

700-6-j PUBLIC SERVICE ADVISORY BOARD (Cont.)

Because of the significant influence exerted by radio, we feel that this can be an extremely valuable and worthwhile guidepost for us. Consequently, I am respectfully urging your participation as a Board member and would appreciate an acknowledgement at your earliest convenience.

Cordially,

General Manager

SALES 600

700-6-j PUBLIC SERVICE ADVISORY BOARD (Cont.)

December 11, 1967

Edward H. Gauer
Board Chairman
Roos-Atkins
Stockton and Market Sts.
San Francisco,
California

Dear Mr. Gauer,

I want to take this opportunity to express my sincere appreciation for your willingness to serve as a member of KABL's Public Service Advisory Board. It is responsible and highly capable citizens such as yourself to whom we are turning in order to broaden the scope of our community service obligation. Your opinions, ideas and observations will contribute greatly toward the achievement of this objective.

Within the next couple of months, you will be receiving the first in a series of questionnaires relating to this project and it will be designed in a fashion which will enable you to offer concise yet meaningful answers.

In the meantime, let me thank you again for extending yourself to help us in aiding our communities.

Very cordially,

General Manager

/jn

SALES 600

700-6-j PUBLIC SERVICE ADVISORY BOARD (Cont.)

SUGGESTED CATEGORIES FOR ADVISORY BOARD

1. Select 35 to 50 of area's top people in following categories:
 - A. Educators
 - B. Philanthropists
 - C. Clergy
 - D. School Boards
 - E. Presidents of Universities
 - F. Military
 - G. 2, 3 or 4 former FCC members or hearing examiners - living in area
 - H. An attorney or two
 - I. City Tax Assessor
 - J. Key people in tax administration in the State
 - K. Non-elected State officials
 - L. Someone from City's Zoning Board
 - M. Head of FBI
 - N. Former Cabinet Members, Secretaries of State, Vice Presidents
 - O. Authors
 - P. People prominent in Show Business
 - Q. Sports Personalities
 - R. Key business executives
 - S. City Councilmen
 - T. Mayors, City Managers, Heads of Chamber of Commerce
 - U. State Assemblymen and Senators
 - V. President of San Francisco Symphony, Opera, Ballet
 - W. President of local American Mothers Committee

700-6-j PUBLIC SERVICE ADVISORY BOARD (Cont.)

November 24, 1967

KABL ADVISORY BOARD QUESTIONNAIRE

1. In general, do you feel that radio stations in the Bay Area perform a Very Good____, Adequate____, Mediocre____function in their public service responsibilities?
2. What, in your opinion, are some of the community needs not being met by radio stations?
3. Why should these needs be met?
4. To your way of thinking, does KABL discharge its community service obligation effectively? Yes____No____
Please be completely candid in answering this question for KABL is sincerely interested in your opinion.
5. In your specific area of community interest, how can KABL make the most significant contribution?
6. What type of public service program (either fifteen or thirty minutes in length) do you feel would contribute most significantly to the community's tastes, needs and desires?
7. Do you believe radio stations should have editorials more____,
Less____, Not at all_____.

SALFS 600

700-6-j PUBLIC SERVICE ADVISORY BOARD (Cont.)

8. For those stations that already broadcast periodic editorials do you believe that they are effective on matters relating to local issues? Yes _____ No _____.
9. What, in your opinion, is the most important local issue upon which broadcast editorial comment would be the most meaningful?
10. Would you favor a radio station endorsing any political candidate?
Yes _____ No _____

SALES 600

KABL Advisory Board

KABL MUSIC
960am * 93.1fm

WILLIAM BALL
General Director, A.C.T.
PHILIP S. BOONE
President, San Francisco
Symphony Association
EDWARD J. DALY
President, World Airways, Inc.
WILLIAM DAUER
Exec. Vice President,
San Francisco
Chamber of Commerce
GEORGE T. DAVIS
Attorney
ADOLFO de URIOSTE
President, San Francisco
Board of Education
J. W. EHRLICH
Attorney
CHARLES W. DULLEA, S.J.
President,
University of San Francisco
EDWARD H. GAUER
Board Chairman, Roos-Atkins
CHARLES GOULD
Publisher,
San Francisco Examiner
R. ADM. W. H. GROVERMAN
Commandant, 12th Naval Dist.
LEON KALIMOS
Executive Director,
San Francisco Ballet
BILLIE JEAN KING
U.S. and Wimbledon
Tennis Champion, 1967
EDWIN LESTER
San Francisco
Civic Light Opera Assn.
DANIEL LONDON
Senior Vice President,
Western International Hotels
CYRIL MAGNIN
President, San Francisco
Chamber of Commerce
BISHOP RICHARD MILLARD
Suffragan Bishop of California
R. T. NAHAS
President, Oakland-Alameda
County Coliseum Complex
BEN NUTTER
Exec. Director, Port of Oakland
ROBERT L. OSBORNE
Councilman, City of Oakland
STUART S. PHILLIPS
Superintendent of Schools,
Oakland Public Schools
WILLIAM BYRON RUMFORD
Former Assemblyman
17th District
BROTHER JOHN SAMAHA
Department of T.V. & Radio,
Archdiocese of California
GERHARD SAMUEL
Musical Director, Oakland
Symphony Orchestra Association
SAMUEL SHERMAN, M.D.
Past President, A.M.A.
WALTER SHORENSTEIN
San Francisco Recreation &
Parks Commissioner
W. A. SPARLING
General Manager, Oakland
Chamber of Commerce
JOHN SUMMERSKILL
President, San Francisco
State College
MELVIN SWIG
Director, Fairmont Hotel
WARREN S. TITUS
Past President, San Francisco
Convention & Visitors Bureau
MAJOR GEN. JAMES WINN
Commanding General,
6th Region,
U.S. Army Air Defense

SALES 600

700-6-k LOCAL ATTORNEYS

You will use the services of a local attorney only on written advice from PO. You may not employ any attorney, and you may not place an attorney on retainer, without specific PO approval, in writing.

