclude from participation in any part of the advertising program hereby provided for, any person whose past or present conduct might, in the opinion of the Government, tend to degrade the United States Government or bring either or both parties to the contract into public hatred, contempt or ridicule or might tend to injure the success of the advertising program or the Contractor's ability to comply with the terms of this contract. The Contractor shall include this article in all of its subcontracts.

g. *Photography.* When a photograph is supplied for a project, pursuant to performance under a delivery order, the Contractor shall submit a recommended choice and two alternatives for each photograph delivered.

h. *Measurement.* When proposals are submitted for the placement of advertising in newspapers, the proposed price shall be computed by using the following measurement procedures:

(1) Individual newspapers shall be measured from cut-off rule to cut off rule, unless a different method is established by the newspaper concerned, in which event the established method shall be utilized.

(2) Two or more newspapers whose advertising space is sold only in combination shall be measured individually from cut-off to cut-off rule and the measurement then averaged, unless a different method is established by the newspapers concerned, in which event the established method shall be utilized.

i. *Status Reports.* A status report regarding all projects under which work is being performed, including proposals being prepared, will be submitted to the Contracting Officer on the first day of each month. The Contractor shall assist the Government in the establishment and maintenance of a performance file on each advertising project for the purpose of weighing accomplishments realized against costs incurred.

j. *Locations.* Government representatives designated by the Contracting Officer will conduct the liaison and coordination required when Contractor employees or subcontractor employees visit Military Installations in the performance of duties hereunder. All projects on location, studio filming, narrations and photographic assignments will be under the supervision and direction of Contractor personnel. Designated Government representatives will accompany Contractor personnel on location and provide technical assistance and coordination as requested by the Contractor, provided that the Government shall have the right to designate Contractor personnel as project officers, and if such a designation is made, Government representatives will not be required to accompany Contractor personnel on location.

k. *General Provisions.* General Provisions (Supply Contract), Standard Form 32, June 1964 edition: Continuation Provisions 1 through 42 are attached and specifically made a part of this contract.

PART III—GENERAL PROVISIONS

1. *Definitions (1962 Feb) (ASPR 7-103.1)*

As used throughout this contract, the following terms shall have the meanings set forth below:

(a) The term "Head of the Agency" or "Secretary" means the Secretary, the Under Secretary, any Assistant Secretary, or any other head or assistant head of the executive or military department or other Federal agency: and the term "his duly authorized representative" means any person or persons or board (other than the Contracting Officer) authorized to act for the Head of the Agency or the Secretary.

(b) The term "Contracting Officer" means the person executing this contract on behalf of the Government, and any other officer or civilian employee who is properly designated Contracting Officer: and the term includes, except as otherwise provided in this contract, the authorized representative of a Contracting Officer acting within the limits of his authority.

(c) Except as otherwise provided in this contract, the term "subcontracts" includes purchase orders under this contract.

2. Changes (1958 Jan) (ASPR 7-103.2)

The Contracting Officer may at any time, by a written order, and without notice to the sureties, make changes, within the general scope of this contract, in any one or more of the following: (i) Drawings, designs, or specifications, where the supplies to be furnished are to be specially manufactured for the Government in accordance therewith; (ii) method of shipment or packing; and (iii) place of delivery. If any such change causes an increase or decrease in the cost of, or the time required for the performance of any part of the work under this contract, whether changed or not changed by any such order, an equitable adjustment shall be made in the contract price or delivery schedule, or both, and the contract shall be modified in writing accordingly. Any claim by the Contractor for adjustment under this clause must be asserted within 30 days from the date of receipt by the Contractor of the notification of change, provided, however, that the Contracting Officer, if he decides that the facts justify such action, may receive and act upon any such claim asserted at any time prior to final payment under this contract. Where the cost of property made obsolete or excess as result of a change is included in the Contractor's claim for adjustment, the Contracting Officer shall have the right to prescribe the manner of disposition of such property. Failure to agree to any adjustment shall be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes". However, nothing in this clause shall excuse the Contractor from proceeding with the contract as changed.

3. Extras (1949 Jul) (ASPR 7-103.3)

Except as otherwise provided in this contract, no payment for extras shall be made unless such extras and the price therefor have been authorized in writing by the Contracting Officer.

4. Variation in quantity (1949 Jul) (ASPR 7-103.4)

No variation in the quantity of any item called for by this contract will be accepted unless such variation has been caused by conditions of loading, shipping, or packing, or allowances in manufacturing processes, and then only to the extent, if any, specified elsewhere in this contract.

5. Inspection (1958 May) (ASPR 7-103.5)

(a) All supplies (which term throughout this clause includes without limitation raw materials, components, intermediate assemblies, and end products) shall be subject to inspection and test by the Government, to the extent practicable at all times and places including the period of manufacture, and in any event prior to acceptance.

(b) In case any supplies or lots of supplies are defective in material or workmanship or otherwise not in conformity with the requirements of this contract, the Government shall have the right either to reject them (with or without instructions as to their disposition) or to require their correction. Supplies or lots of supplies which have been rejected or required to be corrected shall be removed, or if permitted or required by the Contracting Officer, corrected in place by and at the expense of the Contractor promptly after notice, and shall not thereafter be tendered for acceptance unless the former rejection or requirement of correction is disclosed. If the Contractor fails promptly to remove such supplies or lots of supplies which are required to be removed or promptly to replace or correct such supplies or lots of supplies, the Government either (i) may by contract or otherwise replace or correct such supplies and charge to the Contractor the cost occasioned the Government thereby; or (ii) may terminate this contract for default as provided in the clause of this contract entitled "Default." Unless the Contractor corrects or replaces such supplies within the delivery schedule, the Contracting Officer may require the delivery of such supplies at a reduction in price which is equitable under the circumstances. Failure to agree to such reduction of price shall be a dispute concerning a question of fact within the meaning of the clause of the contract entitled "Disputes".

(c) If any inspection or test is made by the Government on the premises of the Contractor or a subcontractor, the Contractor without additional charge shall provide all reasonable facilities and assistance for the safety and con-

venience of the Government inspectors in the performance of their duties. If Government inspection or test is made at a point other than the premises of the Contractor or a subcontractor, it shall be at the expense of the Government except as otherwise provided in this contract; provided, that in case of rejection the Government shall not be liable for any reduction in value of samples used in connection with such inspection or test. All inspections and tests by the Government shall be performed in such a manner as not to unduly delay the work. The Government reserves the right to charge to the Contractor any additional cost of Government inspection and test when supplies are not ready at the time such inspection and test is requested by the Contractor or when reinspection or retest is necessitated by prior rejection. Acceptance or rejection of the supplies shall be made as promptly as practicable after delivery, except as otherwise provided in this contract; but failure to inspect and accept or reject supplies shall neither relieve the Contractor from responsibility for such supplies as are not in accordance with the contract requirements nor impose liability on the Government therefor.

(d) The inspection and test by the Government of any supplies or lots thereof does not relieve the Contractor from any responsibility regarding defects or other failures to meet the contract requirements which may be discovered prior to acceptance. Except as otherwise provided in this contract, acceptance shall be conclusive except as regards latent defects, fraud, or such gross mistakes as amount to fraud.

(e) The Contractor shall provide and maintain an inspection system acceptable to the Government covering the supplies hereunder. Records of all inspection work by the Contractor shall be kept complete and available to the Government during the performance of this contract and for such longer periods as may be specified elsewhere in this contract.

6. *Title and risk loss (1968 Jun) (ASPR 7-103.6)*

(a) Unless this contract specifically provides for earlier passage of title, title to suppliers covered by this contract shall pass to the Government upon formal acceptance, regardless of when or where the Government takes physical possession.

(b) (1) Unless this contract specifically provides otherwise, risk of loss of or damage to supplies covered by this contract shall remain with the Contractor until, and shall pass to the Government upon:

(i) delivery of the supplies to a carrier, if transportation is f.o.b. origin;

(ii) acceptance by the Government or delivery of possession of the supplies to the Government at the destination specified in this contract, whichever is later, if transportation is f.o.b. destination.

(2) Notwithstanding (i) above, the risk of loss of or damage to supplies which so fail to conform to the contract as to give a right of rejection shall remain with the Contractor until cure or acceptance, at which time (i) above shall apply.

(c) Notwithstanding (b) above, the Contractor shall not be liable for loss of or damage to supplies caused by the negligence of officers, agents, or employees of the Government acting within the scope of their employment.

7. *Payments (1958 Jan) (ASPR 7-103.7)*

The Contractor shall be paid, upon the submission of proper invoices or vouchers, the prices stipulated herein for supplies delivered and accepted or services rendered and accepted, less deductions, if any, as herein provided. Unless otherwise specified, payment will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the Contractor, payment for accepted partial deliveries shall be made whenever such payment would equal or exceed either \$1,000 or 50 percent of the total amount of this contract.

In contracts for the furnishing of transportation and accessorial services there will be substituted for the word "proper" above, the words "properly certified."

8. *Assignment of claims (1962 Feb) (ASPR 7-103.8)*

(a) Pursuant to the provisions of the Assignment of Claims Act of 1940, as amended (31 U.S.C. 203, 41 U.S.C. 15), if this contract provides for payments aggregating \$1,000 or more, claims for monies due or to become due the Con-

tractor from the Government under this contract may be assigned to a bank, trust company, or other financing institution, including any Federal lending agency, and may thereafter be further assigned and reassigned to any such institution. Any such assignment or reassignment shall cover all amounts payable under this contract and not already paid, and shall not be made to more than one party, except that any such assignment or reassignment may be made to one party as agent or trustee for two or more parties participating in such financing. Unless otherwise provided in this contract, payments to an assignee of any monies due or to become due under this contract shall not, to the extent provided in said Act, as amended, be subject to reduction or set-off.

(b) In no event shall copies of this contract or of any plans, specifications, or other similar documents relating to work under this contract, if marked "Top Secret," "Secret" or "Confidential," be furnished to any assignee of any claim arising under this contract or to any other person not entitled to receive the same. However, a copy of any part or all of this contract so marked may be furnished, or any information contained therein may be disclosed, to such assignee upon the prior written authorization of the Contracting Officer.

9. Additional bond security (1949 Jul) (ASPR 7-103.9)

If any surety upon any bond furnished in connection with this contract becomes unacceptable to the Government or if any such surety fails to furnish reports as to his financial condition from time to time as requested by the Government, the Contractor shall promptly furnish such additional security as may be required from time to time to protect the interests of the Government and of persons supplying labor or materials in the prosecution of the work contemplated by this contract.

10. Federal, State and local taxes (1961 Aug) (ASPR 7-103.10)

(a) Except as may be otherwise provided in this contract, the contract price includes all applicable Federal, State, and local taxes and duties.

(b) Nevertheless, with respect to any Federal excise tax or duty on the transactions or property covered by this contract, if a statute, court decision, written ruling, or regulation takes effect after the contract date, and—

(1) results in the Contractor being required to pay or bear the burden of any such Federal excise tax or duty or increase in the rate thereof which would not otherwise have been payable on such transactions or property, the contract price shall be increased by the amount of such tax or duty or rate increase, provided the Contractor warrants in writing that no amount for such newly imposed Federal excise tax or duty or rate increase was included in the contract price as a contingency reserve or otherwise; or

(2) results in the Contractor not being required to pay or bear the burden of, or in his obtaining a refund or drawback of, and such Federal excise tax or duty which would otherwise have been payable on such transactions or property or which was the basis of any increase in the contract price, the contract price shall be decreased by the amount of relief, refund, or drawback, or that amount shall be paid to the Government, as directed by the Contracting Officer. The contract price shall be similarly decreased if the Contractor, through his fault or negligence or his failure to follow instructions of the Contracting Officer, is required to pay or bear the burden of, or does not obtain a refund or drawback of, any such Federal excise tax or duty.

(c) No adjustment of less than \$100 shall be made in the contract price pursuant to paragraph (b) above.

(d) As used in paragraph (b) above, the term "contract date" means the date set for bid opening, or if this is a negotiated contract, the contract date. As to additional supplies or services procured by modification to this contract, the term "contract date" means the date of such modification.

(e) Unless there does not exist any reasonable basis to sustain an exemption, the Government upon the request of the Contractor shall, without further liability, furnish evidence appropriate to establish exemption from any Federal, State, or local tax; provided that, evidence appropriate to establish exemption from any Federal excise tax or duty which may give rise to either an increase or decrease in the contract price will be furnished only at the discretion of the Government.

(f) The Contractor shall promptly notify the Contracting Officer of matters which will result in either an increase or decrease in the contract price and shall take action with respect thereto as directed by the Contracting Officer.

11. *Default (1969 Aug) (ASPR 7-103.11)*

(a) The Government may, subject to the provisions of paragraph (c) below, by written notice of default to the Contractor, terminate the whole or any part of this contract in any one of the following circumstances:

(i) if the Contractor fails to make delivery of the supplies or to perform the services within the time specified herein or any extension thereof; or

(ii) if the Contractor fails to perform any of the other provisions of this contract, or so fails to make progress as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances does not cure such failure within a period of 10 days (or such longer period as the Contracting Officer may authorize in writing) after receipt of notice from the Contracting Officer specifying such failure.

(b) In the event the Government terminates this contract in whole or in part as provided in paragraph (a) of this clause, the Government may procure, upon such terms and in such manner as the Contracting Officer may deem appropriate, supplies or services similar to those so terminated, and the Contractor shall be liable to the Government for any excess costs for such similar supplies or services; provided, that the Contractor shall continue the performance of this contract to the extent not terminated under the provisions of this clause.

(c) Except with respect to defaults of subcontractors, the Contractor shall not be liable for any excess costs if the failure to perform the contract arises out of causes beyond the control and without the fault or negligence of the Contractor. Such causes may include, but are not restricted to, acts of God or of the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather; but in every case the failure to perform must be beyond the control and without the fault or negligence of the Contractor. If the failure to perform is caused by the default of a subcontractor, and if such default arises out of causes beyond the control of both the Contractor and subcontractor, and without the fault or negligence of either of them, the Contractor shall not be liable for any excess costs for failure to perform, unless the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Contractor to meet the required delivery schedule.

(d) If this contract is terminated as provided in paragraph (a) of this clause, the Government, in addition to any other rights provided in this clause, may require the Contractor to transfer title and deliver to the Government, in the manner and to the extent directed by the Contracting Officer, (i) any completed supplies, and (ii) such partially completed supplies and materials, parts, tools, dies, jigs, fixtures, plans, drawings, information, and contract rights (hereinafter called "manufacturing materials") as the Contractor has specifically produced or specifically acquired for the performance of such part of this contract as has been terminated; and the Contractor shall, upon direction of the Contracting Officer, protect and preserve property in the possession of the Contractor in which the Government has an interest. Payment for completed supplies delivered to and accepted by the Government shall be at the contract price. Payment for manufacturing materials delivered to and accepted by the Government and for the protection and preservation of property shall be in an amount agreed upon by the Contractor and Contracting Officer; failure to agree to such amount shall be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes." The Government may withhold from amounts otherwise due the Contractor for such completed supplies or manufacturing materials such sum as the Contracting Officer determines to be necessary to protect the Government against loss because of outstanding liens or claims of former lien holders.

(e) If, after notice of termination of this contract under the provisions of this clause, it is determined for any reason that the Contractor was not in default under the provisions of this clause, or that the default was excusable under the provisions of this clause, the rights and obligations of the parties shall, if the contract contains a clause providing for termination for convenience of the Government, be the same as if the notice of termination had been issued pursuant to such clause. If, after notice of termination of this contract under the provisions of this clause, it is determined for any reason that the Contractor was not in default under the provisions of this clause, and if this

contract does not contain a clause providing for termination for convenience of the Government, the contract shall be equitably adjusted to compensate for such termination and the contract modified accordingly; failure to agree to any such adjustment shall be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes."

(f) The rights and remedies of the Government provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

(g) As used in paragraph (c) of this clause, the terms "subcontractor" and "subcontractors" mean subcontractor(s) at any tier.

12. Disputes (1958 Jan) (ASPR 7-103.12)

(a) Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Contracting Officer shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the Secretary. The decision of the Secretary or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of his appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

(b) This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in paragraph (a) above; provided, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

13. Renegotiation (1959 Oct) (ASPR 7-103.13)

(a) To the extent required by law, this contract is subject to the Renegotiation Act of 1951 (50 U.S.C. App. 1211, et seq.), as amended, and to any subsequent act of Congress providing for the renegotiation of contracts. Nothing contained in this clause shall impose any renegotiation obligation with respect to this contract or any subcontract hereunder which is not imposed by an act of Congress heretofore or hereafter enacted. Subject to the foregoing this contract shall be deemed to contain all the provisions required by section 104 of the Renegotiation Act of 1951 and by any such other act, without subsequent contract amendment specifically incorporating such provisions.

(b) The Contractor agrees to insert the provisions of this clause, including this paragraph (b), in all subcontracts, as that term is defined in section 103g of the Renegotiation Act of 1951, as amended.

14. Discounts (1968 Jun) (ASPR 7-103.14)

In connection with any discount offered, time will be computed from date of delivery of the supplies to carrier when acceptance is at the point of origin, or from date of delivery at destination or port of embarkation when delivery and acceptance are at either of these points, or from the date the correct invoice or voucher is received in the office specified by the Government, if the latter is later than date of delivery. Payment is deemed to be made for the purpose of earning the discount on the date of mailing of the Government check.

15. Walsh-Healey Public Contracts Act (1958 Jan) (ASPR 7-103.18)

If this contract is for the manufacture or furnishing of materials, supplies, articles, or equipment in an amount which exceeds or may exceed \$10,000 and is otherwise subject to the Walsh-Healey Public Contracts Act, as amended (41 U.S.C. 35-45), there are hereby incorporated by reference all representations and stipulations required by said Act and regulations issued thereunder by the Secretary of Labor, such representations and stipulations being subject to all applicable rulings and interpretations of the Secretary of Labor which are now or may hereafter be in effect.

16. Equal opportunity (1969 Jan) (ASPR 7-103.18)

During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency Contracting Officer, advising the labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigations to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

17. Officials not to benefit (1959 Jul) (ASPR 7-103.19)

No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

18. Covenant against contingent fees (1958 Jan) (ASPR 7-103.20)

The Contractor warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona

fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

19. Termination for convenience of the Government (1966 Apr) (ASPR 7-103.21(c))

(a) The performance of work under this contract may be terminated by the Government in accordance with this clause in whole, or from time to time in part, whenever the Contracting Officer shall determine that such termination is in the best interest of the Government. Any such termination shall be effected by delivery to the Contractor of a Notice of Termination specifying the extent to which performance of work under the contract is terminated, and the date upon which such termination becomes effective.

(b) After receipt of a Notice of Termination, and except as otherwise directed by the Contracting Officer, the Contractor shall,

(i) stop work under the contract on the date and to the extent specified in the Notice of Termination;

(ii) place no further orders or subcontracts for materials, services, or facilities, except as may be necessary for completion of such portion of the work under the contract as is not terminated;

(iii) terminate all orders and subcontracts to the extent that they relate to the performance of work terminated by the Notice of Termination;

(iv) assign to the Government, in the manner, at the times, and to the extent directed by the Contracting Officer, all of the right, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case the Government shall have the right, in its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;

(v) settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Contracting Officer, to the extent he may require, which approval or ratification shall be final for all the purposes of this clause;

(vi) transfer title and deliver to the Government, in the manner, at the times, and to the extent, if any, directed by the Contracting Officer, (A) the fabricated or unfabricated parts, work in process, completed work, supplies, and other material produced as a part of, or acquired in connection with the performance of, the work terminated by the Notice of Termination, and (B) the completed or partially completed plans, drawings, information, and other property which, if the contract had been completed, would have been required to be furnished to the Government.

(vii) use his best efforts to sell, in the manner, at the times, to the extent, and at the price or prices directed or authorized by the Contracting Officer, any property of the types referred to in (vi) above; provided, however, that the Contractor (A) shall not be required to extend credit to any purchaser, and (B) may acquire any such property under the conditions prescribed by and at a price or prices approved by the Contracting Officer; and provided further that the proceeds of any such transfer or disposition shall be applied in reduction of any payments to be made by the Government to the Contractor under this contract or shall otherwise be credited to the price or cost of the work covered by this contract or paid in such other manner as the Contracting Officer may direct;

(viii) complete performance of such part of the work as shall not have been terminated by the Notice of Termination; and

(ix) take such action as may be necessary, or as the Contracting Officer may direct, for the protection and preservation of the property related to this contract which is in the possession of the Contractor and in which the Government has or may acquire an interest.

At any time after expiration of the plant clearance period, as defined in Section VIII, Armed Services Procurement Regulation, as it may be amended from time to time, the Contractor may submit to the Contracting Officer a list, certified as to quantity and quality, of any or all items of termination inventory not previously disposed of, exclusive of items the disposition of which has been directed or authorized by the Contracting Officer, and may request the

Government to remove such items or enter into a storage agreement covering them. Not later than fifteen (15) days thereafter, the Government will accept title to such items and remove them or enter into a storage agreement covering the same; provided, that the list submitted shall be subject to verification by the Contracting Officer upon removal of the items, or if the items are stored, within forty-five (45) days from the date of submission of the list, and any necessary adjustment to correct the list as submitted shall be made prior to final settlement.

(c) After receipt of a Notice of Termination, the Contractor shall submit to the Contracting Officer his termination claim, in the form and with certification prescribed by the Contracting Officer. Such claim shall be submitted promptly but in no event later than one year from the effective date of termination, unless one or more extensions in writing are granted by the Contracting Officer, upon request of the Contractor made in writing within such one year period or authorized extension thereof. However, if the Contracting Officer determines that the facts justify such action, he may receive and act upon any such termination claim at any time after such one year period or any extension thereof. Upon failure of the Contractor to submit his termination claim within the time allowed, the Contracting Officer may, subject to any Settlement Review Board approvals required by Section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, determine, on the basis of information available to him, the amount, if any, due to the Contractor by reason of the termination and shall thereupon pay to the Contractor the amount so determined.

(d) Subject to the provisions of paragraph (c), and subject to any Settlement Review Board approvals required by Section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, the Contractor and the Contracting Officer may agree upon the whole or any part of the amount or amounts to be paid to the Contractor by reason of the total or partial termination of work pursuant to this clause, which amount or amounts may include a reasonable allowance for profit on work done; provided, that such agreed amount or amounts, exclusive of settlement costs, shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. The contract shall be amended accordingly, and the Contractor shall be paid the agreed amount. Nothing in paragraph (e) of this clause, prescribing the amount to be paid to the Contractor in the event of failure of the Contractor and the Contracting Officer to agree upon the whole amount to be paid to the Contractor by reason of the termination of work pursuant to this clause, shall be deemed to limit, restrict, or otherwise determine or affect the amount or amounts which may be agreed upon to be paid to the Contractor pursuant to this paragraph (d).

(e) In the event of the failure of the Contractor and the Contracting Officer to agree as provided in paragraph (d) upon the whole amount to be paid to the Contractor by reason of the termination of work pursuant to this clause, the Contracting Officer shall, subject to any Settlement Review Board approvals required by Section VIII of the Armed Services Procurement Regulation in effect as of the date of execution of this contract, pay to the Contractor the amounts determined by the Contracting Officer as follows, but without duplication of any amounts agreed upon in accordance with paragraph (d).

(i) for completed supplies accepted by the Government (or sold or acquired as provided in paragraph (b) (vii) above) and not theretofore paid for, a sum equivalent to the aggregate price for such supplies computed in accordance with the price or prices specified in the contract, appropriately adjusted for any saving of freight or other charges;

(ii) the total of—

(A) the costs incurred in the performance of the work terminated, including initial costs and preparatory expenses allocable thereto, but exclusive of any costs attributable to supplies paid or to be paid for under paragraph (e) (i) hereof;

(B) the cost of settling and paying claims arising out of the termination of work under subcontracts or orders, as provided in paragraph (b) (v) above, which are properly chargeable to the terminated portion of the contract (exclusive of amounts paid or payable on account of supplies or materials de-

livered or services furnished by subcontractors or vendors prior to the effective date of the Notice of Termination, which amounts shall be included in the costs payable under (A) above; and

(C) a sum, as profit on (A) above, determined by the Contracting Officer pursuant to 8-303 of the Armed Services Procurement Regulation, in effect as to the date of execution of this contract, to be fair and reasonable; provided, however, that if it appears that the Contractor would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (C) and an appropriate adjustment shall be made reducing the amount of the settlement to reflect the indicated rate of loss; and

(iii) the reasonable costs of settlement, including accounting, legal, clerical, and other expenses reasonably necessary for the preparation of settlement claims and supporting data with respect to the terminated portion of the contract and for the termination and settlement of subcontract thereunder, together with reasonable storage, transportation, and other costs incurred in connection with the protection or disposition of property allocable to this contract.