700-6-l LOCAL LAWS

Before you execute any promotion, commercial, station or otherwise, make sure there are no local laws prohibiting the promotion. It may be against a local law for motorists to put stickers on the rear window of their automobiles. This law, therefore, would prohibit proper execution of the Rear Window Promotion. The City Attorney, or his equivalent, in your city, should be able to advise you on a confidential basis.

700-6-m UNIONS

We acknowledge the right of employees to organize a union or join a union. However, we do not encourage it. We attempt to pay salaries and create working atmosphere of such quality that employees will not want to organize or join a union.

When you are approached by an employee on this matter or by a union organizer, make no commitments until you have talked with PO.

700-6-n WAGE AND HOUR

Since McLendon stations are situated only in large markets, all McLendon employees, aside from executive personnel, hereinafter

700-6-n WAGE AND HOUR (Cont.)

defined, are covered by federal wage and hour laws.

Every member of your non-executive staff must be paid at least \$1.60 per hour, and not less than 1 1/2-times the employee's regular rate of pay for hours worked beyond 40 hours in a workweek.

Your salesmen are NOT covered by the overtime provision.

The equal pay provision prohibits wage discrimination on the basis of sex within the station. When subject to the minimum wage, employees of one sex must not be paid wages at rates lower than those paid employees of the other sex for equal work on jobs requiring equal skill, effort, and responsibility which are performed under similar working conditions.

The Department of Labor, Wage and Hour Division, publishes a NOTICE TO EMPLOYEES dealing with The Fair Labor Standards Act. This notice must be posted on the employee bulletin board.

EXECUTIVE OR SUPERVISORY EXEMPTIONS

When an executive or supervisor is paid at least \$150.00 per week, and spends AT LEAST 50% of his time supervising the work of two or more employees, he is exempt from the provisions of Wage and Hour.

When an executive or supervisor is paid at least \$100.00 per week and spends AT LEAST 80% of his time supervising the work of two or more employees, he is exempt from the provisions of Wage and Hour.

GENERAL

700-7-a AIR TRAVEL REPORTS

This report must be filled out and mailed to ST immediately upon your return home. Remember, your Air Travel Card bears the Corporation name and address, and billing for tickets goes to HO. Billing will not be paid until your air travel report arrives, showing dates of travel, cost of the ticket, where you went, and, most important, why you went.

700-7-b CHARGE ACCOUNTS

The station is authorized to open only those charge accounts that are required to keep the station operating efficiently. This would include restaurants (where specifically authorized), office supply companies, engineering supply houses, bottled gas companies, transportation companies (Railway Express, etc.), and hotels (where specifically authorized). You are authorized to open a charge account for any product or service when you are authorized to make an expenditure. Only station executives may charge goods or services to the station. And OM must okay all bills before submitting them to HO for payment.

700-7-c CREDIT CARDS

All company credit cards are issued under the Corporation name to GM and such other personnel as may require them. These include only: air travel, hotels with which we have a trade agreement, and auto rental firms.

700-7-c CREDIT CARDS (Cont.)

GM s are urged to use personal credit cards as much as possible. This is the best way to keep up with entertainment expenses. When you sign the tab, be sure to note who was entertained and why. The Corporation issues NO credit cards dealing with food and entertainment services.

700-7-d EQUIPMENT TRANSFERS

When any equipment is transferred from one station to another, HO must be notified. HO will then charge recipient and credit shipper, as HO decides. No engineering equipment is to be transferred without specific approval of NCE. Exchange of other equipment must be by agreement between GMs and OMs of exchanging stations.

700-7-e EXPENSE VOUCHERS

All travelling personnel are required to keep explicit records of expenses. This is doubly so where entertainment is involved. Expenses reimbursed to employees (or, employee expenses paid by HO) must be declared as personal income by them with corresponding deduction in the expense column. In order to justify this action, all possible receipts, chits, taxi slips, telephone records, and other proof must be available. While we refer here to justification required by the Federal Government, ST also will take a hard look at all such expenses which we believe are unwarranted.

700-7-e EXPENSE VOUCHERS (Cont.)

Make no mistake: You will NOT be reimbursed for entertainment and travel expenses unless you submit valid vouchers (See 700-6-c).

We realize it is difficult to get vouchers on tips and taxi fares, but it is not a big problem to get signed and dated receipts for meals. When you get your receipt, you should immediately note who was entertained, and why.

While we do not propose to set forth IRS laws in this section, we do have some guidelines that may be helpful:

1. If you don't get a detailed voucher, write it down at the time the expense is incurred. Give the date and hour.
2. Whom you saw and why. What was their business relationship to you?
3. What did you expect to accomplish from the meeting in which the expenditure was made?

Your records are made when the expense is incurred, not later on. Records made after the event will be suspect by IRS, regardless of accuracy. Those who fail to keep necessary records and still want the tax deduction, will have to write out a personal statement to IRS explaining all of the details and produce sworn statements from persons entertained, or an itemized bill.

The rules for rank and file employees are the same as for others; as for company officers or executives, or for self-employed persons. They must give their employer all the details required by

700-7-e EXPENSE VOUCHERS (Cont.)

the Treasury if employers want to deduct the amounts that they pay as reimbursements.

Employees have less leeway than others in one respect. They are not permitted to substitute the personal written statement and the itemized bill after the event. They MUST keep the record current. Employees must report on tax returns the full amount of entertainment and gift expense reimbursements they received during the year and the reimbursements for all out-of-town trips lasting more than a week. And if they don't report to their employers on all the details, they will have even more rigmarole to contend with on their tax returns.

700-7-f HOTEL BILLS (CASH)

When you stay in a non-trade hotel, make sure the bill is sent directly to you at your office. When it arrives, check those items which are purely personal and attach your check for that amount and forward the bill with your okay to HO for payment. This bill should be included with your regular weekly report.