The total sum to be paid to the Contractor under (i) and (ii) of this paragraph (e) shall not exceed the total contract price as reduced by the amount of payments otherwise made and as further reduced by the contract price of work not terminated. Except for normal spoilage, and except to the extent that the Government shall have otherwise expressly assumed the risk of loss, there shall be excluded from the amounts payable to the Contractor as provided in (e) (i) and (ii) (A) above, the fair value, as determined by the Contracting Officer, of property which is destroyed, lost, stolen, or damaged so as to become undeliverable to the Government or to a buyer pursuant to paragraph (b) (vii).

(f) Costs claimed, agreed to, or determined pursuant to (c), (d), and (e) hereof shall be in accordance with the Section XV Contract Cost Principles and Procedures of the Armed Services Procurement Regulation as in effect on the date of this contract.

(g) The Contractor shall have the right of appeal, under the clause of this contract entitled "Disputes", from any determination made by the Contracting Officer under paragraph (c) or (e) above, except that if the Contractor has failed to submit his claim within the time provided in paragraph (c) above and has failed to request extension of such time, he shall have no such right of appeal. In any case where the Contracting Officer has made a determination of the amount due under paragraph (c) or (e) above, the Government shall pay to the Contractor the following: (i) if there is no right of appeal hereunder or if no timely appeal has been taken, the amount so determined by the Contracting Officer, or (ii) if an appeal has been taken, the amount finally determined on such appeal.

(h) In arriving at the amount due the Contractor under this clause there shall be deducted (i) all liquidated advance or other payments on account theretofore made to the Contractor, applicable to the terminated portion of this contract, (ii) any claim which the Government may have against the Contractor in connection with this contract, and (iii) the agreed price for, or the proceeds of sale of, any materials, supplies, or other things acquired by the Contractor or sold, pursuant to the provisions of this clause, and not otherwise recovered by or credited to the Government.

(i) If the termination hereunder be partial, prior to the settlement of the terminated portion of this contract, the Contractor may file with the Contracting Officer a request in writing for an equitable adjustment of the price or prices specified in the contract relating to the continued portion of the contract (the portion not terminated by the Notice of Termination), and such equitable adjustment as may be agreed upon shall be made in such price or prices.

(j) The Government may from time to time, under such terms and conditions as it may prescribe, make partial payments and payments on account against costs incurred by the Contractor in connection with the terminated portion of this contract whenever in the opinion of the Contracting Officer the aggregate of such payments shall be within the amount to which the Contractor will be entitled hereunder. If the total of such payments is in excess of the amount finally agreed or determined to be due under this clause, such excess shall be payable by the Contractor to the Government upon demand, together with interest computed at the rate of 6 percent per annum, for the period from the date such excess payment is received by the Contractor to the date on which

such excess is repaid to the Government; provided, however, that no interest shall be charged with respect to any such excess payment attributable to a reduction in the Contractor's claim by reason of retention or other disposition of termination inventory until ten days after the date of such retention or disposition, or such later date as determined by the Contracting Officer by reason of the circumstance.

(k) Unless otherwise provided for in this contract, or by applicable statute, the Contractor, from the effective date of termination and for a period of three years after final settlement under this contract, shall preserve and make available to the Government at all reasonable times at the office of the Contractor but without direct charge to the Government, all his books, records, documents, and other evidence bearing on the costs and expenses of the Contractor under this contract and relating to the work terminated hereunder, or, to the extent approved by the Contracting Officer, photographs, micro-photographs, or other authentic reproductions thereof.

20. Authorization and consent (1964 Mar) (ASPR 7-103.22)

The Government hereby gives its authorization and consent (without prejudice to any rights of indemnification) for all use and manufacture, in the performance of this contract or any part thereof or any amendment hereto or any subcontract hereunder (including any lower-tier subcontract), of any invention described in and covered by a patent of the United States (i) embodied in the structure or composition of any article the delivery of which is accepted by the Government under this contract, or (ii) utilized in the machinery, tools, or methods the use of which necessarily results from compliance by the Contractor or the using subcontractor with (a) specifications or written provisions now or hereafter forming a part of this contract, or (b) specific written instructions given by the Contracting Officer directing the manner of performance. The entire liability to the Government for infringement of a patent of the United States shall be determined solely by the provisions of the indemnity clauses, if any, included in this contract or any subcontract hereunder (including any lower-tier subcontract), and the Government assumes liability for all other infringement to the extent of the authorization and consent hereinabove granted.

21. Notice and assistance regarding patent and copyright infringement (1965 Jan) (ASPR 7-103.23)

The provisions of this clause shall be applicable only if the amount of this contract exceeds \$10,000.

(a) The Contractor shall report to the Contracting Officer, promptly and in reasonable written detail, each notice or claim of patent or copyright infringement based on the performance of this contract of which the Contractor has knowledge.

(b) In the event of any claim or suit against the Government on account of any alleged patent or copyright infringement arising out of the performance of this contract or out of the use of any supplies furnished or work or services performed hereunder, the Contractor shall furnish to the Government, when requested by the Contracting Officer, all evidence and information in possession of the Contractor pertaining to such suit or claim. Such evidence and information shall be furnished at the expense of the Government except where the Contractor has agreed to indemnify the Government.

(c) This clause shall be included in all subcontracts.

22. Responsibility for inspection (1968 Sep) (ASPR 7-103.24)

Notwithstanding the requirements for any Government inspection and test contained in specifications applicable to this contract, except where specialized inspections or tests are specified for performance solely by the Government, the Contractor shall perform or have performed the inspections and tests required to substantiate that the supplies and services provided under the contract conform to the drawings, specifications, and contract requirements listed herein, including if applicable the technical requirements for the manufacturers' part number specified herein.

23. Buy American Act (1964 May) (ASPR 7-104.3)

(a) In acquiring end products, the Buy American Act (41 U.S.C. 10a-d) provides that the Government give preference to domestic source end products. For the purpose of this clause:

(i) "components" means those articles, materials, and supplies, which are directly incorporated in the end products;

(ii) "end products" means those articles, materials and supplies, which are to be acquired under this contract for public use; and

(ii) a "domestic source end product" means (A) an unmanufactured end product which has been mined or produced in the United States and (B) an end product manufactured in the United States if the cost of the components thereof which are mined, produced, or manufactured in the United States or Canada exceeds 50 percent of the cost of all its components. For the purposes of this (a) (iii) (B), components of foreign origin of the same type or kind as the products referred to in (b) (ii) or (iii) of this clause shall be treated as components mined, produced, or manufactured in the United States.

(b) The Contractor agrees that there will be delivered under this contract only domestic source end products, except end products:

(i) which are for use outside the United States;

(ii) which the Government determines are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality;

(iii) as to which the Secretary determines the domestic preference to be inconsistent with the public interest; or

(iv) as to which the Secretary determines the cost to the Government to be unreasonable.

(The foregoing requirements are administered in accordance with Executive Order No. 10582, dated December 17, 1954. So as to alleviate the impact of Department of Defense expenditures on the United States balance of international payments, bids offering domestic source end products normally will be evaluated against bids offering other end products by adding a factor of fifty percent (50%) to the latter, exclusive of import duties. Details of the evaluation procedure are set forth in Section VI of the Armed Service Procurement Regulation.

24. *Notice to the Government of labor disputes (1965 Sep) (ASPR 7-104.4)*

(a) Whenever the Contractor has knowledge that any actual or potential labor dispute is delaying or threatens to delay the timely performance of this contract, the Contractor shall immediately give notice thereof, including all relevant information with respect thereto, to the Contracting Officer.

(b) The Contractor agrees to insert the substance of this clause, including this paragraph (b), in any subcontract hereunder as to which a labor dispute may delay the timely performance of this contract; except that each such subcontract shall provide that in the event its timely performance, the subcontractor shall immediately notify his next higher tier subcontractor, of the prime contractor, as the case may be, of all relevant information with respect to such dispute.

25. *Utilization of small business concerns (1958 Jan) (ASPR 7-104.14(a))*

(a) It is the policy of the Government as declared by the Congress that a fair proportion of the purchases and contracts for supplies and services for the Government be placed with small business concerns.

(b) The Contractor agrees to accomplish the maximum amount of subcontracting to small business concerns that the Contractor finds to be consistent with the efficient performance of this contract.

26. *Small business subcontracting program (1965 Jun) (ASPR 7-104.14(b))*

(a) The Contractor agrees to establish and conduct a small business subcontracting program which will enable small business concerns to be considered fairly as subcontractors and suppliers under this contract. In this connection, the Contractor shall—

(1) Designate a liaison officer who will (i) maintain liaison with the Government on small business matters, (ii) supervise compliance with the "Utilization of Small Business Concerns" clause, and (iii) administer the Contractor's "Small Business Subcontracting Program."

(2) Provide adequate and timely consideration of the potentialities of small business concerns in all "make-or-buy" decisions.

(3) Assure that small business concerns will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for the

preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation of small business concerns. Where the Contractor's lists of potential small business subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.

(4) Maintain records showing (i) whether each prospective subcontractor is a small business concern, (ii) procedures which have been adopted to comply with the policies set forth in this clause, and (iii) with respect to the letting of any subcontract (including purchase orders) exceeding \$10,000, information substantially as follows:

(A) Whether the award went to large or small business.

(B) Whether less than three or more than two small business concerns were solicited.

(C) The reason for non-solicitation of small business if such was the case.

(D) The reason for small business failure to receive the award if such was the case when small business was solicited.

The records maintained in accordance with (iii) above may be in such form as the individual Contractor may determine, and the information shall be summarized quarterly and submitted by the purchasing department of each individual plant or division to the Contractor's cognizant small business liaison officer. Such quarterly summaries will be considered to be management records only and need not be submitted routinely to the Government; however, records maintained pursuant to this clause will be kept available for review.

(5) Notify the Contracting Officer before soliciting bids or quotations on any subcontract (including purchase orders) in excess of \$10,000 if (i) no small business concern is to be solicited, and (ii) the Contracting Officer's consent to the subcontract (or ratification) is required by a "Subcontracts" clause in this contract. Such notice will state the Contractor's reasons for non-solicitation of small business concerns, and will be given as early in the procurement cycle as possible so that the Contracting Officer may give the Small Business Administration timely notice to permit SBA a reasonable period to suggest potentially qualified small business concerns through the Contracting Officer. In no case will the procurement action be held up when to do so would, in the Contractor's judgment, delay performance under the contract.

(6) Include the "Utilization of Small Business Concerns" clause in subcontracts which offer substantial small business subcontracting opportunities.

(7) Cooperate with the Contracting Officer in any studies and surveys of the Contractor's subcontracting procedures and practices that the Contracting Officer may from time to time conduct.

(8) Submit DD Form 1140-1 each quarter in accordance with instructions provided on the form, except that where the Contractor elects to report on a corporate rather than a plant basis, he may submit his reports to the Military Department having the responsibility for the Small Business Subcontracting Program at the corporate headquarters. The reporting requirements of this subparagraph (8) do not apply to Small Business Contractors, Small Business Subcontractors, or educational and nonprofit institutions.

(b) "A small business concern" is a concern that meets the pertinent criteria established by the SBA and set forth in paragraph 1-701 of the Armed Services Procurement Regulation.

(c) The Contractor agrees that, in the event he fails to comply with his contractual obligations concerning the small business subcontracting program, this contract may be terminated, in whole or in part, for default.

(d) The Contractor further agrees to insert, in any subcontract hereunder which is in excess of \$500,000 and which contains the "Utilization of Small Business Concerns" clause provisions which shall conform substantially to the language of this clause, including this paragraph (d), and to notify the Contracting Officer of the names of such subcontractors; except that the subcontractor will submit the DD Form 1140-1 reports to the Military Department having the responsibility for reviewing its Small Business Subcontracting Program (A subcontractor may request advice from the nearest military purchasing or contract administration activity as to the Military Department to which he should submit his reports.)

27. *Examination of records (1969 Apr) (ASPR 7-104.15)*

(a) The Contractor agrees that the Comptroller General of the United States or any of his duly authorized representatives shall, until expiration of three years after final payment under this contract or of the time periods specified in Appendix M of the Armed Services Procurement Regulation, whichever expires earlier, have access to and the right to examine any books, documents, papers, and records of the Contractor, that directly pertain to, and involve transactions relating to this contract or subcontracts hereunder.

(b) The Contractor further agrees to include in all his subcontracts hereunder a provision to the effect that the subcontractor agrees that the Comptroller General of the United States or any of his duly authorized representatives shall, until expiration of three years after final payment under the subcontract or of the time periods specified in Appendix M of the Armed Services Procurement Regulation, whichever expires earlier, have access to and the right to examine any books, documents, papers, and records of such subcontractor that directly pertain to, and involve transactions relating to the subcontract. The term "subcontract" as used in the clause excludes: (i) purchase orders for public utility services at rates established for uniform applicability to the general public.

28. *Gratuities (1952 Mar) (ASPR 7-104.16)*

(a) The Government may, by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found, after notice and hearing, by the Secretary or his duly authorized representative, that gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the Government with a view toward securing a contract or securing favorable treatment with respect to the awarding or amending, or the making of any determinations with respect to the performing of such contract; provided, that the existence of the facts upon which the Secretary or his duly authorized representative makes such findings shall be in issue and may be reviewed in any competent court.

(b) In the event this contract is terminated as provided in paragraph (a) hereof, the Government shall be entitled (i) to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor, and (ii) as a penalty in addition to any other damages to which it may be entitled by law, to exemplary damages in any amount (as determined by the Secretary or his duly authorized representative) which shall be not less than three nor more than ten times the costs incurred by the Contractor in providing any such gratuities to such officer or employee.

(c) The rights and remedies of the Government provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

29. *Priorities, allocations, and allotments (1961 Jan) (ASPR 7-104.18)*

The Contractor shall follow the provisions of DMS Reg. 1 and all other applicable regulations and orders of the Business and Defense Services Administration in obtaining controlled materials and other products and materials needed to fill this order.

30. *Utilization of labor surplus area concerns (1970 Jun) (ASPR 7-104.20 (a))*

It is the policy of the Government to award contracts to labor surplus area concerns, that (1) have been certified by the Secretary of Labor (hereafter referred to respectively as certified concerns with a first or second preference) regarding the employment of a proportionate number of disadvantaged individuals and have agreed to perform substantially (i) in or near sections of concentrated unemployment or underemployment or in persistent or substantial labor surplus areas or (ii) in other areas of the United States; or (2) are noncertified concerns which have agreed to perform substantially in persistent or substantial labor surplus areas, where this can be done consistent with the efficient performance of the contract and at prices no higher than are obtainable elsewhere. The Contractor agrees to use his best efforts to place his subcontracts in accordance with this policy.

31. *Labor surplus area subcontracting program (1970 Jun) (ASPR 7-104.20(b))*

(a) The Contractor agrees to establish and conduct a program which will encourage labor surplus area concerns to compete for subcontracts within their capabilities. In this connection, the Contractor shall—

(1) Designate a liaison officer who will (i) maintain liaison with duly authorized representatives of the Government on labor surplus area matters, (ii) supervise compliance with the "Utilization of Labor Surplus Area Concerns" clause, and (iii) administer the Contractor's Labor Surplus Area Subcontracting Program;

(2) Provide adequate and timely consideration of the potentialities of labor surplus area concerns in all "make-or-buy" decisions;

(3) Assure that labor surplus area concerns will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation of labor surplus area concerns;

(4) Maintain records showing procedures which have been adopted to comply with the policies set forth in this clause; and

(5) Include the "Utilization of Labor Surplus Area Concerns" clause in subcontracts which offer substantial labor surplus area subcontracting opportunities.

(b) For subcontracting purposes, a "labor surplus area concern" is a concern that (1) has been certified by the Secretary of Labor (hereafter referred to as a certified concern) regarding the employment of a proportionate number of disadvantaged individuals and has agreed to perform substantially in or near sections of concentrated unemployment or underemployment, in persistent or substantial labor surplus area, or in other areas of the United States; or (2) is not a certified concern but has agreed to perform substantially in persistent or substantial labor surplus areas. A certified concern shall be deemed to perform a substantial proportion of a contract in or near sections of concentrated unemployment or underemployment, in persistent or substantial labor surplus areas, or in other areas of the United States if the costs that the concern will incur on account of manufacturing or production in or near such sections or in such areas amount to more than 25% of the price of such contracts; a concern shall be deemed to perform a substantial proportion of a contract in a persistent or substantial labor surplus area if the costs that the concern will incur on account of manufacturing or production in such areas amount to more than 50% of the price of such contract.

(c) The Contractor further agrees, with respect to any subcontract hereunder which is in excess of \$500,000 and which contains the clause entitled "Utilization of Labor Surplus Area Concerns" that he will insert provisions in the subcontract which will conform substantially to the language of this clause, including this paragraph (c), and that he will furnish the names of such subcontractors to the Contracting Officer.

32. *Price reduction for defective cost or pricing data (1967 Nov) (ASPR 7-104.29)*

(a) If any price, including profit or fee, negotiated in connection with this contract or any cost reimbursable under this contract was increased by any significant sums because the Contractor, or any subcontractor pursuant to the clause of this contract entitled "Subcontractor Cost or Pricing Data" or "Subcontractor Cost or Pricing Data—Price Adjustments" or any subcontract clause therein required, furnished incomplete or inaccurate cost or pricing data or data not current as certified in the Contractor's Certificate of Current Cost or Pricing Data, then such price or cost shall be reduced accordingly and the contract shall be modified in writing as may be necessary to reflect such reduction.

(b) Failure to agree on a reduction shall be a dispute concerning a question of fact within the meaning of the "Disputes" clause of this contract.

(Note: Since the contract is subject to reduction under this clause by reason of defective cost or pricing data submitted in connection with certain subcontracts, it is expected that the contractor may wish to include a clause in each such subcontract requiring the subcontractor to appropriately indemnify the contractor. However, the inclusion of such a clause and the terms thereof are matters for negotiation and agreement between the contractor and the

subcontractor, provided that they are consistent with ASPR 23-203 relating to Disputes provisions in subcontracts. It is also expected that any subcontractor subject to such indemnification will generally require substantially similar indemnification for defective cost or pricing data required to be submitted by his lower tier subcontractors.)

33. Interest (1968 May) (ASPR 7-104.39)

Notwithstanding any other provision of this contract, unless paid within 30 days all amounts that become payable by the Contractor to the Government under this contract (net of any applicable tax credit under the Internal Revenue Code) shall bear interest at the rate of six percent per annum from the date due until paid and shall be subject to adjustments as provided by Part 6 of Appendix E of the Armed Services Procurement Regulation, as in effect on the date of this contract. Amounts shall be due upon the earliest one of (i) the date fixed pursuant to this contract; (ii) the date of the first written demand for payment, consistent with this contract, including demand consequent upon default termination; (iii) the date of transmittal by the Government to the Contractor of a proposed supplement agreement to confirm completed negotiations fixing the amount; or (iv) if this contract provides for revision of prices, the date of written notice to the Contractor stating the amount of refund in connection with a pricing proposal or in connection with a negotiated pricing agreement not confirmed by contract supplement.

34. Competition in subcontracting (1962 Apr) (ASPR 7-104.40)

The Contractor shall select subcontractors (including suppliers) on a competitive basis to the maximum practical extent with the objectives and requirements of the contract.

35. Audit (1970 Jan) (ASPR 7-104.41)

(a) For purposes of evaluating the accuracy, completeness and currency of cost of pricing data required to be submitted in conjunction with the negotiation of this contract or any modification to this contract which involves aggregate increases and/or decreases in costs plus applicable profits in excess of \$100,000, the Contracting Officer, or his authorized representatives who are employees of the United States Government, shall—until the expiration of three years from the date of final payment under this contract or for the time periods specified in Appendix M of the Armed Services Procurement Regulation, whichever expires earlier—have the right to examine all books, records, documents, and other data of the Contractor related to the negotiation, pricing or performance of this contract or which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein.

(b) The Contractor agrees to insert this clause including this paragraph (b) in all subcontracts hereunder which when entered into exceed \$100,000 so as to apply until the expiration of three years from the date of final payment under the subcontract or for the time periods specified in Appendix M of the Armed Services Procurement Regulation, whichever expires first, unless the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation. When so inserted, changes shall be made as follows: (i) in this paragraph (b), redesignate "The Contractor" as appropriate, and (ii) in paragraph (a) above add "of the Government prime contract" after "Contracting Officer"; and add, at the end of (a) above, the words, "provided that, in the case of any contract modification, such modification results from a modification to the Government prime contract." In each such excepted subcontract hereunder which when entered into exceed \$100,000 the Contractor shall insert the following clause to apply until the expiration of three years from the date of final payment under the subcontract or for the time periods specified in Appendix M of the Armed Services Procurement Regulation, whichever expires earlier.

Audit—price adjustments

(a) This clause shall become operative only with respect to any modification of this contract which involves aggregate increases and/or decreases in costs plus applicable profits in excess of \$100,000 unless the modification is priced on the basis of adequate price competition, established catalog or market prices of

commercial items sold in substantial quantities to the general public, or prices set by law or regulation, *provided* that such modification to this contract results from a modification to the Government prime contract.

(b) For purposes of evaluating the accuracy, completeness and currency of cost or pricing data required to be submitted in conjunction with such contract modification, the Contracting Officer of the Government prime contract, or his authorized representatives who are employees of the United States Government, shall—until the expiration of three years from the date of final payment under this contract or for the time periods specified in Appendix M of the Armed Services Procurement Regulation, whichever expires earlier—have the right to examine all books, records, documents, and other data of the Contractor related to the negotiation, pricing or performance of this contract or which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein.

(c) The subcontractor agrees to insert this clause, including this paragraph (c), in all subcontracts hereunder which when entered into exceed \$100,000.

36. Subcontractor cost or pricing data—price adjustments (ASPR 7-104.42)

(a) Paragraphs (b) and (c) of this clause shall become operative only with respect to any modification made pursuant to one or more provisions of this contract which involves aggregate increases and/or decreases in costs plus applicable profits expected to exceed \$100,000. The requirements of this clause shall be limited to such contract modifications.

(b) The Contractor shall require subcontractors hereunder to submit, actually or by specific identification in writing, cost or pricing data under the following circumstances: (i) prior to award of any subcontract, the amount of which is expected to exceed \$100,000 when entered into; (ii) prior to the pricing of any subcontract modification which involves aggregate increases and/or decreases in costs plus applicable profits expected to exceed \$100,000; except where the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

(c) The Contractor shall require subcontractors to certify, in substantially the same form as that used in the certificate by the Prime Contractor to the Government, that to the best of their knowledge and belief the cost and pricing data submitted under (b) above is accurate, complete, and current as of the date of agreement on the negotiated price of the subcontract or subcontract change or modification.

(d) The Contractor shall insert the substance of this clause including this paragraph (d) in each subcontract hereunder which exceeds \$100,000 when entered into.

37. New material (1965 Jan) (ASPR 7-104.48)

Except as to any supplies and components which the Specification or Schedule specifically provides need not be new, the Contractor represents that the supplies and components including any former Government property identified pursuant to the "Government Surplus" clause of this contract to be provided under this contract are new (not used or reconditioned, and not of such age or so deteriorated as to impair their usefulness or safety). If at any time during the performance of this contract, the Contractor believes that the furnishing of supplies or components which are not new is necessary or desirable, he shall notify the Contracting Officer immediately, in writing, including the reasons therefor and proposing any consideration which will flow to the Government if authorization to use such supplies is granted.

38. Order of precedence (1965 Aug) (ASPR 7-104.56)

In the event of an inconsistency in this contract, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: (a) the Schedule; (b) General Provisions; (c) the other provisions of the contract whether incorporated by reference or otherwise; and (d) the Specifications.

39. F.O.B. destination (1969 Apr) (ASPR 7-104.71)

Supplies shall be delivered to the destination consignee's wharf (if destination is a port city and supplies are for export), warehouse unloading platform,

or receiving dock, at the expense of the Contractor. The Government shall not be liable for any delivery, storage, demurrage, accessorial, or other charges involved prior to the actual delivery (or "constructive placement" as defined in carrier tariffs) of the supplies to the destination, unless such charges are caused by an act or order of the Government acting in its contractual capacity. If rail carrier is used, supplies will be delivered to the specified unloading platform of the consignee. If motor carrier (including "piggy-back") is used, supplies will be delivered to truck tailgate at the unloading platform of the consignee. If the Contractor uses rail carrier or freight forwarder for less than carload shipments, he shall assure that the carrier will furnish tailgate delivery if transfer to truck is required to complete delivery to consignee.

40. Rights in data—special works (1966 Oct) (ASPR 9-204.2)

(a) The term "Data" as used herein includes writings, sound recordings, pictorial reproductions, drawings or other graphic representations, and works of any similar nature (whether or not copyrighted) which are specified to be delivered under this contract. The term does not include financial reports, cost analyses, and other information incidental to contract administration.

(b) All Data first produced in the performance of this contract shall be the sole property of the Government. The Contractor agrees not to insert any rights at common law or in equity or establish any claim to statutory copyright in such Data. The Contractor shall not publish or reproduce such Data in whole or in part or in any manner or form, or authorize others so to do, without the written consent of the Government until such time as the Government may have released such Data to the public.

(c) The Contractor hereby grants to the Government a royalty-free, non-exclusive, and irrevocable license throughout the world (i) to publish, translate, reproduce, deliver, perform, use, and dispose of, in any manner, any and all Data which is not first produced or composed in the performance of this contract but which is incorporated in the work furnished under this contract, and (ii) to authorize others so to do.

(d) The Contractor shall indemnify and save and hold harmless the Government, its officers, agents and employees acting within the scope of their official duties against any liability, including costs and expenses, (i) for violation of proprietary rights, copyrights, or rights of privacy, arising out of the publication, translation, reproduction, delivery, performance, use, or disposition of any Data furnished under this contract, or (ii) based upon any libelous or other unlawful matter contained in such Data.

(e) Nothing contained in this clause shall imply a license to the Government under any patent, or be construed as affecting the scope of any license or other right otherwise granted to the Government under any patent.

(f) Paragraphs (c) and (d) above are not applicable to material furnished to the Contractor by the Government and incorporated in the work furnished under the contract; provided, such incorporated material is identified by the Contractor at the time of delivery of such work.

41. Rights in data—existing works (1966 Oct) (ASPR 9-205.2)

(a) Except as otherwise provided in the Schedule of this contract, the Contractor hereby grants to the Government a royalty-free, nonexclusive, irrevocable license to distribute, use, and exhibit the material called for under this contract for Governmental purposes throughout the world, and to authorize others to do so.

(b) The Contractor shall indemnify and save and hold harmless the Government, its officers, agents, and employees acting within the scope of their official duties against any liability, including costs and expenses, (i) for violation of proprietary rights, copyrights, or rights or privacy, arising out of the distribution, use, or exhibition of any material furnished under this contract or (ii) based upon any libelous or other unlawful matter contained in said material.

42. Pricing of adjustments (1970 Jul) (DPC 79)

When costs are a factor in any determination of a contract price adjustment pursuant to the "Changes" clause or any other provision of this contract, such costs shall be in accordance with Section XV of the Armed Services Procurement Regulation as in effect on the date of this contract.

COMPENSATION SCHEDULE—ADVERTISING OPERATIONS HOURLY RATES BY DEPARTMENT AND GRADE OF MANPOWER, N. W. AYER & SON, INC., FISCAL YEAR 1971

Department	(1) Direct salary rate per hour	(2) Department overhead stated in percent of direct salary rate	(3) (2)×(1)	(4) General overhead (stated in percent of [(1)+(3)])	(5) (4)×[(1)+(3)]	(6) Profit (stated in percent of [(1)+(3)+(5)])	(7) (6)×[(1)+(3)+(5)] [(1)+(3)+(5)+(7)]	(8) Total hour rate
Account management:								
Management supervisors	23.46	73	17.13	16.5	6.70	13	6.15	53.44
Account supervisors	14.09	73	10.29	16.5	4.02	13	3.69	32.09
Senior account executive	12.59	73	9.19	16.5	2.59	13	3.30	28.67
Account executive	9.29	73	6.78	16.5	2.65	13	2.43	21.15
Other:								
Copy:								
Creative director	15.48	56	8.67	16.5	3.98	13	3.66	31.79
Supervisor	11.86	56	6.64	16.5	3.05	13	2.80	24.35
Writer	10.07	56	5.64	16.5	2.59	13	2.38	20.68
Other:								
Art:								
Supervisor	13.14	62	8.15	16.5	3.51	13	3.22	28.02
Senior designer	10.04	62	6.22	16.5	2.46	13	2.40	21.40
Designer	7.27	62	4.51	16.5	1.94	13	1.78	15.50
Buyer	10.50	62	6.51	16.5	2.81	13	2.58	22.40
Other:								
Commercial production:								
Senior producer	14.42	90	12.98	16.5	4.52	13	4.15	36.07
Producer	10.35	90	9.32	16.5	3.25	13	2.98	25.90
Associate producer	4.92	90	4.43	16.5	1.54	13	1.42	12.31
Technician	9.42	90	8.48	16.5	2.95	13	2.71	23.56
Other:								

COMPENSATION SCHEDULE—ADVERTISING OPERATIONS HOURLY RATES BY DEPARTMENT AND GRADE OF MANPOWER, N. W. AYER & SON, INC., FISCAL YEAR 1971—Continued

Department	(1) Direct salary rate per hour	(2) Department overhead stated in percent of direct salary rate	(3) (2)×(1)	(4) General overhead (stated in percent of [(1)+(3)])	(5) (4)×[(1)+(3)]	(6) Profit (stated in percent of [(1)+(3)+(5)])	(7) (6)×[(1)+(3)+(5)]	(8) Total hour rate (1)+(3)+(5)+(7)
Media:								
Supervisor	10.70	191	20.44	16.5	5.14	13	4.72	41.00
Time buyer	8.24	191	15.74	16.5	3.96	13	3.63	31.57
Space buyer	7.59	191	14.50	16.5	3.64	13	3.34	29.07
Other:								
Traffic production:								
Supervisor	5.15	126	6.49	16.5	1.92	13	1.76	15.32
Planners	3.95	126	4.98	16.5	1.47	13	1.35	11.75
Other:								
Radio-TV:								
Creative	12.71	94	11.95	16.5	4.07	13	3.73	32.46
Production	8.13	94	7.64	16.5	2.60	13	2.39	20.76
Other:								
Marketing services:								
Marketing managers	16.43	59	9.69	16.5	4.31	13	3.96	34.39
Marketing directors	13.15	59	7.76	16.5	3.45	13	3.17	27.53
Senior planners	7.11	59	4.19	16.5	1.86	13	1.71	14.87

[illegible]

*e. Compensation*¹

(1) For all services rendered and supplies furnished, the Contractor shall be paid in accordance with the price contained in the delivery order under which performance is rendered. Each delivery order shall contain a firm, fixed price for the services and/or supplies to be obtained thereunder.

(2) Price shall be established through negotiations for each project conducted by the Contractor and the Contracting Officer; provided, however, the following principles shall apply in arriving at a negotiated price for the services or supplies to be furnished under a delivery order. The Schedule of hourly rates for in house labor, which shall contain the hourly direct salary rate, departmental and general overhead and/profit, is binding on both parties. The contractor shall not add overhead or profit to the proposed cost of subcontracting, materials or other expenses.

(3) In the design, creative work and placement of all forms of advertising in paid media, the following principles related to price shall apply. The Contractor shall not be compensated for services rendered in connection with the design or creative work for any form of advertising created for placement in paid media or for services rendered in the placement of such advertisements in paid media, except by the normal space, cost commission granted to the Contractor by the media. In the event a particular media does not grant the Contractor a space, cost commission for the placement of advertising, the Contractor will be compensated for the design and creative work relating to the advertisement to be placed and the services rendered for the placement in that particular media in the amount mutually agreed upon between the Contractor and the Contracting Officer, to be determined prior to the issuance of the delivery order and incorporated therein. The Contractor shall not be entitled to compensation for design or creative work rendered in connection with the creation of any form of advertising intended to be placed in paid media, which is not so placed. The Contractor shall be compensated for production of advertising to be placed in paid media, including subcontracting and materials, in accordance with subparagraph (1) and (2), above. The proposed cost of placement of advertising in paid media contained in a submitted proposal shall not exceed the published or certified card or schedule rates for space or time in the media concerned. If cash discounts for prompt payment to media for advertising placed are available to the Contractor, the proposed cost of placement contained in the proposal and, if accepted, in the delivery order shall not exceed the established certified or schedule rates for space or time less the maximum amount of the discount available. Rates contained in proposals shall be those in effect at the time the proposal is submitted.

Mr. VAN DEERLIN. The \$100,000 item for evaluation—is that a normal function in the advertising business, to conduct an evaluation by the same agency that prepares the campaign and airs it?

Mr. NALLE. I can't tell you what many other agencies do. This is being done by an outside agency, not ourselves.

Mr. VAN DEERLIN. It is not part of your contract, then?

Mr. NALLE. No, we are merely the middleman. It is a well known outside research, reputable, organization.

Mr. VAN DEERLIN. Which will reevaluate the results of the campaign you prepared. This is not a part of our subsidiary of the N. W. Ayer Co.?

Mr. NALLE. No.

Mr. VAN DEERLIN. What input by the Department of Defense, if any, went into the preparation of this spot schedule? Did they do filming, or did you do it all? What facilities may they have provided that went into the preparation of the campaign?

Mr. NALLE. It is difficult to answer because we had some 25 or 26 commercials and some have been done at military installations, in

¹ See item 12.1 of Standard Form 30, p. 108, this hearing.

which case they have helped where needed in making arrangements in having the manpower and materiel, or we can supply it to you, but it would require an analysis of each of the individual commercials, but I can't give it to you right offhand.

Mr. VAN DEERLIN. That would be, you would judge, incidental to the main thrust of the preparation of the spot announcements, I suppose you went filming on location, maybe for a couple of days?

Mr. NALLE. Exactly. Often more than a couple of days if a commercial is complicated. You saw one commercial this morning which shows personnel in the area in varying uniforms designed to illustrate the skill opportunities and there were, I think, several hundred soldiers which was more complicated. There were examples where we had one soldier in a commercial, relatively less complicated, and somewhat simpler.

Mr. VAN DEERLIN. I think that we have just about covered everything that I had hoped to learn from the agency. You have been very cooperative and responsive insofar as I can determine. I wondered, just in winding this up for today—do you feel entirely happy with the Government as a client? I am sure that a commercial client might be a good deal more difficult to work with, actually, than a Government agency. But how do you feel about the prospect of your efforts, which may prove spectacularly successful—though I think we have not seen any evidence of this in the preliminary figures—but how do you feel, should this touch off an interservice rivalry in advertising campaigns? We had testimony from Mr. Wollstadt that he thought \$22 to \$25 million would meet the Army's needs on a year-around basis.

I represent a Navy town, and I can't believe that the Navy is going to get very far behind in anything that is undertaken by the Army. The Marine Corps, also represented in San Diego heavily—and I had better be careful not to omit them—but how do you feel, first of all, about an interservice rivalry that gets into spending of a multi-million-dollar advertising budget and, secondarily, the use of time on commercial airwaves by the full range of Government agencies?

Mr. NALLE. Mr. Van Deerlin, really, this whole project is going to be so well and intelligently tested, I think we would be making a mistake to speculate right now on what is going to happen, because I think you might have been out of the room but all of the services are making their own analysis and we are sharing information with each other and we really don't know how to say the thing will come down at this point and we can't decide what the future case will be until we have the basis of the premeasurement.

Mr. VAN DEERLIN. What was the total of cigarette advertising knocked off the air by the Commission fiat? Was it \$200 million?

Mr. NALLE. I think that is about right.

Mr. VAN DEERLIN. If the four services each spend \$25 million, we would be talking about almost half of that cigarette money. It wouldn't take too much more Government advertising—isn't there a question of propriety here, of possible influence of a big advertiser, who is also the big licensing arm of government over the independence of broadcasters?

Mr. NALLE. We can give you statistics which may be helpful here and that is that the total revenue for the television industry is \$3.600 billion annually, this year, \$3.600 billion, at least as recorded in the trade press. Our current program involved an expenditure of \$3.5 million in television, which is such a miniscule item.

Mr. MACDONALD. Is that television alone, the \$3 billion figure?

Mr. NALLE. The first \$3.600 billion figure is television alone, that is the total revenue.

Mr. MACDONALD. What is radio total revenue?

Mr. REATH. I think we have it here. The total radio revenue projected for 1970 by the Broadcasting magazine is \$1.275 billion.

Mr. MACDONALD. So your point is you are not taking over, by any means, yet?

Mr. NALLE. We do not think we are, nor do we expect to.

Mr. MACDONALD. I can say there will be other witnesses tomorrow who will be questioned along the lines of the propriety, and I would not expect a commercial agency to come before a committee of Congress and argue against purchases of time which is discounted or is commissioned at 15 percent, that would be a strange position for the commercial organization to take.

I appreciate very much your coming down today and sharing your views, and just to recapitulate, in addition to the contract and the full list of outlets, you will include radio stations with television stations that you have under contract in this campaign, will you not?

Mr. NALLE. We will; yes.

Mr. MACDONALD. Well, in that case, again thanking you for your cooperation, we will adjourn the hearing until 10 tomorrow morning.

(Whereupon, at 3:15 p.m., the subcommittee adjourned, to reconvene at 10 a.m., Thursday, April 22, 1971.)

EXPENDITURE OF PUBLIC FUNDS FOR BROADCAST ADVERTISING

THURSDAY, APRIL 22, 1971

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMUNICATIONS AND POWER,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 2123, Rayburn House Office Building, Hon. Torbert H. Macdonald (chairman) presiding.

Mr. MACDONALD. The subcommittee will come to order.

The first witness this morning is a representative of the National Association of Broadcasters.

Will you state your name?

STATEMENT OF GROVER C. COBB, EXECUTIVE VICE PRESIDENT FOR STATION RELATIONS, NATIONAL ASSOCIATION OF BROADCASTERS

Mr. COBB. My name is Grover C. Cobb. I am executive vice president of the National Association of Broadcasters. The NAB, with headquarters here in Washington, has in membership 540 television stations, 2,156 AM radio stations, 1,260 FM radio stations, and all of the national radio and television networks.

The National Association of Broadcasters appreciates this opportunity to testify before the subcommittee with regard to House Concurrent Resolution 215 introduced by Congressman Van Deerlin of California. The resolution notes the fact that the U.S. Army recruiting command has recently committed itself for the expenditure of some \$10,600,000 for a radio and television recruiting campaign and would express the sense of Congress as opposing the use of public funds to purchase time for commercial messages on radio and television stations.

The resolution further notes that freedom of expression and vigorous and unfettered media for the dissemination of news, views, and information are essential parts of this Nation's legal and social traditions and are absolutely necessary to the existence of any free democratic society. It expresses the view that receipt of significant sums of money by radio and television broadcasters from a department of the Federal Government raises the specter of Government influence over these sensitive media.

The purpose of the resolution is a good one: preservation of the freedom of the news media. On that objective we are in complete

agreement with the author of the resolution and with this subcommittee. We do not believe, however, that the legislation in its present form will achieve that end.

The resolution points up the fact that radio and television broadcasters have, for many years, voluntarily and without charge cooperated with the Advertising Council in presenting public service announcements for the Federal, State, and local Governments and for many nongovernmental public interest groups.

Mr. Chairman, I would like to describe briefly for the Committee the dimensions of the voluntary contribution broadcasting makes year in and year out—in fact, every day—in fulfilling its public service responsibilities. In 1969, the Advertising Council stated that the circulation for 21 major campaigns on network TV only was nearly 21 billion home impressions. Another 13 billion impressions in radio and TV were made for secondary projects. It is estimated that if locally run spot announcements were included, these figures would be at least doubled. In terms of money, we estimate that the broadcasting industry contributes well in excess of one-half billion dollars per year in time to public service causes. Many of these contributions are for the benefit of various familiar charitable and health organizations and subjects such as the Cancer Society, mental health, traffic safety, environmental pollution, crime prevention, and the JOBS program of the National Alliance of Businessmen, etcetera, but many are for the benefit of various programs of the U.S. Government. The largest recent campaigns were for U.S. savings bonds (\$58 million), the Peace Corps (29 million), equal employment opportunity, and drug abuse (in cooperation with the National Institutes of Health, the Bureau of Narcotics and Dangerous Drugs, and the Department of Defense).

None of the above includes the value of time given to religious organizations or to political candidates, nor does it include public service programs, either individual or series.

No other industry contributes more than a small fraction of these figures. In my opinion, broadcasting's voluntary contributions are many times those of newspapers, magazines, outdoor, and all other media combined.

Surely these figures, which show the dimension of broadcasting's voluntary contribution, indicate the seriousness with which we accept our public service responsibilities.

All broadcasting stations are willing to give time free of charge for messages in the public interest. Some stations will not sell time for these purposes because they believe that neither government nor charitable organizations should have to purchase time for public service purposes. But most broadcasters would oppose any legislation that would prohibit governmental agencies from purchasing advertising in the broadcast media if it permitted them to purchase advertising in the nonbroadcast media. House Concurrent Resolution 215 addresses itself to the immediate problem of an advertising campaign by the Department of the Army to support its recruiting program.

On the other hand, the usual and customary purchase of advertising time or space by governmental agencies, Federal as well as State

and local, is in the form of legal notices, advertisements for bids on sales, offers on purchases, and so on. Most of these advertisements relate to the proprietary functions of the several governmental entities, and should be continued.

The avowed purpose of the resolution is to avoid the possibility of undue governmental influence over the news media. If indeed this is a problem, then it would be at least as great a problem for the print media as for broadcasting.

Whether agencies of the Federal Government should spend public funds to purchase advertising for such purposes as military recruitment is a matter for the Congress to decide. Likewise, the Congress should make a judgment as to whether the resolution should apply to such quasi-public corporations as Railpax. This suggests that the subcommittee should examine carefully the impact of the resolution on present and possible future governmental activities.

We oppose any limitation on broadcasting that would not apply equally to all competing media. Any possibility of Government control of the news media should not be tolerated. But in the long run we believe that discrimination between the media could lead to an evil worse than that of the specter of undue influence. We urge the committee to adopt a firm policy of equality of treatment of the media and to avoid any possibility of discrimination.

Mr. MACDONALD. Thank you, sir. You presented a very fine statement. It was brought up yesterday when we made inquiry of the Army as to why they needed this money to purchase the time, and the reason I am mentioning it to you is that you point out how many times public spot announcements were made. Their criticism, and it was not couched in the form of a criticism, but their reaction to the free public service announcements that they had gotten was that it was never at prime time. They thought it was never at a time at which they thought it would do them any good, and they thought with a volunteer army being in the background, they thought they could not rely on the broadcasting industry to give them the proper time slots to try to put together a volunteer army.

Now, I don't know, you probably do not have this with you, but in these slots that you are talking about, or I mean in the part of the public service announcements you talk about, do you have a breakdown of hours they went on?

Mr. COBB. No, I don't. I believe the Army's own figures would show in 1970 approximately 10 percent of the spot announcements on television were in prime time. Of course, add to it the dozens, even hundreds of other causes and the numbers of their spots which were in prime time, and you soon find a reason for it.

Mr. MACDONALD. Right. I would like to point out one thing and we have to hurry a bit because we have a number of witnesses, and this is the last day of the public hearings. You keep making reference that there should be no distinction between the broadcasters and other media. I have noticed that this has become a recurrent theme with both the broadcasters, the networks, and everyone else.

I wonder why you think you are in equal parity and should be treated the same way by the Congress as the newspapers, the magazines, and other periodicals are treated, inasmuch as you are using,

unlike the newspapers—for the newspapers are printed on material which was purchased by them, the newsprint is purchased by them, the ink is purchased by them, it is private enterprise, whereas the broadcasters—and I do not understand why you keep referring to yourselves as exactly the same as the nonbroadcasting media, where you do get a license to operate in the public interest, convenience, and necessity—am I right?

Mr. COBB. Yes, sir.

Mr. MACDONALD. You are licensed by the Federal Government to use a public airway. You don't own the airways, and you are licensed by the Federal Government; and newspapers are not, thank goodness, and magazines are not. So how can you possibly put yourself in exactly the same position and ask to be treated exactly the same way as the other media?

Mr. COBB. Mr. Chairman, you used the word "distinction"; and in my testimony I used the word "discrimination." I think there is a distinction between the media, but we don't believe that it necessarily leads to discrimination or justifies discrimination.

Mr. MACDONALD. I agree with you on your first remark. I don't think it does lead to discrimination.

Mr. COBB. We believe this Congress in its infinite judgment should decide whether funds should be spent in marketing or advertising or other things.

Mr. MACDONALD. That is not the purpose of this hearing, but within the jurisdiction of the Armed Services Committee, and I know how I will vote if it comes to the floor, but that is not the purpose of this hearing.

The purpose of this hearing is to try to insure that the broadcasters who have done the job that you point out will not, having been paid for public service announcements up to now on a trial basis, the amount of money being about \$11 million, but it seemed clear that somebody who is being paid to put on public service announcements might be a little reluctant to put them on free—that is, once they have been paid for it—and second, in any given market, with one station being paid to put on public service announcements. It would seem to me clear that this would be an inducement to his competitor, or the competitor of the man who is being paid, not to put on for free what his competitor is being paid to put on.

Do you agree with me?

Mr. COBB. No, sir.

Mr. MACDONALD. If you don't agree with me, can you tell me why you don't agree?

Mr. COBB. Yes, sir, you made the statement about being licensed by the Federal Government and we make a representation to the Federal Communications Commission, each licensee does this each 3 years, about its public service campaigns and about compliance with the public service clause in the Communications Act.

We represent how many causes we will embrace, how many non-public service spot announcements we will run. I think a licensee would be ill-advised to diminish his performance in the public service area simply because his station was not part of a paid campaign.

Mr. MACDONALD. I agree, but how can you find out about it? Who keeps a check?

Mr. COBB. The licensee in the logs.

Mr. MACDONALD. Yes, the FCC does, but do you mean the Congress should subpoena logs of all the broadcasters of the United States to take a check to see how many public spot announcements increased after payment of money for the broadcasting of these public spot announcements?

Mr. COBB. Certainly the FCC has the right to ask for it.

Mr. MACDONALD. They have the right, but are you a practical man? Do you think the FCC has time or personnel to go through logs of every station in all of the markets? You know that is not only an improbability but an impossibility.

Mr. COBB. Mr. Chairman, having been a licensee for almost 30 years, I would consider it ill-advised for any licensee to diminish his public service efforts simply because it was not a paid campaign.

Mr. MACDONALD. So do I, but how are we going to check it out? How will we know? I think it would be ill-advised, but there are a lot of ill-advised people in the world, and I think a lot of things that some broadcasters do are ill-advised, but they do them.

So your opinion or my opinion that they will be ill-advised to do so is no yardstick for us to say whether or not, or that these paid announcements did have that effect, and that is the purpose of this hearing.

You said you disagreed with me. I want to know why. I still want to know why.

Mr. COBB. I disagree because, having been a licensee, as a former licensee, and I believe the hundreds of them I know would not exclude Army recruiting spot announcements from their public service campaign simply because they were bought.

Mr. MACDONALD. I would say the same guess as you as to hundreds, but it is only a guess; I would believe there would be hundreds who would, too, and when you were a licensee, there were no paid public announcements.