700-7-g HOTEL BILLS (TRADE)

In most cases when you stay in a trade out hotel you will use your credit card which carries the corporation address in Dallas. The bill will therefore be sent to Dallas. You should get an itemized copy of the bill when you check out. Check the personal items, and send

700-7-g HOTEL BILLS (TRADE) (Cont.)

your check, with your copy of the bill, to ST. Since we pay bills on a weekly basis, it will be necessary for you to make your accounting immediately upon your return home. Most such details can be handled while on the plane.

700-7-h MANAGERS MEETINGS

The Corporation usually calls two managers meetings per year. Time and place varies. A great deal of brainstorming is done at these meetings, and you should keep a running file of material you wish to present at the meetings. These are work sessions, so make plans accordingly.

700-7-i MUSIC LICENSING REPORTS

These are handled by HO. Should you receive any inquiries from ASCAP, BMI or SESAC regarding billing, fees or contracts, refer them immediately to ST. Any other correspondence (or verbal inquiries) from these agencies will go to LPD. The GM and OM have no administrative responsibility where these agencies are concerned. As a matter of keeping your files complete, you may request copies of your contract from the licensing agency. Do not request a copy of the contract from HO.

700-7-j SALE OF EQUIPMENT

No equipment, office, technical or otherwise, is to be sold without prior approval in writing from HO. This would include the sale of a broadcast console, even after NCE has approved sale price. Reason: it may be to our advantage to donate the equipment to some charity institution. In other situations, we might want to ship the equipment to another station, or we may wish to trade in the equipment on the purchase of new equipment at your (or another) station.

700-7-k TRADE AGREEMENTS

For our purposes, there are two types of trade agreements, national and local. A national TA is one where all or most of our stations provide availabilities and one which is negotiated by HO, even though initial action may be taken by any one of our GMs. A local TA is one where only a single station provides the availabilities and which is negotiated, upon written authorization, by the GM of the individual station.

National TA's almost invariably are set up on a credit for cash, merchandise or service basis. Local TA's may be on a cash-for-cash basis, but we prefer a credit-swapping arrangement.

All local TA's require approval of the PO and ST. This simply means that if the GM wants to make an agreement with a local firm, he may do so, subject to approval of ST and PO. A form is provided for such requests.

700-7-k TRADE AGREEMENTS (Cont.)

As mentioned, we prefer memo billing on local trades. In this case, upon execution of the agreement, we simply set up a credit for the account on our books and the account establishes a credit for us on his books. When we get bills from the client, we will reduce his credit on our books by that amount. When the account receives our invoice, he simply reduces our credit on his books by that amount.

Office Managers will see that a Monthly Trade Report is sent to ST. This report will include copies of all trade invoices for that particular month, plus any billing received from any trade client. No particular form is required. Simply attach a list of billing from trade accounts (include the actual tabs) to your trade invoices and send them in by the 15th of each month. Pay attention to the accounting and do not run your expenditures over the agreed amount. Try to end the period with a credit. Trades are for business purposes only, not to entertain the staff, girl friends, wives, casual visitors.

National TA's are handled by HO. If you are contacted by a barter house or by an agency regarding a national TA, refer the contact to PO and send along your recommendations. The basic agreement will be made by PO. He will agree to run X number of spots on all or some stations. That is only the first step of a National TA. Once the agreement has been made, all orders for time must go

700-7-k TRADE AGREEMENTS (Cont.)

first to the ST. When you receive the order, it must be signed by ST or PO. GM s are to run the time unless:

1. It replaces cash business
2. Copy is not appropriate for your format
3. Time order not signed by ST or PO
4. Business already on your station on cash basis.
5. Possibility of cash business exists
6. You know the account is running elsewhere in U.S. on cash basis
7. Agency or barter house placing business is within 100 miles of your market
8. The business can be construed as legitimate regional or national business and the account has its principal place of business within 250 miles of your station.

The PO may waive items 7 and 8, should you invoke them. Items 7 and 8 will serve to effectively prevent the shopping of our barter time to local and regional accounts. Remember , GM does have a veto. We want to run this time off as rapidly as possible, even to the point of trying to sell the agency or barter house on using current avails. We push to get this time off our hands, just as we push to get cash business.