Mr. COBB. Yes, by Fifth Army Recruiting, there were announcements for many years placed by an agency in Chicago on radio stations in the Midwest, too.

Mr. MACDONALD. Did you give them any cut in rates or did you charge them the highest possible going rate?

Mr. COBB. It was placed by an agency, just as this campaign, except it was on a more regular basis, two or three spot announcements per week on selected stations for periods of 3, 4, or 5 or 6 months, some specific type of recruiting they were doing; but nevertheless, they still, and all of the governmental agencies still received the usual public service support free.

Mr. MACDONALD. As I said, we have a number of witnesses and I won't take much more of your time, but are you testifying today that you think the paid public announcements for a three-and-a-half-month test period are going to have no effect, that the spending of \$11 million by the Federal Government for the use of a public Federal Government airway will have no effect whatsoever on the present situation as far as public spot announcements are concerned?

Mr. COBB. Yes, sir, little or no effect.

Mr. MACDONALD. Thank you.

Mr. Van Deerlin?

Mr. VAN DEERLIN. Mr. Cobb, the chairman has touched on the aspect of the Government licensee, which is what makes your industry different from the print media.

Mr. COBB. Yes, sir.

Mr. VAN DEERLIN. There is little in your statement today I find to quarrel with, but on page 4, your paragraph in which you say:

The avowed purpose of the resolution is to avoid the possibility of undue governmental influence over the news media. If indeed this is a problem, then it would be at least as great a problem for the print media as for broadcasting.

Your comparison between broadcasting and print media seems to overlook the awesome power of the licensee.

Mr. COBB. Yes, Mr. Van Deerlin, certainly. I am saying if it follows, and I think you introduced this, but if it follows that the expenditure of funds would be followed by influence, an advertiser, say, with immense funds, could pressure or influence, then this is something to be avoided, as is the specter you called attention to.

I am saying from the standpoint of using advertising funds to influence spots, then it would be just as likely in newspapers as it would in broadcasting; but if you asked me about, in addition to that, the license and threats of changing or making different regulations, certainly that is a distinction.

Mr. VAN DEERLIN. Not an overt threat, perhaps, but the background threat.

Mr. COBB. That is right.

Mr. VAN DEERLIN. There is no advertiser in any newspaper in the country that can take away his paper's right to publish. So there is that distinction.

Mr. COBB. Yes.

Mr. VAN DEERLIN. Thank you very much.

Mr. MACDONALD. Mr. Keith?

Mr. KEITH. Thank you, Mr. Chairman.

I regret I was not here yesterday to hear the background that preceded your testimony this morning. It is my understanding that there has been as yet no conclusion reached as to the effectiveness of this extensive campaign.

Mr. COBB. That is my understanding too, Mr. Keith.

Mr. KEITH. Would you care at this time to hazard a guess as to what the results would be?

Mr. COBB. No, sir, I think that would be outside my area of expertise.

Mr. KEITH. I am not positive of the jurisdiction of this committee, but specifically, you and I, as well as the others present here this morning, do have a responsibility, generally speaking, to make certain we are getting our money's worth. That is an aspect of it which I hope will be looked into by some agency of the Congress in the near future.

I don't have any further questions at this time, Mr. Chairman, because I don't know what has preceded this discussion.

Mr. MACDONALD. Thank you, Mr. Keith.

Now, sir, when you and I discussed about what effect the payments for spot announcements would have, you said, "little or none."

I am happy to give you this information, that yesterday the Secretary for the Department of Defense for Manpower testified that in

the first month of the test of these paid spot announcements that already over 20 stations which they knew about—it would seem to me to be a small amount—have already canceled free spots.

Mr. COBB. Mr. Chairman, I would find that while 20 stations might have done it, it is an exceedingly small sample in comparison with the thousands of AM and FM radio stations and hundreds of television stations.

Mr. MACDONALD. You said it wouldn't have any effect.

Mr. COBB. I said "little or no effect in the aggregate."

Mr. MACDONALD. The "no effect" is contradicted by the fact that over 20 they know about have canceled.

Mr. COBB. For how long?

Mr. MACDONALD. Canceled.

Mr. COBB. Permanently?

Mr. MACDONALD. Yes, as far as I know. What does "cancellation" mean?

Mr. Brown, any questions?

Mr. BROWN. Yes, Mr. Chairman.

This has been one of those mornings where I have two committees and other things have gone on, and I didn't get here to hear your testimony, but I would like to ask a generalized philosophic question for your comment, if you would, please.

There is a theory beyond the broadcasting industry that says this is a publicly owned medium, spectrum, and that it is licensed to private individuals only with the sufferance of society in general, and that in exchange for that the media should provide free, certain public service announcements, that this differentiates it from a come-and-go medium like newspapers or magazines or books in the "first amendment" sense, because it is licensed, and there are a limited number of spots on the spectrum for various broadcasters and so on and so on.

To connect that to the first amendment, then, I worry a little bit about the Government being in a position to ask or require individual broadcasters to provide public service time for things that may in fact have some controversy to them.

I mentioned yesterday I am very much interested in the Peace Corps and think it is like Motherhood and the Flag, but in fact there are those who may not approve of the activities and operations of the Peace Corps, and that maybe they deserve a right, like the people who do not agree with cigarette smoking, to have equal time to refute the public service announcements about the Peace Corps. And I should not say "equal time," but "fairness."

I also worry on the other hand about the Federal Government being in a position to seduce to its interest a broadcaster with the provision of sponsored advertising and then maybe if dissatisfied with other aspects of the broadcaster's efforts, to withhold that significant contribution to his economic circumstances.

Now would you comment on both of those angles for me, please?

Mr. COBB. Yes, sir, I share your concern about the Government's use of its powers or the possibility of it to require stations to do certain things.

I don't believe in the instant case the expenditure of these types of funds in this manner is really a club over a station's head. I think

what you are talking about is if this were continued and maximized, that it might be then.

Mr. BROWN. If I may interrupt you there, you are talking about \$10.6 million?

Mr. COBB. Yes, sir.

Mr. BROWN. That is at this stage of the game for Army recruiting. However, we heard yesterday there had been rather sizable amounts of money in excess or less than that from the other branches of the service that is given in free public service time. I think your testimony here talks about the broadcasting industry contributing \$11¼ billion?

Mr. COBB. Yes, sir.

Mr. BROWN. If we adopt the concept that the Federal Government ought to pay for that public service advertising, so it can, in fact, control the timing and the circumstances of its presentation, then we are talking about a sizable chunk of the industry's income, are we not?

Mr. COBB. Yes, sir, that is a judgment or concept I certainly submit is your decision to make. I think nothing in the testimony suggests that the Government should adopt it. I think if it does indeed continue its present concept or any departure therefrom of purchasing advertising, that broadcasting should be treated equally as a part of the mix.

Mr. BROWN. Well, this resolution specifically calls for the administration of the Federal Government under any circumstances, not to purchase time for broadcasting or for any purposes. Is that correct?

Mr. COBB. No, sir; just broadcasting, the resolution.

Mr. BROWN. Well, not to purchase time in broadcast media for any governmental purpose, is what I am trying to say, and to require, if there is a governmental purpose, that that be public service time.

The resolution does not require it, but that is the concept under which we now operate.

Mr. COBB. The concept as we read it, sir, is this.

Mr. BROWN. Well, what I am trying to set up are parameters. If the Federal Government buys all of the time from the industry that it wants to have messages on the air, presumably it would cost \$100 million on an annualized basis?

Mr. COBB. Much more, considering the local causes, but national causes, yes, sir.

Mr. BROWN. If the Federal Government, to put it on the other hand, says, "No, we will not buy anything, it all must be provided on public service time," and if the thrust of the Federal Government is, "We want a lot of time on the volunteer army because we want it now," what about that?

Mr. COBB. I think that is a judgment for a licensee to make as he represents he will run his property in the public interest, it is licensed to operate in the public interest, and it is as we have done before.

Mr. BROWN. If the Federal Government says, "We would like for you to do it"—and the licensee says, "Wait a minute; we would rather talk about ecology than the volunteer army"—what then?

Mr. COBB. Again, I say this is a judgment, in my opinion, for the licensee and he has to justify it at renewal time.

Mr. BROWN. Let me press it a little further. If the Federal Government decides it has to have some support for the volunteer army through free public service time, the temptation, I think, would exist to say, "We would like to balance the public service time from those things we provide as in the category of public service time and require you to do it free."

And then I would like to raise the other question that if the volunteer army is something that may have some opposition in a political sense in the community, you might want to stay away from it because somebody might want fair time to respond to that kind of provision. Is that right?

Mr. COBB. Under the Commission's fairness doctrine—

Mr. MACDONALD. Well, your time has expired.

Mr. Frey?

Mr. FREY. Thank you, Mr. Chairman. I think the gentleman from California has a very good concept and idea in principle, and in principle I certainly agree. But the problem is that it is such a broad forum, all-encompassing, that there are many problems that will be encountered.

You mentioned, for instance, legal notices, advertisements, and so forth. There are many things we advertise that I don't think this legislation was aimed at.

One question I would ask you, do you have an idea of how much money, for instance, has been paid in the form of advertising by the Government with your group previous to the Army contract?

Mr. COBB. I would say it has been minimal. I would say this amount of money in this short a term has probably been the most significant investment of Government funds in advertising. There have been scattered instances before, I think in magazine and newspaper advertising, for recruiting. Certainly, when the war assets administration did have bases to sell, real estate and property to sell, this sort of thing, there have been instances. I would say, though, that this is the most significant to date.

Mr. FREY. As you understand the resolution, I wonder if there would be a problem with Railpax or the like.

Mr. COBB. I would assume Railpax or perhaps quasi-governmental functions of the new Post Office concept, these things would probably be involved.

Mr. FREY. In that event, I think it involves an area that has to be looked at a little differently. Do you have any ideas on an inbetween approach? Is there anything you can think of that would help us get to the purpose of not letting a massive infusion of money to be used by the Federal Government to control some point of view. Maybe there could be a safety valve in your industry?

Mr. COBB. I think if there is danger of massive infusion, Congress would adopt guidelines to control the dangers you are thinking about. I would personally be opposed to any massive infusion that could have that effect.

Certainly, we do not believe this to be one. If Congress indeed appropriated funds for a massive purchase of advertising, it certainly would adopt guidelines to insure this situation.

Mr. VAN DEERLIN. If you would yield? I would express the viewpoint, since you mentioned Railpax, now Amtrak, it would be my

hope that Amtrak would do a great deal of advertising—as much as the airlines do—to try to recover passenger business and restore a balanced transportation system.

That would be as a quasi-public corporation, not a Government agency.

Mr. FREY. What about advertising by Railpax. This is not intended in your resolution is it?

Mr. VAN DEERLIN. I think a public corporation, responsible to a board outside of Government, could very well be exempted from any such resolution as this.

Mr. FREY. I thank the gentleman, and thank you, Mr. Chairman.

Mr. MACDONALD. Any questions, Mr. Collins?

Mr. COLLINS. No questions.

Mr. MACDONALD. Thank you very much.

Our next witness is Congressman Parren J. Mitchell of the Seventh District of Maryland.

STATEMENT OF HON. PARREN J. MITCHELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. MITCHELL. Mr. Chairman and members of the committee, thank you for this opportunity to appear before you today.

I have a very brief statement, and I believe you have copies, all of you have copies of the statement, and I will read portions.

Mr. MACDONALD. Why don't we insert it in the record and you can paraphrase or highlight your statement?

Mr. MITCHELL. That is fine.

Mr. MACDONALD. Without objection it is so ordered.

Mr. MITCHELL. Let me say I have a great sympathy in regard to this problem of getting manpower. I was one of those who opposed, and still opposes, the extension of the draft. Consequently, I gave considerable thought to the problem of other methods of gathering military manpower needs.

I am a determined supporter of the voluntary army concept. Though I would support a major review of our military manpower needs (in light of putting an end to the war in Southeast Asia, and a general reexamination of our treaty obligations around the world), I nevertheless accept the basic premise that military manpower needs in the past outstripped the number of true volunteers.

In fact, the military pay raise was aimed at dealing exactly with this problem, as is the move to liberalize the life-style of the military.

On the other hand, I believe that paid advertisements for television and radio was an unfortunate choice of weapons to deal with the problem for a number of reasons, and they are delineated in my statement.

In my statement, however, I did not allude to the matter of just sheer waste of public funds. In March, I wrote to the Chairman, Congressman Hébert, of the House Committee on Armed Services, pointing out my concern in this regard. On March 4, he replied and he thanked me for bringing to his attention the fact that WBAL-TV in Baltimore had been contacted by the agency to use Federal funds to buy television time for recruiting purposes. WBAL-TV rejected

the proposal. What I wanted to bring to your attention is this. Congressman Hébert says in his letter :

While I do not believe that buying commercial television time will affect our historic system of control of the military, I think it will be a waste of money to buy advertising time which has been provided without charge in the past and which the television stations are willing to continue to provide in the future as a public service.

I will have copies of this document made, Mr. Chairman, and submit that to the committee as a matter of record, if it is agreeable with the chairman.

(The following letter was received for the record:)

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., March 4, 1971.

HON. PARREN J. MITCHELL,
House of Representatives,
Washington, D.C.

DEAR MR. MITCHELL: Thank you for bringing to my attention the letter you received from WBAL-TV in Baltimore and the correspondence concerning plans to use Federal funds to buy television time for recruiting purposes.

As you perhaps know, consideration is being given to buying television time for more recruiting advertising as part of the program to attempt to move towards an all-volunteer Army. It has been particularly interesting for us to hear from several television stations that they have been providing this time without charge in the past and would be very happy to continue to do so.

While I do not believe that buying commercial television time would affect our historic system of civilian control of the military, I do agree that it would be a waste of money to buy advertising time which has been provided without charge in the past and which the television stations are willing to continue to provide in the future as a public service.

Thank you again for writing to me.

Sincerely yours,

F. EDWARD HÉBERT, *Chairman.*

Mr. MITCHELL. Although I have grave concern about economic matters, quite apart from those I have grave philosophical differences and disagreements with the Army's course of action. The issue is much broader than the Army's particular experiment.

House Concurrent Resolution 215 by Mr. Van Deerlin calls for a complete prohibition of Federal, State, and local government funds to purchase time for advertising on radio and television stations. The danger in the Army program is that it establishes a precedent for the expenditure of large sums of money in a very sensitive area.

Let me quote from "Editorial Viewpoint" of *Advertising Age*, March 15, of this year—and by the way, *Advertising Age*, I believe you know, is the official organ for the advertising industry.

We're troubled by the specter of the Federal Government pouring millions of dollars into ad budgets aimed at molding public opinion in favor of one Government program or another. Advertising is a neutral instrument, and of course it can be used for worthwhile as well as not-so-worthy purposes, depending on who's pulling the strings.

There is great temptation to use Government advertising for partisan purposes, and as far as we can see there aren't any built-in safeguards against this sort of misuse.

Government officials also would be sorely tempted to apply the screws to media getting big chunks of the Federal advertising budget. No sooner had the Army announced that it would spend \$10,600,000 on a radio-TV ad test, than a high-ranking Congressman threatened to cut off CBS-TV from the largesse.

I want to read directly from the editorial in Advertising Age. I will read the portion that is pertinent here; the "Editorial Viewpoint" goes on to say:

It was CBS, Columbia Broadcasting System, that aired the much-heralded "Selling of the Pentagon," a program which Mr. Hébert, Chairman of the powerful House Armed Services Committee, branded as 'distorting the activities of the Armed Forces.'

By the way, I thought the program was one of the most informative programs I had ever seen.

Representative Hébert told Advertising Age he does not want Columbia Broadcasting System TV to be on the advertising schedule if the Army test commercial proves successful. He likened the assignments—and this is critical, it seems to me—he likened the assignments of air dollars to the Columbia Broadcasting System to what happens when the United States hands out foreign aid money helping people who are now our enemies.

This is the sort of economic pressure that the media can regularly expect if the Government launches widespread ad programs.

I am concerned about the economic implications. I am equally, if not more, concerned about the philosophical implications: the matter of control of public opinion; the molding and shaping of public opinion by various agencies of Government.

In such a highly competitive industry, the introduction of the Government as a client could conceivably end the freedom of the media.

It is for these reasons that I call for support for Mr. Van Deerlin's resolution to prohibit the use of Government funds in this way.

(Mr. Mitchell's prepared statement follows:)

STATEMENT OF HON. PARREN J. MITCHELL, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF MARYLAND

Mr. Chairman. Thank you for the opportunity to appear before the subcommittee today.

I have serious reservations about the Army's current experiment in recruiting. As you know, 10.6 million dollars is being spent for paid advertisements trumpeting the virtues of life in the military. Four million dollars is budgeted for television time, 5.1 million dollars for radio time, 1.2 million dollars for production costs, 200 thousand dollars for a telephoning answering service and 100 thousand dollars for research.

Let me say first that I have great sympathy with the military in regards to this problem. I was one of those who opposed the extension of the draft, and consequently I gave considerably thought to the problem of other methods of gathering military manpower needs. I am a determined supporter of the volunteer Army concept. Though I would support a major review of our military manpower needs (in light of an ending to the war in Southeast Asia, and a general reexamination of our treaty obligations around the world), I nevertheless accept the basic premise that military manpower needs in the past outstripped the number of true volunteers. In fact the military pay raise was aimed at dealing exactly with this problem, as is the move to liberalize the life-style of the military. On the other hand, I believe that paid advertisements for television and radio was an unfortunate choice of weapons to deal with the problem. For a number of reasons.

(1) Because T.V. and radio stations in particular are required by their licenses to provide public service time free of charge for purposes such as this. According to the department of defense, the Army received some six million dollars worth of public service time last year. The total figure for all the services with the Air Force and the Navy leading the way reached 22.3 million dollars. I understand that there is severe competition among many very worthy causes for a limited number of public service spots. I understand the Army's

complaint in this matter, namely, that she lacks control of the times when the public service spots are shown. The Army naturally desires to reach the prime time audience.

Nevertheless the Army, and the other services as well, are at fault for failing to institute a concerted campaign both to increase the number of public service spots, and to receive more spots in prime time. Such a campaign should have begun before the present costly experiment was instituted. Mr. Van Deerlin has suggested one method of going about this, by making use of the services of the advertising council. This is a highly professional organization. In the past, it has brought its expertise to bear for a period of several months in support of a particular worthy effort, and it has enjoyed great success. Already the other branches of the service have voiced their interest in the Army's undertaking. If the experiment is successful (and thus far it has not been) it is easy to forecast the Army requesting a much larger, year-round budget in the next fiscal year. And certainly, those stations which provide free time presently cannot be expected to do so while their competitors are being paid for the same service. Not only is the Army spending money which shouldn't be spent, but it is needlessly jeopardizing its future access to free public service time in the media.

(2) If you heard me speak on the floor, however, you know that in addition to these economic considerations, I also have grave philosophical disagreements with the Army's course of action. The issue is much broader than the Army's particular experiment. H. Con. Res. 215, by Mr. Van Deerlin, calls for a complete prohibition of Federal, State, and local government funds to purchase time for advertising on radio and television stations. The danger in the Army program is that it establishes a precedent for the expenditure of large sums of money in a very sensitive area. Let me quote from *Editorial Viewpoint of Advertising Age*, March 15, of this year:

"We're troubled by the specter of the Federal Government pouring millions of dollars into ad budgets aimed at molding public opinion in favor of one government program or another. Advertising is a neutral instrument, and of course it can be used for worthwhile as well as not-so-worthwhile purposes, depending on who's pulling the strings. There is great temptation to use government advertising for partisan purposes, and as far as we can see there aren't any built-in safeguards against this sort of misuse.

Government officials also would be sorely tempted to apply the screws to media getting big chunks of the Federal advertising budget. No sooner had the Army announced that it would spend \$10,600,000 on a radio-TV ad test than a high ranking congressman threatened to cut off CBS-TV from the largesse."

In such a highly competitive industry, the introduction of the Government as a client could conceivably end freedom of the media.

It is for these reasons that I call for support for Mr. Van Deerlin's resolution to prohibit the use of Government funds in this way.

Mr. MACDONALD. Thank you very much, Mr. Mitchell. Any questions?

If not, you are excused, and thank you very much.

Mr. MITCHELL. Thank you.

Mr. MACDONALD. The next witness is Miles David, president of the Radio Advertising Bureau.

Mr. David.

STATEMENT OF MILES DAVID, PRESIDENT, RADIO ADVERTISING BUREAU

Mr. DAVID. Thank you, Mr. Chairman.

My name is Miles David, president of the Radio Advertising Bureau. RAB is headquartered in New York City with a membership of 1,600 AM and FM radio stations, station representatives, and all of the national radio networks.

At your request, I am appearing to present views on paid advertising by the U.S. Armed Forces.

We estimate that radio broadcasters last year contributed time amounting to a value of over \$150 million for hundreds of public service causes. This includes time given to the military.

Undoubtedly, broadcasters will continue to donate time to the Armed Forces. But we believe that unique problems facing our Armed Forces at this time make it extremely difficult for them to rely on donated time alone.

The U.S. Army in the next few years may have to rely on volunteer enlistments. It must therefore develop techniques for effective communication of the advantages of a military career.

Radio is uniquely well qualified to play a role in recruitment communications. Two audiences are most needed: (1) Young men and (2) their parents. Radio can be used very efficiently to reach both of these target audiences. One type of station can be employed to target young men 18 to 24. A second group of stations can be used to target mature adults who are the parents and influentials.

Probably no other medium is so efficient in reaching both target audiences. But in order to be effective, a communications campaign must have several characteristics. One of the most important of these is the size of the audience reached among the target groups.

Donations of time cannot provide sufficiently large target audiences because of the fact that radio stations must divide their public service time among many organizations.

A second characteristic of effective communications programs is timing. Since there is a seasonal pattern to enlistment in the Armed Forces, it is much more effective to bunch recruitment messages for effect in these seasons. For example, in the spring when young men are about to graduate from high school and consider career alternatives, recruitment communications would be more effective than at other times.

But the spring is also a time when hundreds of other organizations seek time from stations. It would not be possible, therefore, for the Army to obtain just the quantity of time it needs to reach large audiences of just the desired target groups.

There is another factor to be considered. A military career is not currently in high favor among many young people. It would probably take a greater weight of communications messages to be persuasive at this time than the past several decades.

In addition, our Armed Forces are changing. The U.S. Army campaign on radio currently stresses certain new personnel policies of the Army, such as elimination of make-work projects and skinhead haircuts. It will take a lot of communications weight to reach out to the necessary number of individuals and let them know these changes have taken place.

In a sense, today's Army is like a new product, and it is well known that in new product introductions marketers must have much larger communications efforts than when a product is well established. The equivalent of such new product budgets cannot be obtained through donated air time alone.

What if the Armed Forces rely on broadcasters for donated time and obtain paid advertising in printed media? Aside from the fact that this is discriminatory treatment of broadcasting, it would leave

the Army and other Armed Forces in an adverse position for reaching volunteers.

The printed media are not as likely to deliver actual effective messages to the target audiences as is radio. With printed advertising the reader must make an active decision to read an ad for a career in which he believes he has no interest.

With radio, the mind can be opened to at least consider the possible advantages of a military career, since individuals are exposed to the recruitment messages if they are tuned in.

For all of these reasons we believe it is in the best interests of the U.S. Armed Forces to allow recruitment advertising on a paid basis and not seriously handicap the Army in its recruitment mission by precluding paid advertising where it is deemed essential.

Mr. MACDONALD. Thank you, Mr. David.

Mr. David, as I am sure you know, this proposed program is to go for 13 weeks, and the amount allotted for radio was \$5,100,000.

Do you have any idea, since you have contacts all over the country, how much time on radio that amount of money would buy?

Mr. DAVID. I think that we could probably express it better in terms of the number of people that it would reach. In other words, we could calculate that there are a certain number of people that are reached with every dollar you spend in the medium. Commonly, it is stated in terms of cost per thousand at \$1 or less.

So I think you might multiply the number of impressions delivered by that sum of money to arrive at a figure. That would be the best way I could arrive at it.

Mr. MACDONALD. I don't quite follow that, because in order to find out how many people are going to be reached you have to know how long the message will be on the air. You can't pick a figure out of the hat and say it is going to reach x million people when you don't know how long it will be on the air.

Mr. DAVID. There are ways of calculating the audience delivered, based on research on audience size.

Mr. MACDONALD. Well, we are talking about apples and oranges, because what I am asking is this: how much time at an average national price scale would \$5.1 million buy? You don't have any idea?

Mr. DAVID. I can't calculate it offhand, Mr. Chairman.

Mr. MACDONALD. Could you calculate how many people it will reach?

Mr. DAVID. I am sure the advertising agency in preparing the campaign has made an actual estimate of the expected delivery of audience, but I am sorry to say it would be difficult to simply calculate that.

Mr. MACDONALD. I thought you represented the Radio Advertising Bureau.

Mr. DAVID. Yes.

Mr. MACDONALD. What is the Radio Advertising Bureau?

Mr. DAVID. The Radio Advertising Bureau is a trade association of radio broadcasters, and our role is to work with advertisers and agencies in, you know, representing the values of radio as an advertising medium.

Mr. MACDONALD. You are a public relations firm for the media?

Mr. DAVID. Yes.

Mr. MACDONALD. I thought you were technical.

Mr. DAVID. No, I am not.

Mr. MACDONALD. All right; excuse me.

Well, I must say I agree with a good deal of what you say about radio perhaps being a better medium to reach the audience you want to reach because they listen to the radio a good deal more than they watch TV.

I must disagree very strongly with your approach to the U.S. Army as outlined on page 3 when you talk about the Army being a new product. If the Army is a new product—I think it started back in 1776, isn't that right, and it has been going ever since.

Mr. DAVID. Sir, I think when the U.S. Army makes such basic changes in its policies as regarding the work assignments, clothing, haircut requirements, and so forth—

Mr. MACDONALD. Do you think a man takes up a career because he will not have to get his hair cut any more? Do you think that is such an inducement he is going to volunteer for the new Army and he would not volunteer if he had a short haircut but would if he can wear his hair long?

Mr. DAVID. I think the Army and its counsel in this area would be better qualified to judge that than I.

Mr. MACDONALD. The only reason I comment on this is because you raised it. I frankly don't think it would have much effect on anyone one way or the other for somebody who is going to take up a career.

In any event, I would like, in closing, to say that I hope the medium does not treat its efforts to explain the value of a life in the Army as a package of soap, as somebody said yesterday, or an automobile. These are boys that are called in to choose a career of public service to us. They defend our liberties and do very necessary work all over the world, and I think it is incredible to have you treat it like it is a product, a new brand of soap, or new automobile with nonfunctional lines.

I am certainly not chastising you, but I hope the media does not develop that as its attitude of the new Army.

Mr. Van Deerlin?

Mr. VAN DEERLIN. Mr. David, is the radio business feeling the effects of a recession?

Mr. DAVID. Yes, Congressman, I believe the radio is, on a selective basis, dependent on the market.

Mr. VAN DEERLIN. Whereas in good times the number of "availabilities" on radio stations in general might be rather tight, would you agree that at this particular time of 1971, the availabilities are likely to be considerably greater than they were, say, a couple of years ago?

Mr. DAVID. I would not agree that "considerably greater" would be a good description in this case.

Mr. VAN DEERLIN. That is imprecise. Could you give us a precise figure for comparison?

Mr. DAVID. Let me try to answer this. There are many markets in the country where, due to the severe effects of the economy in that city, radio stations are feeling a reduced level of advertising. But, as

a generalization, radio has come through this recession, I believe, better than most other advertising media.

We estimate in the first quarter of this year national "spot" radio, for example, is up well over 5 percent, somewhere between 5 and 10 percent in this quarter, because, I believe, the economy of radio is, as a medium, influencing advertisers toward the medium, so in actuality, despite the loss of cigarette revenues and the recession, radio is doing well.

Mr. VAN DEERLIN. I am happy to hear that things are picking up, because, despite the sentences and dependent clauses which continue to get into the prepared testimony in this hearing, I do feel I discriminate against broadcasting in my outlook. If so, I would feel I were no less than a traitor, since it was broadcasting that enabled me to come to Congress—which is probably something broadcasting is going to have to answer for.

Last night, in driving home during prime time, I heard a public service spot on the Peace Corps on one of the network owned and operated stations here in Washington. Is it possible to conclude that across the board on radio in general today, there is perhaps a 25-percent availability—that 25 percent of the time is available immediately for purchase or, in this case, for public service time?

Mr. DAVID. I think it would be very difficult to estimate the availability if we are going to pin it down to specific hours.

Mr. VAN DEERLIN. Why I cited the prime time last night was because we had been in these hearings yesterday, and I was alerted to it. But you would agree that there is ample time available, and if any commercial buyer comes along, an agent does not have trouble buying radio time today, does he?

Mr. DAVID. No.

Mr. VAN DEERLIN. So, some effort by the military to persuade management of radio stations that there was a special problem here that the Army had with its "new look," there would have been very little difficulty in getting that kind of time—is that right?

I have letters sent to me by broadcasters saying that they would do this. They do not all like the resolution I introduced, but they say there is no question about the ability to do the job that the Army wants on a public service basis.

Mr. DAVID. Sir, I cannot agree that a public service campaign could be mounted with the same timing and the same precision, the same reaching of target audiences, as a paid advertising campaign. I believe there are many public service causes that are all, in effect, seeking the same time. There are many causes that need exposure.

The Army has, as far as I can understand it, a specific need in terms of timing. The springtime is a crucial period of the year, because young men are getting out of high school, and this is the time when they will make up their minds.

Mr. VAN DEERLIN. Precisely. So adopting the same theory that has made the advertising council so successful, going out at a given time with a given program and persuading the broadcasters that, "We are going to ask you for this special effort now, but will leave you alone for the other 9 months of the year," would probably have that result. This is a judgment on guesswork, because the Army testified yesterday it made no such effort.

Well, thank you, Mr. Chairman.

Mr. MACDONALD. Mr. Brown?

Mr. BROWN. If I understand, Mr. David, where we stand now with reference to this discussion in this whole area, it seems to me that if the Federal Government wants to get its message across, whatever that message may be, it has essentially three alternatives. One is to pay for the promotional time. The other one is to request the promotional time at the option of the broadcaster, which is essentially the way it is done now. The third choice might be to require the promotional time, subject and so forth at the option of the Government.

That is on the theory, again, that this is the Government's or the Government really owns the medium and just licensed the broadcaster to operate and make money off of it.

It seems to me we ought to look at the problem that you face as a broadcaster or as broadcasters, and the problem that the Government faces as the purveyor of a product, as you call it, or a promotional theme.

The paid-for announcements give the Government selectivity of media; is that right?

Mr. DAVID. Yes, sir.

Mr. BROWN. It gives them selectivity as to economic use of the media? In other words, it can spend all of its budget in a few big markets depending on the size of the budget, or can spend its budget on the small markets in an economic sense.

It also gives it selectivity of the markets by audiences, does it not? The question was asked yesterday whether the people recruited to join the Army were essentially urban or rural. So there are market variations here.

Now, the paid-for time gives them a choice of timing in the campaign, as you just suggested, the time of year when they can demand the time because they are paying for it.

Also, if the O. & O. station which Mr. Van Deerlin referred to was fulfilling, during prime time, the public service announcement because it wanted a commercial-sounding presentation on the air at the time, it did so at the broadcaster's option, but if you want prime time to get Mr. Van Deerlin, on his way home from work, hearing the subject, you buy it or can buy it this way and select your time on the daily schedule. Is that true?

Mr. DAVID. Yes, sir.

Mr. BROWN. If you have selectivity by the broadcaster, the broadcaster has control over time of selection, he has control over markets, and has control, in fact, over choice of public service messages he puts out to his public. Is that not correct?

Mr. DAVID. Yes.

Mr. BROWN. In other words, the broadcaster is required to put out a certain amount of public service time?

Mr. DAVID. Yes.

Mr. BROWN. He can determine if it is on ecology, Peace Corps, Army, or whatever he wants to be done—the FCC makes no discrimination as to the subject matter of the time, so long as it is public service. Is that correct?

Mr. DAVID. As I understand.

Mr. BROWN. So you have the option of what the Government seems to be promoting in the hands of the broadcaster?

Then my third choice would be to require promotional time of the broadcaster, for the Government's purposes, free, which would be a usage of the broadcaster's time and presumably under a more stringent application of the public service time approach the Government could provide for a selection of the messages that it wants to purvey. Is that right?

How would you feel about it?

Mr. DAVID. It would seem to me it would be a very difficult decision to make. Are you referring to Government-based messages or to all public service causes?

Well, the Government itself is a very large requester of time for a great variety of causes.

Mr. BROWN. Well, the Peace Corps is a Government interest. And also ecology. And I would guess you get ecological messages from the Government as "Smokey the Bear" and "Don't Pollute"; and those are federally oriented.

Mr. DAVID. Yes.

Mr. BROWN. And "The Volunteer Army" and "Join the Air Force" and so forth is, also.

Now, assuming you were allowed a certain amount of time for localized messages, but the Federal Government says you ought to devote so much time to Federal messages and "Here are the Federal messages we would like you to present this week." Then you give that time.

Now, how does it strike you?

Mr. DAVID. I think this would be a very difficult form of regulation, because I think that by the nature of radio as a medium, different radio stations reach different kinds of audiences. They are different in their programing. They target in on different kinds of groups.

Therefore, as a requirement to do public service that would be applied on a blanket basis, it would probably cause inefficiency on communications from the Government's point of view. There would be certain groups you really wouldn't care to have contacted through this message, and other groups you would want for still another message, so I think a blanket would work less effectively than leaving it to the licensee, who has an understanding of his own audience and of his public service responsibility.

Mr. BROWN. If it were all three choices, what if the licensee says, "I don't want to sell the volunteer Army, I want to sell the Peace Corps or ecological messages"?

Mr. DAVID. I think that in practice broadcasters do make a decision based on the variety of requests that come to them.

Mr. BROWN. Or their own personal interests.

Mr. DAVID. Well, the way in which they interpret their public service responsibilities.

Mr. BROWN. Mr. Mitchell, who testified before you came to the stand, suggested that the Federal Government might select its stations or networks if it paid for the product, or paid for the promotion, based on what it thought of the philosophical orientation of the network or the station.

I submit that that is certainly a possibility. I think it has been known to happen with those people selling products.

On the other hand, if the option is left entirely to the broadcaster

himself, then the broadcaster makes that philosophical judgment as to which of the Federal interests he wants to push. Is that right?

Mr. DAVID. Yes.

Mr. MACDONALD. Mr. Tiernan?

Mr. TIERNAN. Thank you, Mr. Chairman.

Your function, as I gather it, is one of coordinating advertising on radio. What is your association? What does it do?

Mr. DAVID. The Radio Advertising Bureau's function is to seek to enlarge the market for radio advertising as a medium. We are supported by a large number of radio stations and station representatives and the networks, and we call on advertisers and agencies telling them about the advantages of radio as an advertising medium. We also gather information.

Mr. TIERNAN. Mr. David, in conjunction with that objective you would be in favor of the military services using radio as a paid proposition because it would be in the interest of the expansion of the Radio Advertising Bureau's objectives, wouldn't it?

Mr. DAVID. It would be in our interest, in the interest of our objectives, and also in the national interest, I believe.

Mr. TIERNAN. On page 2 of your statement, you indicate that a military career is not considered in high favor among many young people. I sort of agree with that statement.

I think yesterday afternoon the chairman clearly pointed out we are not selling aspirin or cars which we can recall back to the factory if they are defective.

Do you think we should undertake a paid campaign to enlist young men and women into the military forces?

Mr. DAVID. If I may, sir, I would like to state that I think that our Army forces should certainly undertake campaigns to stimulate volunteer enlistments in the Armed Forces. I think the question of whether or not they should be paid campaigns or not is perhaps best based on what is the most effective means of conducting that campaign.

Mr. TIERNAN. Well, in answer to Mr. Brown's question about the broadcaster has the control over where these public service announcements are placed, you know, in your experience in advertising and radio, that those public service announcements are not placed where the person who is asking them to be placed would like them to be placed.

They are not placed in prime time because generally that time is sold to someone who is going to pay for it. Isn't that correct?

Well, most public service announcements are used as fillers and not in an area where you have already sold time or an area where time is generally sold. Isn't that correct?

Mr. DAVID. I think that public service announcements are on the air at all times of the day. I think that more of them are on the air outside of prime time, yes.

Mr. TIERNAN. Let me state, again, yesterday, when we had the gentleman from the Army, he said they had received benefits of \$6 million in public service free time last year. Now, this campaign is going to mean expenditures of \$5 million in radio alone.

Now you tell us that because of the fact that it is going to be more effective because they have a right to say to the broadcaster, "We want it put on at a certain time"—isn't that correct?

Mr. DAVID. Yes.

Mr. TIERNAN. In your statement that means that it would be a better campaign. Is that right?

Mr. DAVID. Yes.

Mr. TIERNAN. That is, than merely leaving it to the radio stations to decide on the time it is going to be?

Mr. DAVID. Yes.

Mr. TIERNAN. I say it must be because you are not getting it on prime time as far as the Army is concerned.

Mr. DAVID. One of the reasons the Army cannot receive its donated time in prime time alone is because there are very many causes that are competing for the same time. I think there are literally—I think in the statement I had said “hundreds,” to be conservative, but I think probably more likely thousands of causes, and the broadcaster has to divide himself between these to provide a balance.

Mr. TIERNAN. Do you really think the Army is a new product?

Mr. DAVID. I think that is simply an expression. I do believe that the Army, by making major changes in its operation, is in effect a new organization, and that therefore it should make this clear to prospective enlistees.

Mr. TIERNAN. You don't think the objective of the Army today is any different than it was 10 years ago, do you?

Mr. DAVID. By no means. But I think they may very well be different in their personnel policies, which might have considerable influence on a young man in his choice of a career.

Mr. TIERNAN. You are aware that the other branches of service are not undertaking paid campaigns, the Marines, Air Force, and Navy have relied on the good will and the generosity of broadcasters in providing public service time and have been able to obtain their quotas through that type of campaign; you are aware of that?

Mr. DAVID. I am not familiar with the other services.

Mr. TIERNAN. Thank you.

Mr. MACDONALD. Mr. Collins?

Mr. COLLINS. Thank you, Mr. Chairman.

What concerns me is this. As to the radio stations, the Government allocates different amounts of time buying to different stations, and what is your reaction regarding stations that are not favored with a schedule?

Mr. DAVID. Well, I think that the stations that are not favored with a schedule would probably act very much as they would in the case of another type of communications campaign. They might very well go to the advertising agency and make a case for their inclusion in that schedule, if they believe there is a good case.

Mr. COLLINS. Specifically, if you had a radio station and they did not include you, would you be inclined with your radio station to continue public service programs?

Mr. DAVID. I can only speak for myself. If I were a licensee, the answer is “Yes, I would be so inclined,” because I believe it is my responsibility, as I had in the past, to allocate a certain amount of time to this purpose. I believe I would.

Mr. COLLINS. Do you think most of the stations would take the attitude, they don't care to object, particularly now they are getting into a competitive market—you don't look to any resentment here?

Mr. DAVID. I have not had opportunity in this sense to poll a large number of radio stations on this issue, so I find it difficult to know precisely what their thinking is. I can only give you my evaluation of what I think licensees would do.

I think they are responsible, and I think they are very concerned about fulfilling their public service obligations.

Mr. TIERNAN. Would you yield?

If the Army is paying for commercials, does it then take itself out of the category of being in public service any longer, as far as responsibility of a licensee before the FCC?

Mr. DAVID. Well, I don't think that it takes it out of the realm of being in the public service despite the fact they are paid.

Mr. MACDONALD. Well, why not? What difference does it make—the media, each one who has testified, including yourself, talking about it in terms of selling soap, automobiles, and so on, and if you are getting paid, why is that a public service?

Mr. DAVID. I think that we have to start with some kind of definition of what is a public service. I think a public service is something that serves the public interest.

Mr. COLLINS. Let me ask one more question. Do advertisers look on the entry of government as an advertising partnership, sort of that basis with them, would they like to see more and more government participation in the broadcasting industry?

Mr. DAVID. I can't really speak for advertisers. Again, I don't believe I have talked to them.

Mr. COLLINS. Would you say they do welcome this government advertising for the Army?

Mr. DAVID. Advertisers—you mean others?

Mr. COLLINS. The stations themselves do welcome this—is that right?

Mr. DAVID. I believe that a very considerable number of them do, yes.

Mr. MACDONALD. About \$5,100,000 worth of welcome, Mr. Collins.

Mr. COLLINS. That is all, Mr. Chairman.

Mr. MACDONALD. Mr. Frey?

Mr. FREY. Thank you, Mr. Chairman.

I would like to follow up the questions of Mr. Brown. Newspapers do turn down advertising, paid advertising. Let me ask you this to begin with: Do radio stations or TV stations turn down paid advertising no matter what it is?

Mr. DAVID. Well, of course they do. There are many that do.

Mr. FREY. OK. What would happen as a practical matter if, for instance, the group you represent in the industry said, "There will be no public service announcements for the volunteer army because as a group you don't believe in it?"

Mr. DAVID. As a practical matter, we would never take such a position. We do not, in any way, shape, or form, as an organization, set standards or make suggestions to our radio members as to their advertising policies or their public service policies.

Mr. TIERNAN. Will you yield?

Would the association turn down ads?

Mr. DAVID. Again, our association is not in a position of accepting or turning down advertising.

Mr. TIERNAN. Thank you.

Mr. FREY. Does the radio industry as a whole take positions on public service, for instance?

Mr. DAVID. Yes.

Mr. FREY. You referred to discrimination between yours and other media and your statement seems in some way somewhat hard-hearted because you say you leave it up to the Congress to decide, but if they say "No," then it should be all the way across the board. Is that right? Do you feel you would be discriminated against otherwise?

Mr. DAVID. I do not believe the Congress should say "No" to paid advertising. My position is that there should be the option to advertise where this would fit the circumstances, the needs, the requirements of a given governmental body; then I believe the option should be left open.

I believe that policy can determine whether or not you exercise that option.

Mr. FREY. We are really talking about Government coercion. You have a public service requirement of your media, the newspapers do not have a public service requirement; and do you think it is fair to say there is a certain amount of coercion or discrimination that exists just by this public service requirement?

Mr. DAVID. I think broadcasters feel a public service requirement very deeply and obviously are much more receptive to providing free time than the others.

Mr. FREY. If they don't then they will not then get their license renewed, will they?

Mr. DAVID. They are under obligation to provide public service time, yes.

Mr. FREY. Thank you.

Mr. MACDONALD. I would like to point out, Mr. David—well, first, how many clients do you have?

Mr. DAVID. 1,600.

Mr. MACDONALD. If you have 1,600 clients, I hope you don't inform them that paid advertising, even if the subject matter seems to be in the public interest, say, to raise an army—I hope you don't advise them that accepting money for public service spot still keeps those spots in the sphere of being public service in the terms that the FCC looks at it when they renew licenses.

I cannot speak for FCC, but I can speak for this subcommittee, I hope.

Mr. DAVID. I agree completely.

Mr. MACDONALD. Well, when I first asked it, you said, "First we have to define 'public service.'"

I don't know if you meant just that you needed to collect your wits.

Mr. DAVID. I didn't understand that was the intent of the question.

Mr. MACDONALD. That is my intent. Now I just want to clear this up, because you are not one man, but representing 1,600, I take it, and Mr. Tiernan asked you this question: "Would you consider the fact that being paid for these public spot announcements didn't constitute a breakthrough and was no longer public service?" You said "No."

And I then asked, after he yielded, why you felt that way; and you went into this about "defining public service."

Would you like to clear that up?

Mr. DAVID. Sir, if I may point this out, my function and the function of the Radio Advertising Bureau is not to work with the advertising community; I am not a lawyer. We are not based here in Washington, and basically our function does not involve the area of Government affairs.

So I am less familiar than perhaps some of the other witnesses with the meaning of the terminology.

You were thinking in terms of public service, in terms of the logging and Federal Communications Commission requirements, and I simply meant it was serving the public interest to reach out to the public with this form of advertising.

Mr. MACDONALD. Thank you very much.

Our next witness is Richard Jencks, president of the CBS Broadcast Group.

STATEMENT OF RICHARD W. JENCKS, PRESIDENT, COLUMBIA BROADCASTING SYSTEM BROADCAST GROUP

Mr. JENCKS. Mr. Chairman, I am Richard W. Jencks, president of the CBS Broadcast Group. I appreciate this opportunity to comment on House Concurrent Resolution 215 offered by Congressman Van Deerlin.

The broadcast licensee is charged with operating his radio or television station to serve the interests of his community. This is a trust that is not treated lightly. At CBS, one of the ways that we meet this public obligation is through the broadcasting of public service announcements for a wide variety of organizations operating in the public interest, such as health agencies, united funds, and other eleemosynary groups, and for all levels of government—Federal, State, and local.

Governmental beneficiaries of this practice include such diverse activities as the Justice Department's alien registration drive, the Department of Labor's continue your education campaign, several Federal drug abuse programs, Internal Revenue Service income tax information, and so on. On a State and local level, these public service announcements have assisted libraries, family counseling agencies, highway safety campaigns, and similar programs. Last year alone, the CBS television and radio networks and the CBS-owned television and radio stations carried 82,436 free announcements for Government agencies.

Our policy with regard to public service announcements requires careful screening of all material submitted, and those carried on a national basis take into account the recommendations of The Advertising Council.

However, I would like to point out that public service announcements may not always be an acceptable and complete substitute for paid advertising. Placement of public service announcements in the broadcast schedule is at the discretion of the station or the network. On the other hand, the paying advertiser can select his time slot to reach the best demographic audience distribution.

Reaction to the Army recruiting campaign has been mixed on

the part of broadcasters, even as it was in the Congress. At least one station reportedly turned down a contract. Others, including CBS, accepted the ads. These are diverse views, but they were made independently by stations free to make such decisions, not by legislative fiat. And this is as it should be.

CBS accepted the Army's recruiting advertising because it was not inconsistent with our own policies.

Had these same ads been offered as public service announcements they undoubtedly would have been aired, but there could be no guarantee that they would run at a time to meet the Army's wishes with respect to placement and scheduling, when the appropriate audience would be viewing television or listening to the radio. They also would have been in competition with a host of other public service announcements in order to obtain air time.

All broadcasting operations of CBS received \$1,272,655 for carrying Army recruiting campaign announcements. This represents approximately one-tenth of 1 percent of the total annual volume of business of CBS—an amount far too small to be considered in any way an influencing factor.

As a matter of comparison, the CBS Television Network last year broadcast, free, 1,140 announcements in behalf of 21 separate public service campaigns for various Government agencies. During the first quarter of 1971, the television network carried 374 free announcements in behalf of 15 separate public service campaigns for Government agencies.

We have checked our records for the past 10 years and find that the CBS Television Network has not carried any free recruiting announcements for any of the armed services in that time. The network has not been requested to do so, and the Advertising Council had not sponsored such a campaign. However, individual CBS-owned television and radio stations have carried armed services recruiting messages as public service announcements.

In the public service area, for Government agencies, the CBS-owned television stations last year carried 13,022 public service announcements; the CBS Radio Network, 2,596 announcements; the CBS-owned AM stations, 31,094 announcements; and the CBS-owned FM stations, 34,584 announcements.

In our view, the public interest can best be served if the individual station licensee makes his own broadcasting decisions, rather than have the Government dictate what may or may not be aired. No need for governmental intercession has been demonstrated regarding Government advertising that would warrant the measures proposed in Resolution 215.

We would note, also, it is an extremely far-reaching resolution in that it would tie the hands not only of Federal but also State and local governments which might wish to get their messages across at an appropriate time. I do not know whether this committee has heard from, or plans to hear from, representatives of State and local governments who may question the authority of the Congress to deny them the use of radio and television. I respectfully suggest these officials should be heard from.

Two of our television stations (WCBS-TV and WCAU-TV), two of our AM radio stations (WEEI and WCAU), and one of our FM

stations (WCAU-FM) have carried such paid announcements for State and local governments in 1970.