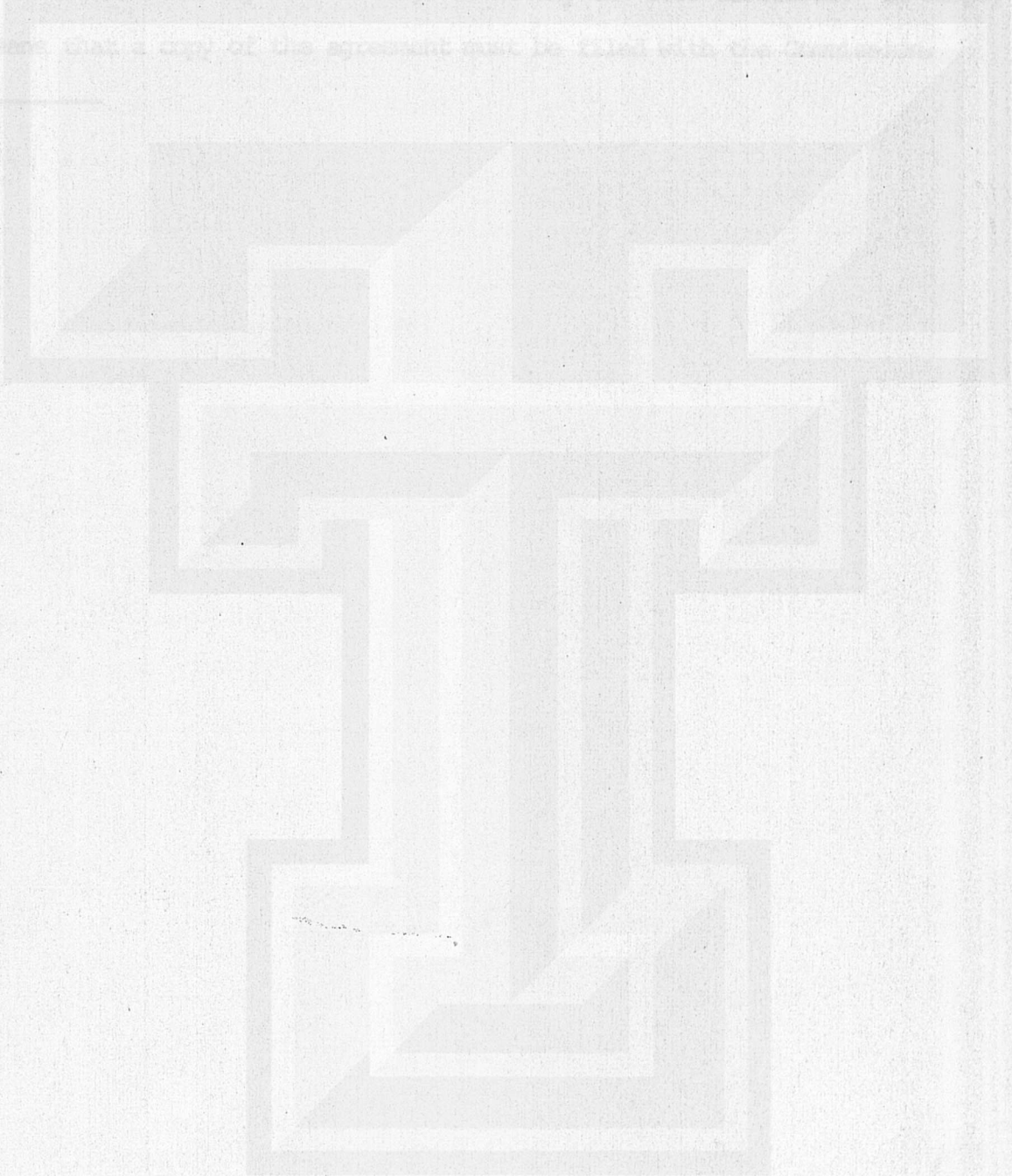
The FCC enforces Sec. 1.613 (c) of its rules which require filing of all contracts relating to the sale of broadcast time to "time brokers" for resale. Brokerage agreements must contain a provision providing for licensee control of station operation. The contract should provide that the station must approve both the copy and the advertiser prior to broadcast. All such contracts (1) will be executed only by the President and (2) will be filed with the FCC through Washington attorney.

700-74 1952 2-28-52 (Cont.)

The fact that a letter agreement may be obtained at a later date.

It is not necessary to make the agreement by the date stated in the letter.

NOTE: Check a copy of the agreement form in back of the folder.



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700-7-k TRADE AGREEMENTS (Cont.)

The fact that a barter agreement may be construed as a brokerage agreement does not necessarily make the agreement any the less desirable. It simply means that a copy of the agreement must be filed with the Commission.

1/28/69

TRADE REQUISITION (Revised)

-94-b-

Station: _____

Date Filed: _____

Company with whom Trade is Proposed: _____

Agency for: _____

Commission to be Paid Company by Station: _____

Station to Provide Company: _____

Goods and/or Services to be Advertised: _____

Advertising Start Date: _____ Termination Date: _____

Company to Provide Station: _____

_____ Total Value: \$ _____

Authorized Users or Delivery Point: _____

Special Conditions, Reasons, and Remarks:

Approved By _____

Submitted By / General Manager _____

(8/22/69)

SALES 600

SALES 600

SALES

SECTION 600

SALESMAN RESPONSIBILITIES

600-1-a AVAILABILITIES

The Traffic Manager should publish on an "as needed" basis an availability sheet for sales personnel. Salesmen should adhere strictly to the information given. This is especially important when your station begins to reach a "sold out" status.

When selling features (such as newscasts) or a special promotion (such as Bridal Fair) the salesman should know in advance that the feature is available. If he pitches a newscast and has to wait, say a week for a decision, he should talk with GM about putting a "hold" on that particular newscast.

A feature availability board may be erected in the sales office for the convenience of traffic and sales. Traffic will keep the board up to date. On the other hand, a simple published sheet may work as well for you.

When two salesmen simultaneously sell the same feature, or the last spot availability in a given period, the GM decides which order will prevail.

600-1-b COMPETITION

We never "knock" competition. All radio is good. McLendon stations, as it happens, are the best buy for the money in any McLendon market. Sales personnel are expected to listen to competitive stations and they are expected to read the local newspapers.

600-1-b COMPETITION (Cont.)

You can pick up good leads by finding out who is advertising on other stations. These advertisers are already sold on radio. All you have to do, from that point, is sell them on your station.

(See 600-3-h)

Frequently, when dealing directly with the retailer, the newspaper can give you excellent leads. If a furniture store is running a fire sale, for example, you might do a speculative announcement from the ad, play it for the client on the telephone, and sell a schedule. We have seen this happen in our largest markets, so your salesmen shouldn't feel they are too sophisticated to use this technique.

Most salesmen frequently find themselves in association with salesmen from other media. Each salesman should be very careful in talking about his operation. Should you mention that "big promotion" you've got coming up, you might find your competitor kicking off the same promotion a day ahead of you. Never discuss rates, packages or deals you have in the mill. Just say business is great and let it go at that.

600-1-c EXPENSES

Each GM is authorized to establish a memo-billing arrangement with a quality restaurant so that salesman may entertain clients at lunch or dinner. Use the standard request form. The manager is authorized, but not required, to negotiate an arrangement equal to _____ per month per salesman. (The amounts vary.) Thus, at \$100 per month, a station with three salesmen would set

600-1-c SALESMAN'S EXPENSES (Cont.)

up a \$300.00 per month memo billing deal. The account is to be used for business purposes only. Misuse of the account will result in the salesman's probable dismissal. When the salesman goes over his authorized amount, he makes up the difference out of his pocket. He must attach a personal check to his report for all over-ages. When the salesman signs the check, he must show who was entertained, where, date, time and what was discussed. This rule also applies where the \$100.00 per month allowance is on a cash-reimbursement basis.