There may also be Federal Government or quasi-governmental agencies that might desire to advertise, such as the Tennessee Valley Authority, the new Postal Corporation, the new Amtrak organization. It is not clear how Resolution 215 would affect the ability of these entities to advertise on radio and television.

Finally, I would offer another major objection to this proposed measure, which I understand has been testified to by others, and that is that it is a discriminatory one, for it singles out one medium—broadcasting—while voicing no objection to the continued use of public funds to advertise in newspapers, magazines, billboards, and presumably CATV. If the Congress feels that the use of public funds for advertising by governmental bodies is wrong, we believe it should be an across-the-board application of the principles to all media.

Thank you, Mr. Chairman.

Mr. MACDONALD. Thank you, Mr. Jencks. Your statement shows you are a very good advocate for your company.

I must say I agree with about half of what you have here, and I disagree strongly with the other half.

On page 3, you indicate clearly about how many announcements were made and so forth. Frankly, I think the media has done a good job in the area of public service announcements. I think they are to be complimented, and I don't think the hearing is indicating in any way to the media that we feel—and I can speak only for myself—there is no animosity as to the media in this field, because I think that you have done a good job.

As a matter of fact, you have done such a good job, I don't see any need to start paying for something which has been given, and I can think of a good analogy, but I had better not go into it.

But I guess the Army's contention is that despite the fact the number of announcements are good, the time slots are bad. Now I don't know if that would be a fact, but I am sure that is their contention.

I wondered if you had any breakdown as to when these public service announcements have been made? How many are in prime and semiprime time and so on?

Mr. JENCKS. Unfortunately, I don't have a breakdown, but I would be glad to furnish it.

Mr. MACDONALD. It would be very helpful, if you would.

Mr. JENCKS. I will be very glad to furnish it.

(The following letter was received for the record:)

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., April 29, 1971.

HON. TORBERT H. MACDONALD,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: During my testimony before the Subcommittee last Thursday, you expressed interest in the number of public service announcements carried by CBS in prime time.

As you may know the concept of "prime time" as applied to the CBS Radio Network and the CBS Owned radio stations is somewhat illusive since the prime listening hours on radio are not nighttime hours and are extremely

difficult to define. In television, on the other hand, "prime time" is clearly recognized to apply to certain nighttime hours, usually considered to be between 7 P.M. and 11 P.M. For the purpose of responding to your inquiry, therefore, I am assuming that it was directed to television. If, however, you desire a breakout of radio "prime time" announcements, please so advise me.

With respect to the CBS Television Network there were 720 public service announcements carried between 7 P.M. and 11 P.M. during calendar 1970. Of this number, 178 were on behalf of government agency campaigns. During the first quarter of 1971 the Network carried 78 public service announcements in prime time of which 44 were for government agency campaigns.

The number of prime time public service announcements carried by the five Company Owned television stations during the periods referred to is the same as that given for the CBS Television Network since public service announcements inserted locally by the stations are scheduled other than in prime time.

I enjoyed the opportunity to appear before the Subcommittee, and I would like to express my appreciation for the courtesies extended.

Sincerely,

RICHARD W. JENCKS,

President, CBS/Broadcasting Group.

Mr. MACDONALD. Also on page 3 you indicate you would have put on free recruiting announcements for the Armed Forces although you have not done so for the past 10 years?

Mr. JENCKS. Well, these have not been on the CBS Television Network for the past 10 years, but we have carried them quite recently on some of our stations.

Mr. MACDONALD. Could you repeat that?

Mr. JENCKS. I said the reference to not having carried them for the past 10 years was only with respect to the CBS Television Network. With respect to the stations that we own directly and operate, such as our radio station in Boston and our television station in New York, the recruiting announcements have been carried on a public service basis.

Mr. MACDONALD. Well, it was my impression, although I just re-read your words, it is my impression you would have carried these if someone had asked. Am I correct?

Mr. JENCKS. That is right.

Mr. MACDONALD. You know, I am kind of struck, and this is not strictly within our jurisdiction, but I am thunderstruck that the Army would start a program of this magnitude—and maybe that is not a large amount of money in the Pentagon, but it is a lot of money on this side of the river—a program of this magnitude, without asking for it free. If you don't ask, you can't expect to receive. I am delighted to hear you would have given it to them had they asked.

Maybe if they read the record or come back to appear before us, perhaps we will suggest that they do ask.

Once again, I am not going to get into the business that you feel you are being discriminated against, and I went through it with the gentleman from NAB, and I have been through it with many of you people, but I still can't possibly understand why you people do not understand that Congress has absolutely no jurisdiction over newspapers—which I repeat I think is fortunate—or magazines or other periodicals, and for you to say that newspapers and periodicals and so forth should be treated the same way as broadcasters is inconceivable.

We don't license them, but we license you. You are given the opportunity to use a public airway in the public interest, convenience, and necessity. I don't see why it does not clearly sink into your minds.

I know it does, because I notice how nervous many people get every 3 years; about the last 6 months particularly, I notice in many stations a strong upsurge in good programing towards the end of that period. So I am sure you must know and feel that you are not in the same category with the other media.

Mr. JENCKS. I certainly don't want to be understood as saying there is never, in any context, any difference between the position of television and radio on the one hand and newspapers and magazines on the other. But, in the context that we are discussing at this hearing, which is expenditure of public funds on all media—where the Congress and indeed this House controls the purse strings of the Government—I think it is appropriate that the Armed Forces should have a consistent policy as regards advertising in the media, and that there is no reason to permit them to advertise in some while prohibiting them from advertising in others. That is all I want to say.

Mr. MACDONALD. You are saying that if they are prohibited in use of the broadcast media they should be prohibited also in newspapers?

Mr. JENCKS. That is right, as I explained before.

Mr. MACDONALD. If that is your narrow point, I do not have too much quarrel with that. But I don't want to get into a subject I know is dear to your hearts at this very moment, I am sure.

Mr. Van Deerlin?

Mr. VAN DEERLIN. Mr. Jencks, you testified that \$1,272,000 and one-tenth of 1 percent of your gross income would not be sufficient to influence CBS. You did not, of course, intend to suggest by this there is any amount, or any percentage that could have been listed, which would influence CBS?

Mr. JENCKS. No, I think our record has not, of date, or indeed, for many years, indicated a great susceptibility to influence from that direction.

Mr. VAN DEERLIN. There is no way of influencing the network's evaluation of news or opinions through the cash register?

Mr. JENCKS. The suggestion that because of something we broadcast the Army recruiting money should not be spent with us, was a most unfortunate one. I would think that there are serious questions of propriety and possibly of law as to whether the Federal Government could decide on whether or not to spend advertising moneys on the basis of its view of positions on controversial issues taken by broadcasters.

Mr. VAN DEERLIN. Too often, however, there have been efforts to influence and hamstring news media. It is with this in mind that I was moved to ask that this resolution be prepared.

Now, in connection with the matter of hearing State and local officials who might question the authority of Congress, I don't think anyone is seriously questioning the authority of Congress to pass a resolution like this. Whether it is wise or not is another matter, but surely the authority is vested in Congress.

And I just want you to know the National Governors' Conference was served notice of the hearings and invited to testify, and decided that they didn't have a sufficient stake to be represented here.

I thank you very much for being here yourself, though.

Mr. MACDONALD. Mr. Brown?

Mr. BROWN. Mr. Jencks, I am interested in your testimony because it is very informative, also factual. It represents, also, some viewpoints on the philosophical nature of this thing which I want to explore.

If I may make some observations about discrimination among media, there is already discrimination in the fact that the Federal Government requires public service announcements in radio and television, and of course public service space is not required, although it is given frequently, in the other media, such as newspapers, magazines, and billboards. But we currently leave to the broadcaster the kind of public service announcement he will carry.

Now, a paid ad would obviate that discrimination, would it not? In other words, you would get in the newspapers or magazines presumably what you paid for, and likewise, in television and radio what you paid for, if you were the Government that was asking for an ad and was expecting to pay for it.

Mr. JENCKS. Right.

Mr. BROWN. Now, we have also discrimination with reference to tobacco advertising in networks and television and radio, and have not done so yet in the newspapers—and I say “yet,” because it occurs to me there has been some suggestion in that area, and it strikes me, and did at the time, as peculiar we would prohibit the advertising but not prohibit the product. But that is also a form of discrimination, is that right?

Mr. JENCKS. Yes.

Mr. BROWN. Now, you indicate in your comments in your prepared statement that “CBS accepted the Army's recruiting advertising because it was not inconsistent with our own policies.”

I gather that sentence is not in the testimony casually?

Mr. JENCKS. Yes, it is not.

Mr. BROWN. That you feel, as a network, the right to refuse advertising as many newspapers and radio stations do, and as Mr. David testified was true in the radio industry.

Mr. JENCKS. That is right.

Mr. BROWN. So I would like to pursue it a little further on a comment you made to the chairman or Mr. Van Deerlin, I am not sure which, about the right of the Federal Government to deny to a portion of the medium or individual broadcaster or network its advertising budget if it spends money.

If the broadcaster has the right to refuse advertising, does the Government have a right to also refuse it if it is spending a budget?

Mr. JENCKS. I think it has a right to refuse it on business grounds—whatever may be permitted by the legislation relating to Government purchasing of goods and services—but I did suggest that it may not have a right to refuse to buy or lease a product or service from A or B, and give the business to C because it does not like A's or B's politics; that is something else.

Mr. BROWN. Assuming CBS did not approve of the volunteer army as a Federal policy, would CBS on that basis refuse to accept the advertising the Federal Government offered to pay for?

Mr. JENCKS. I think that under our structure of broadcasting a licensee has to make the judgment as to what policy to pursue in the public interest, and it has been a policy of ours and of most broadcasters to refuse to carry 30-second or 1-minute spot announcements on current controversial issues, with the exception of political campaign announcements and announcements on ballot issues—on the grounds, among others, that such spot announcements provide too short a format to seriously discuss controversial issues.

Mr. BROWN. You mean network and station policy should have that?

Mr. JENCKS. Yes. As you may know, this policy is now before the courts in the litigation started by the organization known as Businessmen's Move for Vietnam Peace.

We would apply that same policy to the Government spot announcements as well which were deemed to be controversial.

For example, if an army recruiting announcement got into an argument about whether the Nation should rely entirely on a volunteer army or not, that might well be a controversial public issue. But ordinary recruiting announcements have been held by FCC not to present a controversial issue. And it is for that reason that their acceptance was not inconsistent with our policies.

Mr. BROWN. As long as what the Government is paying for is not controversial in terms of your definition or FCC's definition, you would accept it; but if you felt it was controversial, you would not accept it. Is that correct?

Mr. JENCKS. That is right.

Mr. BROWN. Does the same thing apply to public service announcements?

Mr. JENCKS. Yes, the same thing applies, whether they are paid or unpaid; if the public service announcement presented a point of view on one side of a controversial issue, we would refuse it.

Mr. BROWN. Suppose you didn't agree with the general principle involved in a public service announcement, who makes the determination as to which public service announcements will be used and which will not be used?

I notice the network presented 1,140 public service announcements but indicated none of them dealt with recruitment for any of the military services.

Mr. JENCKS. Yes, in that case because we have no record of having been requested by the Government to carry military recruiting announcements on the network.

Mr. BROWN. Does it represent a policy, though, of the network? That is what I am trying to determine.

Mr. JENCKS. No, in that case we would have accepted, as I have testified, military recruiting announcements on the network just as we have in fact accepted them on the stations.

Mr. BROWN. Just one final question. Who makes the determination as to which public service announcements will be carried, who in the network makes it?

Mr. JENCKS. In general, by our vice president in charge of program practices on the network, who reviews the various submissions that are made to us for network public service time.

Mr. BROWN. Thank you.

Mr. MACDONALD. Mr. Tiernan?

Mr. TIERNAN. Thank you.

I don't have too many questions, but I want to concur with the chairman and ask you whether or not—and I understood you to respond that the network would have carried these announcements if they had been asked?

Mr. JENCKS. Yes.

Mr. TIERNAN. You say that the Advertising Council, as far as you know, did not sponsor such a campaign?

Mr. JENCKS. I believe that to be the case, yes.

Mr. TIERNAN. How does that actually work? If the Advertising Council suggests we undertake a campaign for the Cancer Society, they contact the networks and then the networks concur with their recommendation. Is it ultimately up to the networks to decide whether or not to go along with the council?

Mr. JENCKS. That is right. The Advertising Council each year decides on a number of major campaigns, as well as campaigns of a less major nature, into which it puts its creative and other efforts to develop appropriate campaign strategies, announcements, and advertising materials.

Mr. VAN DEERLIN. Will you yield?

We will have the Advertising Council to present testimony.

Mr. JENCKS. And each network decides which of those campaigns to make them available for.

Mr. TIERNAN. Has there been any campaign recommended by the council you have not carried, as you recall?

Mr. JENCKS. No, I doubt if there is a major campaign recommended by the council that we have not carried. At least I am not aware of any in the years in which I have been associated with the network. But the council also is responsible for many smaller campaigns, not all of which perhaps we would be able to carry.

Mr. TIERNAN. Thank you very much.

Mr. MACDONALD. Mr. Collins?

Mr. COLLINS. Thank you, Mr. Chairman.

Mr. Jencks, you are the president of the CBS broadcast group, and can you tell me what your job involves?

Mr. JENCKS. I will be delighted to. The CBS broadcast group comprises all television and radio broadcasting operations of CBS, the four divisions in the broadcasting field. Those divisions are CBS Television Network, CBS Radio, CBS News, and CBS Television stations, which are the five television stations that we own.

The presidents of those four divisions report to me.

Mr. COLLINS. You really have a very good cross-section picture, then, of this entire situation that we have.

I am interested in two phases of it in particular, and one of them is this matter of the Government going in and participating as a customer in this broadcasting field where you are and it only makes up one-tenth of 1 percent of your volume.

Do you see anything desirable about it from your operation?

Mr. JENCKS. If you are asking me, Mr. Collins, from the standpoint of our operation, it is really too small to have any impact one way or the other. We did not feel that we should, as a matter of policy, second-guess the Army.

If they come to us with recruiting ads and say that they think it is in the interest of the military services to buy them, we do not think we should say to them: "You are all wet. You should not do it;" "You made a bad judgment." We thought that, all things considered, the best thing for us to do was to carry the business.

Mr. COLLINS. I think that is right. Let me take it another step further. Just as a matter of business operation, would you like to have Government business? Is this a desirable business? In the future—and this is leaving out the Army recruiting—do you basically think the Government, through its different departments, should be a buyer of advertising from radio and television?

Mr. JENCKS. I think it should be for appropriate purposes. Let me give you an example, because at one time in my life I was a city councilman and happened to be one in a city which had a municipally-owned power company. Now in that kind of situation, with that kind of activity, I think there is a clear need—or there used to be considered there was a clear need—for power companies to advertise.

It seemed to me that just because it happened to be a publicly-owned power company, that should not prohibit it from using the same tools that it would if it were a privately-owned company.

Mr. COLLINS. Most everything the Government has is a monopoly. Could you cite a Federal case of what you think might be a good example as far as advertising is concerned?

Mr. JENCKS. I suppose Railpax, for example. If we are going to promote intercity passenger service, it may be necessary for some advertising to be done in that area.

Mr. TIERNAN. That is a private corporation now. I mean Railpax.

Mr. JENCKS. Perhaps I am uninformed as to the structure. It is certainly governmental in conception.

Mr. TIERNAN. It is set up, though, under the District's corporate laws as a private corporation and will issue stock. There may be some quasi ones, such as the Postal Service Department.

Mr. JENCKS. Yes.

Mr. COLLINS. One other thing which I would like your opinion on, I always wondered to what extent the Government ends up as a partner, sort of senior partner, any time you go into business with them one way or another, and to what extent do you think Government partnership is good for business in the broadcasting industry?

Mr. JENCKS. Well, our partnership with the Government in the broadcasting industry is close and sometimes excruciating. I would hate, Mr. Collins, to see the Government become too large a factor in advertising in this country in any medium, including television and radio. So long as the Government, by and large, does not widely get into private enterprise, I doubt it will become a major factor in advertising.

Needless to say, I would not like to see the Government become

any more of a partner in the broadcasting business than it already is by virtue of regulating it.

Mr. COLLINS. Thank you.

Mr. MACDONALD. I don't think that you have anything to fear about us funding large amounts of advertising.

Mr. JENCKS. Thank you, Mr. Chairman.

Mr. FREY. I want to pursue a couple of things mentioned by Mr. Collins and your statement insofar as we have too much Government to start with.

There is one thing that bothers me. You are in the business of making money?

Mr. JENCKS. That is right.

Mr. FREY. You are on the big board, and if I remember my law, you have a fiduciary duty to the stockholders.

Mr. JENCKS. Yes.

Mr. FREY. Let's take an example where the Government is pouring large amounts of money into advertising and the market is down, nobody is advertising. And you are faced with a situation where it is going to one of your competitors, and, instead of one-tenth of 1 percent, it is 10 percent.

Now, in all fairness, you would have to consider this as a factor, don't you?

Mr. JENCKS. That is right. I would hope we wouldn't be influenced in our news and public affairs policies, but I wouldn't want to be tempted even by Government expenditures of that magnitude.

Mr. FREY. I think in all fairness, talking practically, there is that possibility. I think this is part of the problem we are worried about.

Yet, on the other hand, do you conceive of situations or can you conceive of them where it would be a good thing for the Government to pay for certain advertising, say, on a limited basis?

In other words, is maybe the answer a minimum amount for legal advertising, say, advertising for Railpax or some common good, that we all accept as a public interest?

Mr. JENCKS. I have not thought about any formula because, as I said earlier, I don't see any present indication that Government spending on advertising is likely to get out of hand in the near term. I suppose that some distinction would have to be made between proprietary activities, such as the Postal Service or other activities of that sort—and perhaps "proprietary" is not the word, but "public,"—or where they are advertising in connection with a service the Government is rendering to the public, which seems to me to be one kind of problem.

But in direct answer to your question, I have not thought about a formula or limitation. I would hope that government expenditure would not reach the point where we had to be concerned with that.

Mr. FREY. I am in somewhat of a dilemma, because I agree with the thrust of the resolution but recognize the needs of a quasi-public corporation, for instance, to advertise that might cause complications we have not even thought of.

Thank you, Mr. Chairman.

Mr. MACDONALD. Mr. Jencks, I know you didn't mean to mislead the newer members of the committee by saying that CBS's main

purpose was to make money. We all know CBS is there to serve the public interest, convenience, and necessity.

I thought maybe you want to clear up the record yourself.

Mr. JENCKS. You have witnessed it better than I could, I am sure, and I certainly didn't want to leave the impression that was our sole purpose. It is a purpose, as Mr. Frey suggests, that our shareholders have some sympathy for.

Mr. MACDONALD. Any further questions?

Thank you very much, Mr. Jencks.

Our next witness is Miss Elizabeth B. Johnson, assistant professor of telecommunications at San Diego State College.

STATEMENT OF MISS ELIZABETH B. JOHNSON, ASSISTANT PROFESSOR OF TELECOMMUNICATIONS, SAN DIEGO STATE COLLEGE

Miss JOHNSON. Good morning.

I am pleased that my expression of great concern over the Army's advertising campaign has brought me to this committee to testify today. I communicated vociferous disapproval to my representatives, and I did so from a point of view representing three roles which my background thrusts upon me. First, I have reacted as an educator, for I am responsible for the broadcast advertising curriculum at San Diego State College; second, as a former member of the advertising profession; and lastly, of course, as a citizen and a taxpayer.

As I have given serious thought and study to this issue, a number of important questions have occurred to me. Most are questions which undoubtedly have occurred to members of this committee, but perhaps a review of my perceptions of this campaign might be helpful.

This campaign breaks a long-standing precedent and may establish a new one. The ramifications should be carefully considered. The broadcast spectrum belongs to the people, and the licensees of the stations serve as stewards for the public interest. To serve the "public interest, convenience, and necessity" is part of their charge by the FCC. One way in which stations fulfill this obligation is through countless public service announcements for both Government and private agencies. Their generosity in providing this time is historic. In the Army's behalf, untold thousands of announcements and programs have been and are broadcast free of charge. Is the Army's situation now so truly desperate that the only way they can meet their recruiting goal is to spend public dollars buying time on media that belong to the public?

Parenthetically, if a volunteer Army can be raised through prime time radio and TV advertising, I'll be very much surprised. If it is successful, it will be a powerful testimonial to the impact and influence of the Nation's broadcast media. If indeed broadcasting is that influential, then broadcasters must diligently guard themselves against the vested interests of any government agency.

What is the impact of a \$10 million campaign on the Nation's broadcast media? Economically, during this slump, it's an unexpected windfall. I have talked with only a few broadcasters regarding this. None of them approved of the Army buying time, but un-

fortunately, in my opinion, their disapproval of this in principle was overridden by the practical. If they didn't accept the contract, their competition would. I have no vested interests in this campaign, so I concern myself with what I consider the more serious ramifications.

The Nation's broadcast media are regulated by Government. If military advertising spreads and grows, in what situation will the broadcasters find themselves? They'll find themselves regulated by Government, deriving a portion of their income from Government, yet still struggling to maintain membership in the fourth estate and report fully and objectively on Government activities.

The Nation's news media, particularly the broadcasters, are currently and continually under the gun. They are sensitive to mounting criticism and threats of more stringent regulation. How will a massive Government advertising campaign influence this situation? I don't know, but regarding "The Selling of the Pentagon," I read with alarm this statement in the April 5 issue of *Advertising Age*:

... Chairman F. Edward Hébert of the House Armed Services Committee was so displeased by this documentary that he has suggested that CBS not be included if the Army ad drive goes into a second 13-week phase.

Perhaps Mr. Hébert regrets his statement. I would certainly hope so. The implications, however, are clear, and they are very, very serious.

The FCC encourages broadcasters to editorialize. Many of them do, but a great many do not. Why not? It may be that editorializing requires too much staff and budget, and that the complexities of abiding by the Commission's fairness doctrine are so confusing and time-consuming that it just doesn't seem to be worth it. If the Government becomes one of the Nation's major advertisers, how would this influence a station manager who felt motivated to editorialize on the Army, the draft, or any other issue related to Government?

What about the station salesman who, hungry for a new order, calls on the timebuyer who selects the stations for the Army's campaign? I can hear it now: "You place this schedule on my station, and I'll see to it that we run 10 PSA's every week for Army recruiting." I know something about how time is bought and sold, and the opportunities for "wheeling and dealing" in a situation like this are considerable.

How are these tax dollars, earmarked for broadcast advertising, to be distributed among the 6,500 radio and 700 television stations? Does everyone get a piece of the action? Obviously, not all the stations will be bought, unless the Government is prepared to sink significant budgets into advertising. Will buys be made, as in marketing soap, on only the high-rated, popular stations?

For the smaller stations which are not bought—what possible motivation is there for them to continue to run public service announcements for Army recruiting when their competition across the street is being paid to run the same spots? Will the stations that are bought discontinue Army PSA's, and run only the spots they are paid to run?

How will this campaign affect the recruiting efforts of the other branches of the military? Their deep concern is already well known. Will they find it necessary to imitate the Army? If this practice

mushrooms, what will be the impact on all the other small government and private agencies that now rely on free public service time?

The broadcasters who disapprove of this advertising campaign are most concerned that any action taken by the Congress to stop this practice also include the print media. To forbid the Army to advertise on radio and TV, but give its blessing to newspaper, magazine, and other print advertising, is arbitrary and discriminatory. It is very much akin to the cigarette advertising issue. In this instance, ethics will dictate that advertising is advertising, whether print or electronic.

This leads me, as a concerned citizen, to ask what seems to me to be the essential question: Should the U.S. Government spend tax moneys to advertise itself? If so, how much? And in what manner? Where is the line drawn between public education and propaganda? Does, indeed, the U.S. Army have the blessing of the Congress to spend \$10 million in recruitment advertising?

I know little about the Army's manpower problems, except that they find themselves in a terrible dilemma. However, the Army must resolve their problem without creating new ones for the Nation's news media. Freedom of the press, and that includes the broadcasters, must be jealously guarded. The opportunities for subtle or overt manipulation through multimillion dollar advertising budgets constitutes a real threat. This campaign may have short-range expedencies for the Army, but the long-range ramifications for the Nation's broadcasters are, I believe, more important. I urge the Congress to take whatever action is necessary to force the Army to immediately cease the expenditure of public funds for recruitment advertising.

Mr. MACDONALD. Thank you very much, Miss Johnson, for a very fine statement.

Mr. Van Deerlin?

Mr. VAN DEERLIN. I have no questions, Mr. Chairman.

I do consider it a very thorough, sound, and comprehensive statement. I am pained only that, even from my own home community, I find this accusation of discriminating against what was once my bread and butter.

Mr. MACDONALD. Mr. Tiernan?

Mr. TIERNAN. Thank you, Mr. Chairman.

On page 4 of your statement with regard to the motivation for small stations to run public service announcements, isn't it more serious than that?

I asked one of the previous witnesses about this, that there is no further responsibility there for a small station or a station that does not receive a paid commercial to place any of these commercials for the Armed services on their station.

Miss JOHNSON. It is not a question of motivation.

Mr. TIERNAN. It is not a question of motivation, there is just no further responsibility, and I think they remove themselves from the area of public service.

Miss JOHNSON. Yes. There were so many requests for free time. I don't know, but I would wager there would be some broadcasters who would say: "Since I am being paid to run Army recruiting spots, I

will take them off of my list of public service announcements because I have so many other requests for time."

Mr. TIERNAN. On page 5, you also indicate that those broadcasters—this is on page 4 and goes over—say we should stop it in all areas, and of course they have jurisdiction over their own communications, and Mr. Van Deerlin's efforts are to stop this new breakthrough of an agency of the Federal Government undertaking selling of its services as soap and aspirin and what-not are sold. Then you go on to say that we should stop the advertising in the press and in the magazines.

But that is not in the same category as broadcasting, because it is the public airwaves, you see.

Miss JOHNSON. Well, I don't agree. I think Mr. Brown earlier this morning talked something about distinctions versus discrimination between the print media and electronic media. Certainly the Government regulates the broadcasters, but if you talk about media in this country as sources of news, and a free and open press, I think to single out the broadcasters and tell them they cannot accept money for Army recruiting campaigns, but give your blessing to print advertising—I don't know.

Mr. TIERNAN. In the beginning of your statement, you clearly point out that the airways are public domain, and you don't see the distinction between that and the press?

Miss JOHNSON. No, I certainly do not in this instance, because I would urge the Congress to stop the Army from spending these moneys, not to prevent the broadcasters from accepting these advertising contracts.

Mr. TIERNAN. Thank you, and thank you, Mr. Chairman.

Mr. MACDONALD. Thank you very much, Miss Johnson.

The next witness is Robert Keim, president of the Advertising Council.

STATEMENT OF ROBERT P. KEIM, PRESIDENT, THE ADVERTISING COUNCIL, INC.

Mr. KEIM. I am not sure you gentlemen received copies of what I have here.

Mr. MACDONALD. We did.

Mr. KEIM. My name is Robert P. Keim. I'm president of The Advertising Council, Inc. I have been asked to appear before this House Communications Subcommittee as a witness in connection with the concurrent resolution submitted by Congressman Lionel Van Deerlin on the matter of the purchase of paid time on radio and television by the U.S. Army recruiting command.

While the work of The Advertising Council has been well known to Congressman Van Deerlin, who has been one of the council's staunch supporters over the years, perhaps I should explain briefly for this committee and for the record what The Advertising Council is and does.

The council is, essentially, the public service arm of advertising and business. It was formed in 1942 to mobilize the resources of advertising to help communicate to the American people the things

that they could do to help win the war, ranging from planting victory gardens to buying war bonds.

When the war ended, the value of the council impelled its supporters to keep it going, to assist in the problems facing our postwar economy and society. It has continued on essentially the same basis to this day, conducting campaigns ranging from A for "Aid to Higher Education," to Z for "ZIP code."

Slightly less than half of our campaigns are conducted on behalf of Federal Government agencies—campaigns such as "Continue Your Education," for the Department of Labor, "Drug Abuse Information," for the National Institute of Mental Health, the Department of Justice, and the Department of Defense, the "Savings Bonds Campaign," for the Treasury Department, and one of Congressman Van Deerlin's favorites, "Smokey the Bear," for the Forest Service of the Department of Agriculture. Others are conducted for private organizations, such as "Traffic Safety," for the National Safety Council, and "Give to the College of Your Choice," for the Council for Financial Aid to Education—a total of 24 campaigns in all.

When a campaign is accepted by our board of directors and approved by an independent public policy committee of 24 leading citizens, a volunteer advertising agency is appointed by the American Association of Advertising Agencies to perform the creative work free of charge. In cooperation with national and local media, the council arranges for free space and time for the advertising messages in newspapers, consumer magazines, business publications, outdoor, transit and direct mail, as well as television and radio stations and networks.

The only cost to the sponsoring organization is for the production costs of the plates, mats, car cards, outdoor posters, film spots, radio recordings, et cetera, which average \$75,000 per year per campaign. The overhead costs of the council are defrayed by contributions from business and industry, as well as the advertising trade associations.

To our knowledge there is no other professional organization that mobilizes its resources in the public interest in such a comprehensive manner and that has done so over such a long period of time—almost 30 years.

The council's criteria have remained the same over the years:

(1) That, if the organization is a fund raising one, The Advertising Council will take into consideration whether or not it currently meets the standards of The National Information Bureau.

(2) That the project be noncommercial, nonpartisan politically, and not designed to influence legislation.

(3) That the project be national in scope, or sufficiently national so that the great bulk of the national media audience has an actual or potential interest in it.

(4) That the appeal for support shall be one properly made to Americans generally. The project will not be rejected because it is in the interest of one group if it has such a wide appeal, but it will be rejected if the appeal for participation is limited to special groups.

MR. VAN DEERLIN. Excuse the interruption, but would that paragraph 4 in your opinion apply to a campaign for Army recruiting?

MR. KEIM. Yes, sir.

Mr. VAN DEERLIN. In other words, unless you were going to get people of all ages and sexes?

Mr. KEIM. Yes, it could be a deterrent there.

(5) That the project be of sufficient seriousness and public importance to justify treatment before the national media audience.

In recent years, as domestic problems have accelerated, requests for council assistance have multiplied; 4 years ago, the average number of campaigns per year was 16; today, it is 24. We are straining every resource to keep up with the pressing social needs in the area of drug abuse, population growth, pollution, the crisis in our cities, food, nutrition and health, minority business enterprise, et cetera.

I hope I have not strained the patience of this committee in explaining the background and present situation of The Advertising Council, but I think you will see that it bears upon your present consideration of the appropriateness of the purchase of time on radio and television by the Army recruiting command.

The question you might well ask is why this recruiting advertising cannot be handled along the same lines as an advertising council campaign.

Proud as I am of what The Advertising Council has done and is doing, I would be the first to admit that we do have limitations. I am not talking here about the obvious limitations imposed by our criteria—namely, that a campaign be noncommercial, nonpartisan politically, and so forth, but rather the technical limitations we would face if we were to take on the Army recruiting campaign.

At one time or another over the years we have been approached by all of the military services and their related components, such as the Reserve forces, for direct recruiting campaigns. You can easily see our dilemma. If we accepted one, we would have to accept all such programs, and this could then extend to other government departments that need to recruit specialists of all types. We could hardly do so without abandoning practically all of the other campaigns we are conducting in the national interest.

Indeed, in 1956, we attempted to meet the combined requests of all the military services—the Army, the Navy, the Air Force, the Marines, the Coast Guard, and the various Reserve forces—by conducting what amounted to an information campaign called “It’s Your Choice,” which explained by means of a booklet offered in the advertising the various career opportunities open to young men and women in the military services. While this program was undoubtedly a helpful one, it could not be considered an overwhelmingly successful one from a recruiting standpoint, even though the climate in which the military services operated then was a far more favorable one than it is today.

In recent years, we have not been asked to take on a military recruiting campaign. Were we asked to do so—let us say, on behalf of the Army, which undoubtedly has the toughest recruiting job, because of its size and many other factors—we would have severe reservations about our ability to do the job.

First of all, the council’s media support is a broad-based one. In the broadcast media, our spot announcements are carried in both prime and nonprime time periods. Our network allocations are

spread throughout the schedule. They are divided up among 24 campaigns, each of which receives a proportionate share of the coverage. We welcome coverage that reaches all kinds of viewers because our campaigns are deliberately selected to reach the broadest kind of mass audience to acquaint them with problems facing the Nation and to suggest positive actions that everyone can take to help solve them.

The audience that the Army wants to reach is a highly selective one. Much of the circulation we would provide would be wasted circulation. While a little old lady in Dubuque is a likely target for the average council message, she would hardly be one for the Army. Through skillful media buying based on the demographics of the audience for particular programs, a professional advertising agency is able to utilize its media dollars efficiently. To come even close to it we would have to concentrate almost exclusively on Army recruiting messages to the exclusion of all other council messages, and obviously we would be loathe to do so; much as we might sympathize with the Army's recruiting problem, we are, as I've described earlier, concerned with many, many other problems facing our society as well.

You might well ask: Is there any alternative course of action open to the Army between the paid advertising route and the advertising council approach? The answer is, of course, that the council is not the only vehicle to obtain free public service time. Hundreds of other organizations and causes obtain such cooperation from the networks and local stations throughout the year. The council neither is nor does it desire to be the exclusive route to such media cooperation. But the very multiplicity of such requests from so many organizations in effect answers the question. The Army and all the other recruiting services find themselves, as we do, one among many, each of whom feels that his cause or his organization deserves every bit of free time it can get. I am continually impressed by the patience and fortitude with which broadcast management tries to give each deserving cause a proportionate share of time in their public service schedules.

We have seen it work wonders. We have seen it help cut the traffic death rate in half, double nonalumni gifts to colleges, save \$17 billion in timber, help reduce the dropout rate, encourage the hiring of 400,000 hard core unemployed, to mention just a few council campaign accomplishments.

But these results were obtained over many years of time benefiting from the cumulative impact of messages that slowly but surely seep into the minds and then the actions of millions of people.

The Army's problem is, as I understand it, an immediate need. Recruiting anyone for a commitment that may involve a lifetime is a formidable task. Hence, I would submit that the current concentrated effort is one that from a practicable standpoint could probably only be undertaken via the paid advertising route. It is an effort that will undoubtedly permit all concerned to learn valuable lessons. Whether it is a wise course to pursue indefinitely is a question that properly concerns this committee and the Congress and all thoughtful Americans. I think we have heard enough said on both sides of the table on that point.

I have enough faith in all three of those bodies to feel that should the implications of the current approach prove undesirable, and this was the point I believe Mr. Jencks made, the use of purchased advertising by Government agencies is not irreversible, by a long shot. But mindful of the circumstances under which this campaign was launched, and based upon my experience in this area of trying to obtain public service time in a concentrated shortterm period, I feel the current program offers a credible testing ground from which we can all learn some important lessons.

Mr. VAN DEERLIN (presiding). Thank you very much.

Mr. Tiernan?

Mr. TIERNAN. Thank you, Mr. Chairman.

On page 7, you indicate as to the 24 campaigns that the council decides on, all of the networks spread the spot announcements throughout the schedule, both prime and semiprime time?

Mr. KEIM. That is correct.

Mr. TIERNAN. So that if the council had decided to undertake the campaign for the Army as a public service, the networks, or all of the networks, would have accepted that campaign effort throughout their schedules?

Mr. KEIM. Essentially, yes.

Mr. TIERNAN. Who makes the selections on the time placements in these schedules? Is it the networks or the council?

Mr. KEIM. We work together on it. The system was worked out with the networks originally and essentially every 2 weeks each program will carry a council message. We prepare a list of our spots for use on all of the network programs just as you would for a commercial message schedule. We will recommend an appropriate council campaign for each period.

If you are thinking in terms of 24 campaigns, and I may be oversimplifying it a little now, you can figure that you could schedule two or more of those campaigns in a month. And then you divide the appropriate programs up among the campaigns.

Actually, although we don't book it exclusively that way, the "Smokey Bear" campaign, for example, would obviously get more concentration in the high-risk periods for forest fires in the summertime.

Mr. TIERNAN. So that if the Army program had been accepted by the council, this could be scheduled in the time of year when they testified that they are targeting it for a 13-week test period right now, so that students graduating from high schools can consider this as a possible career undertaking, and the fact you say that the criteria of the council might be some roadblock we would never know, because the Army didn't present this to the council, did it?

Mr. KEIM. That is true.

Mr. TIERNAN. You said, in answer to Chairman Van Deerlin's question, that this might be a serious problem because a little lady in Dubuque might not be affected, but I don't follow it, because, you see, the Army testified they were targeting not for the young student only, but also for the parents and maybe also for all of the Americans in this country where they say "We need this Army and we have to protect our country; we are committed throughout the world." So maybe it does affect the little old lady.

Mr. VAN DEERLIN. If the gentleman will yield?

One of the Advertising Council's stated purposes is to show that advertising is a powerful force for public service.

Mr. KEIM. That is true, sir.

Mr. TIERNAN. So that I don't see this.

Mr. KEIM. Well, we don't do the best job, though, if our messages apply only to a selective group of people. Obviously, you have the waste circulation, but you can come back, as you have, and say "Isn't that true of this other?"

Mr. TIERNAN. Well, I am not kind of enthusiastic or confident with regard to your statements on pages 9 and 10:

I have enough faith in all three of these bodies that should the implications of the current approach prove undesirable, the use of purchased advertising by Government agencies is not irreversible, by a long shot.

I feel to the contrary. You see, we are undertaking a program to achieve a volunteer army in the space of 2 years, and we have witnesses testifying that in the 7 or 6 weeks of the program so far tested, we have received 55,000 inquiries.

The thing that irritates me on this is that on all of the previous public service announcements they never had a phone call, they never had a phone to make the call, and the only way we are testing it is by getting the responses of 55,000 phone inquiries.

You see, there was never any attempt made to measure the responses, nor the effectiveness of the public service commercials, and all of a sudden we undertake a 13-week test program by the same advertising agency handling their recruitment in the past, but it never occurred to them to test the effectiveness of public service announcements. And I am sure you would be indicating it is one of the things you would do before taking on another program to see how effective the previous program was, and if it was not effective, you might not undertake it, but if it was, you might stay with it or intensify it or try to get it going, wouldn't you?

Mr. KEIM. Indeed.

Mr. TIERNAN. The problem is, what Mr. Van Deerlin has done is pointed out this is a breakthrough, and we are getting into areas where, sure, today, we may say we need them to recruit the Army, but, as I think one of the previous witnesses indicated, and you indicate in your own statement, recruitment of these young men for all branches of service, recruitment of technical people for the Federal Government as a whole, so where do we stop?

Well, I thank you, sir. That is all.

Mr. VAN DEERLIN. Congressman William A. Steiger is our next witness. I assume you want to put your statement in the record and touch on a couple of highlights.

STATEMENT OF HON. WILLIAM A. STEIGER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN

Mr. STEIGER. Thank you, Mr. Chairman.

Mr. VAN DEERLIN. Our Congressman from Wisconsin, I think, is making his maiden appearance here.

Mr. STEIGER. I think you are absolutely right. I had not thought about it. I appreciate the chairman's willingness to let me appear

before you this morning. I will be brief, because you have the statement before you and you can read it in full.

I think there are three points I would make.

No. 1, I appear today as one who believes that the Army ought to be allowed to continue the experimental advertising program it has undertaken, and that as a part of my belief it is necessary to allow the greatest degree of flexibility possible for the armed services to recruit and maintain the manpower needed to fulfill the requirements of the armed services in this country.

Second, that one of the reasons that the advertising campaign, in my judgment, makes some sense is because we now have a new ballgame. Heretofore, the Army, as with all other branches of the service, has never really had to go out and attempt to try to put on any kind of recruitment campaign. They have been able to rely upon the draft or draft pressure to induct the manpower needed.

It is clear, I think, from the action of the House on the 1-year extension and what I hope will happen in the Senate, that the Army has no more than 2 years, and I suspect something closer to one, in which to make the transition from a reliance upon selective service to a reliance upon voluntary enlistments in order to fulfill the manpower requirements of all branches of the service.

If that is the case, as I think it is, then the kind of campaign the Army has undertaken seems to me makes some sense.

As to these experiments, well, I read with some interest some of the comments made yesterday in the testimony in reply to questions of the committee, and I would have to simply say to the committee to try to take the month of March, for example, as an example as to whether or not it has succeeded, it seems to me, does a disservice to the kind of campaign that is being carried on. I think you will have to give it a longer period of time in which to make a judgment about its success.

I think it is also important to understand that this advertising campaign on prime time is but one of a number of things that the Army is undertaking, all of which fit together in an effort, not necessarily in 60 seconds to tell somebody or convince somebody he ought to join the Army, but to try to encourage him to get to Army recruiters and encourage him to talk to someone in the armed services in order to make some kind of reasonable judgment about whether or not it is a career he wants to pursue.

Third, Mr. Chairman, I have a concern, and I have tried on pages 3 and 4 of my statement, to talk directly to some of what Mr. Van Deerlin, the chairman now, has indicated in his resolution, and I do commend him and I commend the committee for the hearings they are holding on this, because this is not an easy subject, and it is complex, and there are no simple solutions to the problem.

But as I have said on page 4, to say that the armed services ought to be able to buy advertising on television or radio, and yet allow them to continue to go ahead and buy advertising in the news print, simply to me does not make any sense.

Thus I, for one, would have to simply say that I would urge the committee not to take action on the Van Deerlin resolution. I would oppose it, and I would hope that, through the means of these hearings, the Interstate and Foreign Commerce Committee would not

want to foreclose the Army from the opportunity to continue with the experiment that they have started.

And yet I hope, frankly, Mr. Chairman, that you will not be disinterested in any further campaign that the Army or any other branch of the services carries on, since it clearly is a part of the responsibility and jurisdiction of this committee.

(Mr. Steiger's prepared statement follows:)

STATEMENT OF HON. WILLIAM A. STEIGER, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF WISCONSIN

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before you to discuss H. Con. Res. 215. Clearly one of the most complex issues facing us today is the effect of the media on the relationship between the government and its citizens. It is imperative we adhere to the principle, as stated in the preamble to the resolution, that:

"... freedom of expression and vigorous and unfettered media for the dissemination of news, views, and information are essential parts of this Nation's legal and social traditions and are absolutely necessary to the existence of any free democratic society."

Of course, at the cornerstone of our heritage of freedom lies the right of the individual to Life, Liberty, and the Pursuit of Happiness. Unfortunately, in recent years that right has been seriously compromised through the uncertainties, disruptions, and deep human suffering resulting from the institution of compulsory military service.

Mr. Chairman, the draft has been in existence for only 34 out of the nearly 200 years since our Nation, in the Declaration of Independence, declared its belief in the freedom and dignity of the individual. When we have resorted to conscription, moreover, it has been selective and discriminatory rather than universal. For example, present military manpower needs require that only one in four young men serve in uniform, and that less than one in ten be drafted.

The inequity of this selectivity is heightened by the discriminatory tax-in-kind imposed by the draft. Military pay is so low that thousands of GIs have to depend on food stamps and public welfare for survival. A recruit earns only \$2,750 a year, while the federal minimum wage annualizes to \$3,000, the average Job Corps graduate earns \$3,900, and the starting pay for most unskilled blue collar work is \$6,000 a year. The difference between military and civilian pay represents a financial penalty of about \$2 billion on our men in uniform. I find it intolerable that in a democratic society, we have used compulsion to reduce the cost of defense to the general public.

I recognize, Mr. Chairman, that the Supreme Court has ruled conscription to be a valid power of the state in time of grave emergency or national peril, and I certainly support that position. However, we now have substantial evidence from responsible sources that the draft may no longer be necessary. The President's Commission on an All-Volunteer Armed Force—which included a former Secretary of Defense and two past Supreme NATO Commanders—stated that the draft could be terminated within a year, consistent with national security requirements, by improving the conditions of military life. The military and civilian leadership of the Defense Department has endorsed this concept, but has taken a somewhat more cautious position, and currently plans to reach a "zero draft" sometime around January 1973.

Thus, while there is some disagreement on the timetable, it is clear that those who are responsible for the defense of the Nation have declared that we are rapidly approaching the time when we can end the draft.

Mr. Chairman, earlier this month the House took the historic first step towards ending conscription by establishing a competitive pay scale for all military personnel. Other programs essential to the volunteer force concept include improvements in military living conditions, expansion of educational and training opportunities, and elimination of those elements of service life which are not essential to the success of the military mission.

Regardless of efforts to end the draft, these improvements are desirable on the grounds of simple equity for our men in uniform. These actions cannot bring an end to the draft, however, unless young men who may be interested in serving their country are made aware of such changes.

An aggressive recruiting effort is essential to the attainment of a volunteer force. Until recently this field has been woefully neglected. The Army has consistently failed to reach its authorized recruiter strength of 2,969, often falling 300 to 600 men below this level. Recruiter strengths bore little relationship to the requirements for new recruits; the Army assigned about the same number of men to recruiting duty in 1965 and 1968 even though the requirement for new accessions climbed from 204 to 533 thousand men in those years. Also, the advertising budget remained around the same low level of \$3.0 million over this time period. The inability to increase advertising funds forced the services to rely exclusively on free public service time from the media. Less than ten percent of this advertising appeared during "prime time," thus reducing its effectiveness. A study done by Broadcast Advertising Reports in the top 75 TV markets during a full week in August 1969 showed that: 1) only 32.5% of the TV stations ran Army commercials; 2) an average of less than 3 commercials per market were telecast; and 3) only 4.0% of the spots were on network affiliated stations during prime time.

Currently, the Army has initiated a series of policies to improve its ability to attract men into service. The number of recruiters will be expanded to over 6,000 by the end of FY72, and a variety of incentives for recruiting duty have been implemented. But it is clear that efforts of the recruiters must be supplemented if the recruiting message is to reach the 2 million young men who turn nineteen each year. Thus, the Army has initiated a \$10.6 million test of paid broadcast advertising—the action towards which H. Con. Res. 215 is directed.

Mr. Chairman, I appreciate the concern that this action might alter traditional relationships between the government and the media. Several considerations, however, lead me to believe that the military recruitment effort is consistent with both the freedom of the individual and the freedom of the press.

First, the Army advertising campaign is directed solely at presenting service as a career opportunity, and has scrupulously avoided promotion of military policy. In this context I should like to note the Federal Communication Commission ruling that:

"... we do not believe that the broadcast of Armed Forces recruitment messages, any more than similar messages for policemen, firemen, teachers . . . etc., in and of itself, raises a controversial issue of public importance requiring presentation of conflicting viewpoints."

This principle would undoubtedly be applied to paid, as well as "public service" advertising.

Secondly, a precedent for government purchase of media space exists in terms of the print advertising the Army has purchased at an annual level of roughly \$1 million in recent years. Paid recruiting ads have appeared in such diverse magazines as LIFE, LOOK, PLAYBOY, TIME, EBONY, AND NEWSWEEK. I am sure Members of the Committee will agree that government advertising has not dissuaded any of these periodicals from printing a wide variety of controversial articles, some of which have been highly critical of the military.

Thirdly, I should like to note that the Army recruiting drive is rather insignificant in terms of funds the media receives for advertising. For the top 60 agencies, space and time buys in the United States for television and radio totalled \$4.9 billion in 1970. Similar army space and time buys for FY71 will total \$9.1—or only .002% of the total. I do not believe that this amount warrants the adverse effect on military recruiting innovations which could result from enactment of H. Con. Res. 215.

In light of these factors, Mr. Chairman, I cannot support this resolution. Nevertheless, I should like to commend the author of the resolution—a veteran and former TV and radio commentator—for the diligence he has shown in bringing this most complex issue to the attention of the Congress.