GMs entertainment expenses are not fixed. Expenses are expected to be "reasonable." GMs, furthermore, are expected to do a reasonable amount of "in-home" entertaining. EXCEPTIONS MAY BE MADE TO THIS POLICY. HOWEVER, BEFORE YOU MOVE OUTSIDE POLICY, CLEAR WITH PO.

600-1-d MEETINGS

Sales meetings will be held on a schedule set by GM. No effort is made by HO to dictate the frequency of such meetings. We insist only that they be held on a regular basis. Good judgment dictates, however, that when a station is just getting off the ground, or is not reaching a preset quota, sales meetings will be held every morning, probably from 8:00 a.m. until about 8:45 a.m.

This will give the salesman a chance to be at his first call at 9:00 a.m. When daily meetings are held, there should be a 5:30 p.m.

600-1-d MEETINGS (Cont.)

followup session. Meetings also should be scheduled for Saturday morning. Outside sales personnel are not under Wage and Hour. They are, essentially, in business for themselves and should not be concerned with the number of hours they spend on the job.

600-1-e RATES

McLendon stations do not sell off the published card. If a package plan is developed, it is to be published and offered to all advertisers. No salesman is ever to be authorized to "make a deal" with an advertiser. If you don't make a deal, you'll never have to waste your time explaining to other advertisers why they didn't get the same deal. GM's are directed to NEVER discuss rates with competing station managers. In the first place, our rates are none of their business. In the second place, you could be accused of price-fixing.

SALES PROCEDURES

600-2-a CALLING IN (CHECKING IN, OUT)

When you leave the office in the morning, you should leave a list of your first three calls with the SB. After your second call is completed, call in and outline the calls until noon.

Call in between 11:30 and noon. Inform SB or sales secretary where you are going for lunch and the first call you will make after lunch.

600-2-a CALLING IN (CHECKING IN, OUT) (Cont.)

At the end of the first call after lunch, call in and list the calls you plan to make for the balance of the afternoon. At 4:40 P.M., if you are not ready to return to the office for the 5:00 sales meeting, call in and say where you are and the approximate time you will be involved there. Do not be late for scheduled sales meetings. Make your lunch periods count. Do not lunch with "good buddies", just because he's a good buddy. Luncheons with buyers and/or clients are not social events. Maintain your equilibrium and sell your station.

600-2-b HOURS

Salesmen do not have fixed hours. Common sense dictates they call on accounts between 9:00 and 5:00. Planning must be done at night and on weekends. The successful salesman stays busy calling on buyers during regular office hours. He does not sit in the office planning presentations during regular office hours. Naturally, the salesman will have to make some appointments from the office, but many of these telephone calls can be made between calls from the last office visited or from a public telephone. Radio must be sold; few stations require order takers.

600-2-c POLITICAL SALES

Politicians or their agencies or representatives are entitled to a rate equal to that offered to commercial accounts making the

600-2-c POLITICAL SALES (Cont.)

same quantity purchase. Each political time order must be accompanied by a "Request for Political Time" form, completed and signed by the purchaser. It must be complete. Experience tells us that some politicians must pay for time purchases in advance. Therefore, since we must treat them all alike, ALL must pay in advance. You may not discriminate in this respect. If you write copy for one political advertiser, you must write copy for all who request such service. It is better, therefore, to write NO political copy. Staff announcers may record such announcements on a routine basis, being very careful to be objective in voice intonations. Remember to turn in the request form. The law requires that the station keep these on file. The file is used to make an annual report to the FCC on political advertising, and this file is part of your public file. (See 700-6-h and 700-6-i and 500-4-f)

During political campaigns, you may be approached by a regular advertiser who wishes to give his time and rate to a candidate. DO NOT ACCEPT. Explain to the advertiser that you must treat all candidates alike, and that to allow one candidate a favored rate position would constitute discrimination against his opponents. Make it clear to the advertiser that you are only following the law.

600-2-d PRESENTATIONS

When you present an idea to a client, you should, as often as possible, have your proposition in writing. Use the presentation folder provided. Indicate your coverage; provide a demographic

600-2-d PRESENTATIONS (Cont.)

breakdown of your audience to prove to the client that you reach his market. Explain why you have scheduled announcements in the drive period or the non-drive period. The new salesman too frequently tries to do it the easy way, by a verbal explanation of his idea. And remember, you are selling ideas, not spots. You are selling a sound, not time.

600-2-e REPORTS

Each salesman will turn in a daily report or a daily call sheet. Show only those calls where you made a presentation. Do not show "outs" or "couldn't see, wanted me to call back later." Show only those calls where you made a presentation. Keep the report totally honest. You will be judged on time orders turned in, NOT on sales calls made. GM is instructed to discharge any salesman who falsifies a sales report. The salesman who does this is cheating the company and himself.

600-2-f SALES CONTRACTS

There is a tendency to skip the contract when dealing with a local retailer who advertises on a regular basis. The contract should not be ignored. It should be completed on each order placed by the retailer. This problem normally is NOT encountered at agency level, since agencies usually issue their own signed contract. Contracts should accompany TOs on retail accounts, and these should be kept in the account's file by the sales secretary or OM.

600-2-g SPECULATIVE ANNOUNCEMENTS

When dealing with a retailer, or small agency, it is a good idea to use speculative announcements. The LPD gets such requests directly from the salesman. The request should be in writing, as LPD will have to schedule the work, just as though he were preparing a sold commercial. Salesmen are encouraged to use this technique in selling, but are cautioned to use it only when it appears the station's best interests will be served. Don't try it on every account. Try it on the tough ones who have never used radio or who aren't familiar with your production abilities.

GENERAL

600-3-a ACCOUNT SWAPPING

From time to time GM or SM is required to remove accounts from one salesman's list and transfer them to other lists. Seasonal accounts notwithstanding, when a salesman has had an account for two months, and has not sold it for one reason or the other, it should be turned over to another salesman. This rule applies, of course, if the advertiser is spending money on any radio station in your market. If the salesman who has the account is hitting it regularly; and if the buyer isn't buying any station, then GM may want to leave the account alone. No salesman should be allowed to sit on potentially good accounts that he can't sell. The buyers may need a stronger presentation than the salesman is able to make. The policy applies to agencies as well as retail accounts.