Mr. VAN DEERLIN. Mr. Steiger, I am sure there is no likelihood that the 13-week campaign will not be completed and thoroughly evaluated. Judging from testimony offered yesterday, the big payoff will be in June when schools close, if there is a big payoff for the campaign. But the initial results were disappointing. There had been 55,000 telephone inquiries, which Mr. Tiernan referred to. But in the more important area of how many young men took the oath and were inducted into service as a result of the campaign, the

month of March seems to have been somewhat less than would have been expected even without the advertising.

Mr. STEIGER. Mr. Chairman, again, I think you have been in this business, as I was in this business, of radio, at least.

Mr. VAN DEERLIN. I have been in the Army, too.

Mr. STEIGER. It would not, I think, be fair to assess just simply that one month as any indication. You have a cumulative effect. I think the Army is attempting to do it on that basis.

You would not try to bring everyone in in one month. Out of the 55,000 calls, the estimate is something like 5 percent that have turned up as legitimate prospects who have either called the recruiting command or visited the recruiting command.

I think you are going to see that number increased, frankly, as the time toward June comes along.

My concern is, if you were, for example, to prevent them from going beyond the 13-week period, you would, in my judgment, do real damage to whether or not we can legitimately judge whether the campaign was successful or not. I don't think we have enough information now to make any assessment as to whether or not it will prove to have been worth the pay that we are making available for this.

Mr. VAN DEERLIN. I would agree that test is going to be completed, and I would like to recognize the leadership you have given, as a Member of Congress, to the attaining of an all-volunteer Army.

Mr. STEIGER. I appreciate the chairman's comment.

You saw, perhaps, the Army Times article of April 21, and if you wish, I can make it available for the record, but the headline is an accurate appraisal of what the Army Times says, and it says the recruiting ads are drawing good response. It does, I think, do a pretty decent job of attempting to talk about really the total program.

(The Army Times article referred to follows:)

[From the Army Times, Apr. 21, 1971]

RECRUITING ADS DRAWING GOOD RESPONSE, ARMY SAYS

(By a Times Staff Writer)

WASHINGTON.—Traffic into recruiting stations has increased 10 to 30 percent since the Army began its \$10.3-million television and radio advertising blitz on March 1.

In addition, the Pentagon reports receiving nearly 50,000 requests through April 6 from young men for information on the Army, an average of more than 1340 telephone calls per day. There are few statistics available on the number who actually enlisted.

Army Chief of Staff Gen. William Westmoreland says the Army is heartened by the response it has received so far to its paid advertising campaign.

The number of people going into recruiting stations has also progressively increased as a result of the ad campaign, the general said.

An initial survey of the recruiting station traffic indicates that 80 percent of the men and women have seen or heard the Army ads.

Of 31,520 calls through March 24 into LISTFAX—the nationwide telephone service handling the Army program—1920 left their names and telephone numbers and requested additional information.

Westmoreland says the Army has got to do a better job of selling itself to young men, got to explain the Army to him, got to increase its recruiting force, and it's got to get posts and units to do a better job of recruiting people.

One of the more popular new options being offered young men gives them an opportunity to enlist in a combat arms MOS for duty in Europe.

The option which became available on March 25 had drawn 148 enlistments through April 6. The Army is studying the possibility of offering civilians the opportunity to sign up for combat arms duty in Panama and Hawaii and other areas of the world.

The USAREUR option guarantees the young enlistee a minimum of 16 months duty in Europe. The option allows him to select a specific unit from among seven major units if he wants.

Another option approved for April 15 gives young men the opportunity to sign up specifically for CONUS or oversea duty with the Army Strategic Communications Command (STRATCOM).

This option gives a young man the opportunity to select either MOS school he wishes to attend or his initial duty assignment. Those who select their MOS school will have their initial duty assignment picked by STRATCOM. The agency will select the school of those and their initial STRATCOM duty assignment.

Mr. STEIGER. You know, one of the things that is going along with the ad campaign is the effort to take men in the service and put them into their hometowns and make them available to high schools and make them available to kids who are about to graduate from high school.

So you can talk about the a dcampaign, the visit to the recruiter, and then the ability of hometown servicemen to sit down with high school students and go into the campaign with them and to suggest why it makes sense to come into the Army.

Mr. VAN DEERLIN. Mr. Tiernan?

Mr. TIERNAN. Thank you.

I want to welcome my colleague, Mr. Steiger, to the committee and I appreciate your testimony.

On page 4, when you say, "Second, a precedent for Government purchase" of radio space exists in terms of the purchasing of print advertising in different magazines and whatnot, I personally find a little bit of difference here.

You see, the newspapers and magazines I don't believe ever offered free advertising space to the Army or any military branch, or the Government as a whole. They might undertake some advertising for Smokey the Bear or something like that, but not in the area of military procurement, whereas in the area of radio and television this has always been an available item as a public service announcement, and it is certainly in the public interest that we have an all-volunteer Army.

It would seem to me that the Army certainly should have exhausted the possibilities of obtaining an intensified program through the Advertising Council, but no effort was made, no tests were run on the effectiveness of its previous campaign in the public service area.

In fact, the results, from the testimony we have had from the gentlemen from the Army, indicated the Army did just about as well as the Marine Corps in obtaining free time on public service announcements, and yet their commitment is probably, you know, 20 or 30 times as much as the Marine Corps'.

I find, first of all, that the Army, and you in your own statement indicate that for the period from 1965 to 1968 they made no increase in the budget to obtain a volunteer Army, no increase in their recruiting strength. I think the steps they have undertaken in increasing recruiters from approximately 3,000 to 6,000 and the opening of new recruiting stations and things like that are fine.

But I don't feel they should have gone and spent this money in the area of broadcasting when it was available to them, and it may have been that the Advertising Council would have turned it down, but they didn't try to obtain this.

Mr. STEIGER. May I say to the gentleman that I really don't concur, and the reason is this. The Advertising Council president, in his testimony that preceded mine, indicated that by and large, in most of their campaigns for Smokey the Bear, they have historically been able to put most of this on in the summertime, but I really don't think the Advertising Council and the networks would have been able to arrange a schedule to enable them to have their prime time advertising take place in the Milwaukee Bucks-Baltimore Bullets playoff, or the national league hockey or baseball or football, or the kinds of prime time programs, plus all of the ones during the regular week programs that the Army selected and its agency has selected in order to target in on the specific population.

So I frankly don't think that the Advertising Council approach would have been a satisfactory means of attempting to provide the kind of effect that this campaign has been tending to provide.

You know, you are right about the fact the Army did not do much in 1965 to 1968, they have not historically done it and have not had to. But they do now, and one of the things I want to make sure we don't do is cut them off.

Mr. TIERNAN. First of all, let me indicate the testimony under way for the 13-weeks test period, measured by that, if it only reaches 50 percent of what they are shooting for, do you think they might increase the budget allowance for the television campaign?

Mr. STEIGER. I am not sure we would have to even talk about 50 percent having been reached in order to justify increase or decrease, because I think one of the things you will find, if we give them time to do it, is that the 13 weeks you will find at the end of 26 weeks an increase in fact was a decrease, that you had the kind of cumulative effect I think the advertising campaign is designed for, and it is that kind of thing I want to be sure we have.

Mr. TIERNAN. Suppose it does not quite meet what they set as a goal, what do we do then?

Mr. STEIGER. Well, without knowing necessarily what the goal is, I am not sure they have defined their goal, and I don't know the goal in terms of, you know, how many people they are looking for. I think you are going to have to begin to assess how much was spent, what kind of a response, how many people actually signed up, and then you will be able to make a judgment about whether or not it made sense in terms of the expenditure of funds or whether you could have spent it better on barracks or quarters, bonuses, or, you know, some other means to do the same kind of thing.

Mr. TIERNAN. Well, you know, there has been quoted to us the statement of the chairman of the Armed Services Committee, Mr. Hébert; he wished any of the money spent on the campaign not to be spent on CBS, in view of their program "Selling of the Pentagon."

Do you have any comment as to possibilities of pressure if this expenditure is allowed; do you think there is any fear of pressure here at all, or influence?

Mr. STEIGER. No.

Mr. TIERNAN. None at all?

Mr. STEIGER. The classic being Life magazine, and the fact that the Army bought an ad that ran in the same issue as the exposé on the Mylai incident; and I don't think the ad influenced any of the print media, and I don't see it influencing the visual media.

Mr. TIERNAN (presiding). Thank you very much.

Mr. STEIGER. Thank you very much.

Mr. TIERNAN. Mr. Norman Cash, president of the Television Advertising Bureau.

I want to welcome you here before the committee, although it has shrunk here considerably. I apologize, because this is a busy time of the year for all of the members, and we have all of the different labor groups in, and I have 40 students waiting to see me as soon as we conclude here.

STATEMENT OF NORMAN E. CASH, PRESIDENT, THE TELEVISION BUREAU OF ADVERTISING, INC.

Mr. CASH. The Television Bureau of Advertising (TvB) is a trade association serving advertisers and advertising agencies in areas of promotion, research, and sales. TvB is supported financially by stations, networks, station representatives, and program producers. TvB respectfully presents its views to help members of the Subcommittee on Communications and Power to evaluate the use of television as a paid advertising medium for departments of Federal, State, and local governments.

The television industry recognizes and has demonstrated its public service responsibilities. According to the Advertising Council, whose figures are most conservative, free time and space is being given to agencies of government at all levels including charitable, religious, and educational institutions, too numerous to mention, in excess of \$450 million a year. Television has consistently given the largest share of this dollar value of any of the measured media. The television stations, we are assured, will continue to more than fulfill their role in the public interest, convenience, and necessity.

We firmly believe that it is wrong to preclude from government departments and agencies the use of television on a paid basis for the carriage of advertisements for the following reasons:

Television is indisputably the most effective communications medium today. The interest on the part of the citizens of the United States in television is currently recorded by viewing levels just short of 7 hours a day in 95 percent of the American homes.

Television is the number one choice of the national advertiser and has been for 16 years. Of those 30 years of age or younger, representing 53 percent of the population, television is their first media choice.

It is this very impact of television and the number of social problems it is being asked to help solve that call for a marketing approach to using this medium, an approach including paid advertising. The alternative of public service messages alone finds each message competing for air time against all other such messages, the final decision being made by individual station licensees, based upon their individual concepts of their market's needs. Public service messages are aired based upon the telecaster's judgment which may

or may not correspond with the wishes of the message's source.

Through the marketing approach of paid advertising, each market is selected, the on-air weight is determined, and even the choice of message remains within the control of the message's sponsor. This enables the advertiser to obtain the type of audience, the size of audience, and the television impact he wishes, a technique advertisers have found most efficient for moving products.

If a message is denied the ability to pay for its television time, it has been denied the right to control its own future and must hope it can eventually reach those it feels need reaching. As a paid advertiser, the message has an opportunity to use the marketing skills for its own control of its own future.

Research conducted by TvB in recent years strongly indicates that people are turning to government for solutions to all of society's problems and in ever increasing numbers. Government officials have attested to the fact that government cannot do this job alone. It is the conviction of the TvB, therefore, that the Government should encourage the private sector, business, religion, education, and unions, to shoulder a larger responsibility in solving these problems. A direct incentive to encourage the private sector through tax reduction, award, or other form of recognition should be instituted. It would be a tragic waste to disqualify government and its agencies from the use of this powerful medium on a paid basis.

The Advertising Council and others (104 sources of drug commercials) have furnished television stations with advertisements addressed to the narcotics and dangerous drug problem in behalf of the Departments of Health, Education, and Welfare, Justice, and Defense. Their covering letter points out drugs as the number one problem. They attest to the positive effects of television advertising. How much faster this problem could be solved if government were to act as an advertiser directly and exert the necessary weight in behalf of this and other issues!

The advertising demands of Railpax, the postal system, military recruitment, and the narcotics and dangerous drug problem, need professional marketing skills. Properly executed, literally millions of dollars can be saved and solutions expedited. Other governments have recognized this through programs involving tourism, the changes in the monteary system, and food and power programs.

The television communications medium, with credit to the Federal Communications Commission, has been developed by the private sector without Government subsidy. Because of its effectiveness to carry advertisements, it has produced gross revenues of \$15,455,300,000 since 1950 (source: FCC). As a national advertising medium, it is indisputably No. 1 as a choice of dollar expenditures by the national advertiser. The expenses to maintain this broadcast system 1950-69 was in excess of \$11 billion. It is estimated that the taxes paid to the Federal Government alone are in excess of \$2,300 million (source: FCC).

Despite this record, since 1950, 20 percent of the stations have gone off the air. According to the FCC figures for 1969, 28 percent of the stations reported a loss, 50 percent reported income before taxes of under \$1 million, and 22 percent of the stations reported before-tax income of over \$1 million.

TvB MEMBERS
TELEVISION BUREAU OF ADVERTISING, INC.

716 NEW CENTER BUILDING
DETROIT MICH 48202

Mr. TIERNAN. Thank you very much.

Let me ask you this: Would you feel that a radio station, say, in Providence, that did not receive a paid slot in its station, would have any requirement to put on a public service announcement for the Army if there was a competing station in Providence receiving paid commercials?

Mr. CASH. I wish the advertising media or any media were that proficient, because there might be five on one station and five on another.

Mr. TIERNAN. I don't mean in principle, but as far as the responsibility, then, for a licensee to meet a public service requirement, does the fact that my competitor has a paid commercial for the Army, does that relieve me of responsibility of a public service responsibility to the Army?

Mr. CASH. I don't see it is an issue at all. I believe the only proper criteria for the licensee at time of renewal is: "How well do you think the Army, or whatever other community need it is, has met its goals?"

Mr. TIERNAN. Does the Army take itself out of public service when it is paying for public service time?

Mr. CASH. Again, I have surveyed and talked to many stations, and there is no such thought in anyone's mind.

Mr. TIERNAN. How about in the minds of FCC as far as license review is concerned?

Mr. CASH. We pray to God we do not run into this problem. We want a volunteer Army and need one. Later, I think, we may have to look to licensees and say, "What happened?"

I believe, as was stated, it won't happen in March.

Mr. TIERNAN. The Army says it will happen in March and April and May.

Mr. CASH. I think it is fantastic with the job they have to do now, because everyone is trying to dodge the military service.

Mr. TIERNAN. How do we know that this campaign would be more effective than what the public service time was, if they didn't do any testing on that?

Mr. CASH. I couldn't agree more with your point. This is a copy problem. What kind of copy should have gone on the air, is up to the advertising agency and the Army itself.

I believe that all ads are in the public service. For instance, an ad promoting a cold remedy is in the public service to help you to avoid having a cold where you would be unable to come to work. I don't see a distinction between public service and regular ads there.

Mr. TIERNAN. Thank you very much. Those are all of the questions I have.

Before we close, we have for the record a statement from Domingo Reyes, executive director of the National Mexican American Anti-Defamation Committee, which will be inserted in the record, without objection.

(Mr. Reyes' statement follows:)

STATEMENT OF DOMINGO NICK REYES, EXECUTIVE DIRECTOR, NATIONAL MEXICAN AMERICAN ANTI-DEFAMATION COMMITTEE, INC.

Mr. Chairman, my name is Domingo Nick Reyes. I am executive director of the National Mexican American Anti-Defamation Committee, Inc.

The National Committee is honored and grateful to have received an invitation from this distinguished subcommittee to express views on this Resolution concerning the growing practice of government expenditures with the mass media.

The National Committee was founded three years ago for purposes of identifying and making more visible the positive contributions of Mexican Americans to this country and its culture. The National Committee has also gained prominence for its fight against the perpetuation and exploitation of false, insulting stereotypes of Mexican Americans. We have, for instance, been a leader in efforts to have demeaning Frito Bandito ads removed from television.

The National Committee is also very deeply involved in Chicano Citizens Action in Broadcasting. We seek to develop more community awareness and in cooperation with media hope to affect a more meaningful dialogue as peers, not as "Gringos" versus Chicanos.

Of the more than 10 million Americans of Spanish descent, more than six million are Mexican Americans. This is the second largest minority in the United States. Because the educational system in the United States, conducted in English, has not reached the Spanish-speaking Mexican American Community, most of this Community does not read well, in English or in Spanish. This lack of reading ability has made Mexican Americans devoted television viewers and radio listeners, especially when broadcast in their native Spanish language. More than 300 stations in the United States broadcast some programming in the Spanish language. Their locations from Vermont to San Diego, from Miami to Seattle testify to the fact that the Spanish-surnamed Community of the United States is not just regional but nation-wide.

Most Mexican Americans did not cross the border: the border crossed them, as the United States expanded westward.

The Community is characterized by intense patriotism to the United States. This patriotism is measured by their casualty rates in recent wars: Of the casualties during the period 1961 to 1966 in the Vietnam War among servicemen from the Southwest, 19 percent were Mexican Americans. But, eligible male Mexican Americans constitute only 13.8 percent of this population. This combat death rate is half again higher than the civilian live rate.

The Mexican American community, therefore, has standing to comment today upon this resolution which was prompted in large part by the decision by the Department of Defense to purchase prime time television advertisements for its service recruitment program.

THE RESOLUTION AS WRITTEN

The National Committee is opposed to House Concurrent Resolution 215 as written.

The Resolution, apparently, is intended to head off undue pressure by the Government on the mass media, particularly by the military-industrial complex, and to strengthen the independence of the mass media by removing paid advertisements as a potentially abusive form of government subsidy. We agree with these worthwhile goals; who could not? But, we believe that a close examination of the existing situation requires a contrary conclusion, that the potential damage of paid advertising is diminimus and minimal and outweighed by the government's need for prime time communications.

Federal subsidy: The form of the federal subsidy to the broadcast media—directly paid advertising revenues—may be new. But, the fact of the federal subsidy is not new.

The Federal Government has long subsidized educational television and radio by direct grant and by indirect grant through quasi-independent corpo-

rations. The vast resources of the Federal Government in terms of use of facilities, existing film tapes and audio-visual materials, government manpower, etc. have been made available to the broadcast media, both commercial and educational. Yet the commercial and educational broadcasters have remained unfettered, criticizing the Government when it deserves it.

Moreover, if the Government wished to coerce the broadcast media, it has ample means already at its disposal in the form of federal licenses which by law must be renewed every three years. Part of the public service obligation of a broadcaster holding this public monopoly has been interpreted to mean that he is required to run public service announcements. These are generally government messages. His failure to donate such time to the Government would cost him his license.

We conclude, therefore, that the coercive effect on the media by the addition of subsidy via paid advertisements is *diminimus*.

Public Service Spot Announcements: The Department of Defense found that reliance on the "free" public service spot announcements was not sufficient to satisfy its needs to recruit young men and women for the armed services. Its election to set aside a portion of its already hard-pressed budget for paid advertisements is strong testimony to ineffectiveness of public service.

They are ineffective, primarily because they are generally run at non-prime time hours: early in the morning, late at night or high noon when the target audience—eligible men and women—is not watching or listening.

One cannot expect the Department of Defense to accomplish its statutory mandate of national defense through recruiting adequate manpower unless the Department is granted the necessary tools. Effective advertising is a necessary tool. And prime time advertising is necessary for advertising to be effective.

Prime time advertising can be achieved either by purchase or by draft: either the Government buys the prime time space or forces the broadcasting industry to "give" it by requiring that public service spots be aired during prime time.

Other Programs: The National Committee is concerned that Government programs, other than armed services recruiting, are not afforded the equal privilege of prime time advertisements, via purchase.

The Mexican American Community is in dire straits socially and economically. Because the educational system in the United States, conducted in English, has not reached the Community, Mexican Americans have an average educational level of only 7.1 years. This is two years less than Blacks and five years less than Anglos. Five out of eight Mexican American children in school today will drop out before the eighth grade. In today's technological society the Community's low educational level confines it to the lower rungs of the economy. The unemployment rate of Mexican Americans is twice that of Anglos. In Colorado, 8.5% of Anglo families live in overcrowded and/or dilapidated housing, compared to 35.3% of Spanish-speaking families.*

The Mexican American Community is, or should be, a primary target of many Government programs. Yet, *raza*, our people, do not know of these programs. Their ignorance is due primarily to a lack of contact, a lack of communication by the Government.

Early morning, late night and high noon, public service spots on HUD programs on housing, on the 1970 Census, on bilingual education programs of HEW—these spots miss the Chicano household as much as the Anglo household. To bridge this communication gap, the Government needs advertisements in prime time, by payment or as required public service announcements.

Prime time ads have a much greater payoff than other ads in time of response to a given message.

Equal Opportunity: The Government in devising its advertisements as public service announcements or paid advertisements has not been an equal opportunity employer. The Resolution needs amendment to encompass and correct this problem.

*Hearings, before the Subcommittee on Executive Reorganization of the Committee on Government Operations, United States Senate, 1st Sess., 91st Cong., June 11-12, 1969, pp. 5-14.

Even though Mexican Americans are dying in Vietnam in disproportionate numbers, the Department of Defense recruiting advertisements to not include *raza*: mass shots of happy, smiling GIs are either white faces or black faces.

America is a pluralistic society. It is a land of many people. But the Government, and the media, has interpreted "minority" to mean only black and is hung up on black/white problems. This Afro-Saxon mindset has excluded all other minorities. Government agencies should move to include more minorities on the screen in their advertisements.

And, if the Government is sincerely interested in reaching the Mexican American Community and in having its message presented clearly with a chance of convincing the listener, the Government will engage Mexican Americans to devise, produce and distribute the spots and concentrate a great deal more effect on the Spanish-language broadcasters. Sensitivity and knowledge of the Community are essential to making the advertisement right and effective for this target community.

SUMMARY

In view of the existing potential for Government coercion of the mass media and the Government's need to communicate its message to the public, and National Committee is not opposed to paid advertisements by the Government. As an alternative the Government could require public service announcements in prime time.

The National Committee urges that Congress act to require the Government to include at all levels and phases of its advertising and other forms of public communication all minorities of the United States, including the Mexican Americans.

Thank you, Mr. Chairman and members of this Committee.

Mr. TIERNAN. Now, the chairman has directed me to state at this time that the hearings are closed.

Thank you very much.

(The following letter was received for the record:)

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CENSUS AND STATISTICS,
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., April 27, 1971.

Hon. LIONEL VAN DEERLIN,
House of Representatives,
Washington, D.C.

DEAR VAN: I wish to comment on your Concurrent Resolution No. 215 with reference to the findings and recommendations our Subcommittee made on the publicity efforts for the 1970 Census of Population and Housing of the United States. Your resolution as now stated is in direct conflict with our recommendations last December.

Whereas I understand the rationale of your resolution and can appreciate the position you are taking, I would suggest you consider amending it so as to permit the expenditures of Federal funds for pertinent effective advertising of selected Federal undertakings.

In particular, I should like to call your attention to the first two paragraphs of page 38 of House Report No. 91-1777, "Report on the Accuracy of the 1970 Census Enumeration".

INADEQUACY OF PUBLICITY, PUBLIC RELATIONS, AND COMMUNITY EDUCATION PROGRAMS

A continuing theme running through both the field investigation and the hearings was the reported inadequacy of the Census Bureau's publicity and community education programs—particularly in the major metropolitan areas in which over two-thirds of our population resides. The small sums of money

available to the Census Bureau even when supplemented by the free (and greatly appreciated) services of the Advertising Council and the public service efforts of the media, were not sufficient to educate the public to the importance of the census to themselves and their communities.

The Subcommittee would consider an expenditure of \$20 million dollars (less than 10 cents per person) supplemented by continuing free services as the minimum required to achieve an adequate public awareness—and by way of contract—points out that the August 24, 1970 issue of Advertising Age records that in 1969 alone the four major U.S. automobile manufacturers spent approximately \$362 million on advertising—over 50 percent more than the total cost of a complete decennial census of population and housing.

It was our firm conclusion that the establishment of a public relations program with adequate staffing before and during a national census effort would unquestionably result in a more complete and accurate enumeration within a shorter time period. Such a publicity program could be geared toward better information and communications with all levels of government, with particular attention directed to officials of local governments. In summary, we concluded that the benefits of a properly developed public information campaign would than justify the funds allocated for such an activity.

A copy of House Report No. 91-1777 is attached for your information and reference. I will be pleased to discuss this matter further with you as you wish.

Very truly yours,

CHARLES H. WILSON, *Chairman.*

(Whereupon, at 12:45 p.m., the hearings were closed.)