600-3-b ADVERTISING, GENERAL

The station will, from time to time, engage in advertising in other media. This is done to help the salesman do his job; improve station image, and build audience. All advertising plans must be approved by PO through NDPA. GMs are encouraged to attempt trade agreements with local TV and newspaper outlets. Use the standard Trade Agreement request form, as you would with any other TO.

600-3-c AUDIENCE SURVEYS, USE OF

Some McLendon stations subscribe to surveys, ARB, Hooper or Pulse. It is important that you know how to use the results of a survey. REMEMBER: Approval must be obtained from PO before you subscribe to any rating service.

If you are rated as number one, say, in the 6-9 a.m. period, it is perfectly okay to run a promo to that effect on the air. Just be sure you are number one in that time period. If you are number one across the board, say that also. When you promote ratings on the air, the only requirement is that you be right and have legal access to the survey to prove your statements. If you did not subscribe to the survey, you may not quote it anywhere at any time. Make sure, in your announcement, that you identify the survey as the "October-November Hooper," for example. Do not identify other stations by call letters. Use "station B", for example.

600-3-c AUDIENCE SURVEYS, USE OF (Cont.)

When you enter the print field with your survey, you are faced with a slightly different problem. McLendon policy is that you must include a disclaimer on the complete reliability of such ratings. Example: "Any figures quoted or derived from audience surveys are estimates subject to sampling and other errors. The original reports may be reviewed for details on methodology."

If you publish such a claim, you must have substantiating material. The term "publish" means mimeographed sheets, brochures, or mass media. Anything that is printed. The FCC and FTC are quite sensitive on this matter, so comply 100%.

You may publish results of a survey only when you are a subscriber to that particular survey. To do otherwise will constitute illegal use of the survey and you will be subject to a legal claim from the survey company.

We do not, except in the most extreme cases and only with PO approval in writing, lodge formal complaints against competition in any McLendon market. If a competitor broadcasts or publishes a rating report that doesn't carry the disclaimer or that you feel is in error, you are to take these steps:

1. Call the manager of the competing station and give him your opinion. If he agrees with you and stops what he is doing, okay. Explain that you do NOT plan to file a complaint, but that some other station might. If the manager believes he is within his legal rights to continue, you then:

600-3-c AUDIENCE SURVEYS, USE OF (Cont.)

2. Lodge a complaint with the survey company. If you get no satisfaction, you then:
3. Call Washington attorney. Explain your argument and tell him what steps you have already taken. If Washington attorney agrees with you, he may then approach Washington attorney for the offending station. If this doesn't work,
4. Washington attorney, GM and PO will then consider a formal complaint to the FCC. Washington attorney's policy is that he must see a clear cut violation; he must know that everything possible has been done to make the station cease its offensive actions, and he must have enough evidence to prove the claim, before he will move toward a formal complaint to the FCC.

GM should make sure that LPD has provided Hooper, Pulse and other recognized survey firms with station rosters (program listings).

In making the listing, indicate KABL Music or W4 (WWW) Music, rather than "Overture," "Serenade," or "Gaslight," Program titles of this nature rarely are recognizable by the person being surveyed. Pulse uses a program roster and this roster is shown to the person being questioned. That person probably will not recognize "Gaslight" as a program to which he listens; but if he is a KABL listener, he is sure to recognize the KABL call letters. Do not list a meaningless title like "The Morning Show."

600-3-c AUDIENCE SURVEYS, USE OF (Cont.)

At contemporary music stations, air names are probably adequate. Instead of KLIF Music, for example, you would list "The Peter Rabbit Show." You must list either the personality or the station call letters.

We know of a case in New York where the station simply listed its best show as "The Morning Show." The rating services never gave the show much of an audience, although the station felt it had an excellent audience. When "The Morning Show" was changed to "Klaven & Funch" on the roster, the ratings sky-rocketed.

At good music stations, where the programming is predominantly music, it should be listed as KXXX Music.

If you think there is a chance of a program being identified in more than one way, for instance, "Charlie and Harrigan" or "The First Team," you should ask for alternate listings. If you have a new announcer whose name isn't known...such as the "Bill Smith Show," you should get an alternate listing that shows your call letters.

We point out also that it is just as important to see that your program guide for Hooper is listed correctly, and in as many alternate ways as you think necessary, to insure maximum effectiveness for any given period.

If you are not on top of this matter, you should immediately find out how your programs are listed with Hooper and Pulse, then, if necessary, take corrective action. Both rating services will supply you with a copy of their listings on your station.

600-3-c AUDIENCE SURVEYS, USE OF (Cont.)

The audience survey can be one of your most devastating sales weapons. It is critically important that GM's remain aware of these instructions.

600-3-d BUILDING THE ACCOUNT LIST

Developing an account list is an endless job. No salesman should ever believe he "has it made". Even if the salesman is satisfied with his billing, management is not. The salesman should continually evaluate the accounts on his list. If an account is dead, it should be removed from the list or given to another salesman. At least one new account should be called on every day. Before you call on an account, make sure it is not on another salesman's list. The account, if he is on another list, is bound to think the station staff is stupid when he is subjected to two calls by persons from the same station. Check GM or sales secretary before you jump on a new account, if there is any doubt.

Even if most of your business comes from agencies, it still is a good idea to develop the retail end of the sales spectrum. All automobile dealerships do not use agencies. Many exclusive diamond shops and fur shops do not use agencies. There is a great deal of direct money available. And where McLendon FM stations are concerned, this is a prime source of revenue. Don't develop the agency complex. Call direct on non-agency accounts.

600-3-e CLIENT FUNCTIONS

As a general rule, McLendon stations do not throw parties for clients on a local basis. When this is done, it generally is to reveal a new office-studio arrangement or to announce a new format. There may be instances when HO will host a weekend party for proper agency personnel at the corporation's ranch at Lake Dallas, Texas. It is quite proper for GM to set up a small luncheon for three or four buyers to present an idea. But any party expected to cost more than \$100.00 must be cleared through PO. Where stations have facilities for serving cocktails, these facilities are to be used in a highly discriminatory manner. It should NOT be an every afternoon affair where buyers are invited up "just to have a drink." Don't serve liquor unless you believe you have a chance for a sale. Make it a business meeting, no matter how social it appears on the surface.

600-3-f GIFTS

We do not give gifts at Christmas time or any other time, except as may be directed by PO. PO may decide to distribute X number of fixed-tuned radios in a given market, or in all McLendon markets. The sales department is expected to decide who receives the gifts. In this case, gifts are given to (1) advertisers whose business we appreciate and (2) advertisers whose business we want and expect to get. Never volunteer a gift without express approval from PO. When gifts (such as FM Radios) are distributed, OM must provide NDPA with an accounting of who received the sets.

600-3-g INCENTIVES (Cont.)

In some sales forces the regular commission is not sufficient to motivate the individual salesman to peak productivity. When necessary, particularly when a new station is just getting started, requests for sales incentive programs may be channeled through PO, with the total expenditure never to exceed 3% of your expected net increase over the previous month or previous year. There are scores of plans. We list a couple of examples:

(1) Set a quota for the staff for a given month, divide it among the individual salesmen. If the station quota is reached, every man who met his individual quota gets a bonus not to exceed 3% of his net increase over the previous month's billing or the previous year's billing, whichever comparison is used. In other words, if "A" did \$15,000.00 net billing the previous month, and he exactly met his quota of \$18,000.00 net during the contest period, his bonus would be 3% of \$3,000.00 or \$90.00, in cash, merchandise or services. However, if the station quota is not made, no salesman gets a bonus, even if he did make his quota. This sort of contest builds a spirit of teamwork in a sales department. You may elect to have NO sales contests, which is permissible with HO as long as your total local sales are continually increasing.

(2) To build nighttime, new accounts, weekend, and feature sales, you might set up a contest where each salesman is given points for each such contract. Say you set up a total bonus of \$200.00. You have five salesmen. Each salesman tries to get the largest percentage of the \$200.00. Here's the formula:

600-3-g INCENTIVES (Cont.)

New Accounts (multiplied by) weekend contracts (multiplied by) contracts for night-time spots (multiplied by) newscast contracts (multiplied by) total billing.

This establishes the salesman's "factor". If he gets a zero in any category, his factor is zero. Let's say, however, that "A" sold 3 new accounts, 2 weekend accounts, 5 nighttime accounts, 4 newscast contracts, and did a total net billing of \$12,000.00.

By using the above formula, "A"'s factor would be 144. Other salesmen factors are 90, 120, 160 and 115. Add all factors, then divide the sum into the individual factor to get the individual salesman's percentage of the bonus. This plan really works, and assures each salesman of something, unless he gets a zero in one of the categories. The plan forces the salesmen to work the "hard" areas, such as weekend saturation schedules, nighttime spots, etc.

When you have a contest, it generally is a good idea to write to each salesman's wife, advising her of the contest and of the fact that "A" will have extra money if he reaches his quota. Ask her to keep him in a good frame of mind during the contest and you might even offer her a small award if "A" wins. This, of course, is done with some humor. We don't want to get wives too involved in sales, but we do want them to realize that "Mr. A" can sell more if "Mrs. A" helps to keep his morale high.

600-3-g INCENTIVES (Cont.)

If you use a sales contest and it is successful, you are instructed to memo the PO so that it may be included in the Weekly Digest.

Plan sales contests for months that normally are your worst in terms of local net billing. Each manager is expected to keep careful records on billing, so each should be able to tell at a glance when local billing falls off. If, historically, your billing is high in June, and every salesman is expected to have a sizable increase in June over May, DO NOT PLAN A CONTEST FOR JUNE. However, if your records indicate that January falls off considerably from December, then you might start in December planning a contest for January.

If you run a contest in January, you probably will want to shoot for a figure higher than last January. It might not be reasonable to try to outdo the previous month. However, should you run an August contest, you might want to set a quota that represents an increase over July.

600-3-h MONITORING, COMMERCIAL

You are required to monitor the most competitive stations in your market. Monitoring should cost no more than \$7.00 per day, 7:00 a.m. until 7:00 p.m.

600-3-h MONITORING, COMMERCIAL (Cont.)

A housewife (perhaps the wife of an employee) can carry a portable radio and pad around with her all day and log the required material.

The OM should deal directly with the person doing the monitoring, explaining what information is required. Every commercial should be noted, so that you will know not only who ran, but also how many spots they ran.

Additionally, the monitor should make side notes on new hit music, new contests, station promotions, and any unusual public service features.

The monitor sheet should show:

TIME RAN	SPONSOR	MUSIC NOTES	CONTEST NOTES	PROMOTION NOTES
----------	---------	-------------	---------------	-----------------

The monitor should bracket those spots that are run back-to-back.

When the monitor is finished and turned in, the OM should immediately break it into national and local accounts. The national list goes immediately to the National Rep. The local list goes to GM for distribution to local salesmen. Notes on programming should be given to GM and LPD.

The GM may determine best days for monitoring, but generally Wednesday, Thursday and Friday are the best days, particularly on local business. During the summer, you might wish to do some weekend monitoring.

600-3-i NATIONAL, LOCAL ACCOUNTS

A local account usually is a retailer who does business only within your metro area and whose copy sells local goods and services. This includes retailers with multiple outlets (branches in shopping centers, for example).

A national account is one where the product has national or general distribution and cannot be classified as a local account within the above definitions.

In politics, persons seeking local offices (mayor, councilman, etc.) receive the local rate. This applies also to persons seeking state representative or state senate positions.

Persons seeking state offices (governor, U.S. Senate, U.S. House, etc.) pay the national rate.

Political parties in the national elections ARE national accounts. Local persons buying time for a national presidential candidate or party are, in fact, buying for a national account and must pay the national rate. It does not matter that the money actually comes from local sources.

600-3-j NATIONAL REPRESENTATIVES

Every McLendon station has a national rep. GM should schedule trips to visit with the reps at least four times per year. An eternal station-rep problem is that the rep never feels he knows everything he needs to know about the station he represents.

600-3-j NATIONAL REPRESENTATIVES (Cont.)

The GM, OM, SM and LPD (all through GM should keep the mail service busy with reports to the rep. The following material should be available at the rep office:

1. Coverage Maps
2. Rate Cards (Kept up to date)
3. Reports on successful station promotions
4. Reports on successful sales promotions
5. Up to date list of local advertisers (major, regular ones)
6. Thumbnail sketches on all air personalities
7. New and revised programs
8. Advertiser testimonials
9. Successful Public Service campaigns
10. Photographs of station participation in public affairs
(parades, home shows, etc.)
11. Information on successful editorial campaigns
12. Rating developments
13. Report on significant new industries in your market
14. Report on good personnel available in your market
15. A regular mailing on national business that is NOT on
your station but is on competing stations.

Anything that will help the rep salesman tell a more effective story about your station should be in the rep files.

When you visit your rep, you should get the sales manager to schedule a meeting between you and the rep salesman. Prepare to

600-3-j NATIONAL REPRESENTATIVES (Cont.)

bring the salesmen up to date on any changes made at your station since you last talked with them. Prepare to tell them about competition, and how to counter buyer arguments which favor your competition.

When you visit a rep, you should try to make a minimum of five calls each day, two in the morning, one at lunch, two in the afternoon. Cocktails with a sixth buyer ought to be possible, say, between 5:00 and 6:00 PM.

Sometimes a local agency (say, the Detroit office of JWT) will tip you on an account breaking at the New York office. This information should be related by the GM immediately to the rep.

600-3-k SALES AIDS

GM and OM should do everything possible to provide salesmen with sales aids. This includes copies of all testimonials, from listeners and from advertisers; coverage maps, presentation folders, speculation spots, attractively-printed rate cards, business cards and audience surveys.

Success stories are excellent. If department store "A" writes that you did a good job with that 50-spot schedule, department store "B" should see the letter.

Every salesman and station executive should continually seek out success stories in trade publications. If a contemporary music radio station in Cleveland does a good job for a diamond shop, it is reasonable to assume that OUR contemporary music station in Dallas could do an equally good job for a Dallas diamond shop.

600-3-k SALES AIDS (Cont.)

The Weekly Digest is a good source of information for success stories from McLendon stations. You should not only read the digest for information, but you also should contribute to it regularly.

Each sales department should have at least one portable radio and one portable tape machine. These are used to present the station sound (including speculative announcements) in its best possible light.

If any GM feels that he needs additional sales aids (brochures, file folders, etc.) he should outline his needs to NDPA and get authorization in writing from PO before proceeding.

600-3-1 SALESMAN CONDUCT

Salesmen are expected to maintain a clean credit rating and a good reputation in the community served by the station. Excessive drinking, bill collectors seeking out the salesman at the station, complaints from advertisers, may be construed as grounds for dismissal. The salesman must dress properly. He may like wide lapels and red socks and broad-bottom ties, but he cannot wear them and represent a McLendon station. The salesman may enjoy seven or eight martinis for lunch, but he can't have them and stay long with the station.

The salesman's personal appearance must always be beyond question when he is representing the station. He should drive a reasonably good car. He should, in essence, conduct himself in such a manner as to never discredit or embarrass the station.

600-3-1 SALESMAN CONDUCT (Cont.)

He should refrain from smoking in client's office. He must never wear bulky sweaters under his suit coat. He should always appear to have a fresh haircut. He should show no "bare leg" when dealing with a client. Long socks will take care of this problem. He should never use foul language in the presence of a client. He should never carry tales from one client to another. If you tell client "A" what his competitor is doing, client "A" may logically assume that you tell his business to the competitor.

600-3-m SALESMAN AND THE STAFF

The salesmen should be reminded that GM also is a salesman and has an account list to work. Administrative problems, such as sales commissions, should be taken directly to OM. Traffic problems should go directly to traffic or to traffic through OM.

It is important that the salesman understands and respects the problems of other members of the staff. It is true that nothing much happens until sales are made, but LPDs, GMs and sales managers can't effectively produce what the salesman sells if they are continually harassed by administrative and operational questions from salesmen.

Salesmen, by nature, are gregarious. They should be gregarious, but should be advised against extended, non-business conversations among themselves and with other members of the staff. OM,

600-3-m SALESMAN AND THE STAFF (Cont.)

for example, might like to hear about the game last night, or the pitch that failed today, but she has to get the Weekly Expense Report out and simply can't stop to listen. If GM has such a problem salesman (one who enjoys wasting other people's time) GM should have a talk with that salesman and correct the problem immediately.

600-3-n SALES PROMOTIONS

No sales promotion that costs in excess of \$100.00 will be undertaken without prior approval from PO, unless your annual budget is approved and covers the promotion. GMs, however, are required to continually seek out and recommend effective, profit-yielding sales promotions.

Sales promotions should be planned for your weak months. They should be designed to bring in revenue from unusual or small accounts. If you have a sales promotion, it would be foolish to sell it to your 10 best regular accounts. Since promotions usually cost money, you simply are spending money to get business that you already have when you pitch to regular accounts. Design promotions that can be sold to the odd account that rarely or never uses your station.

The program policy book will give you a rundown on successful sales promotions that have been executed on McLendon stations. The Weekly Digest frequently outlines good sales promotion.

When you set up a sales promotion, your recommended cost should be no more than 15% of the expected gross. If prizes are involved, you may request through PO permission to trade out the

600-3-n SALES PROMOTIONS (Cont.)

prizes. While \$4,500.00 may not seem like a big budget for a promotion that promises to yield \$30,000.00, you must remember that the cost is on top of your regular direct costs.

The successful sales promotion requires cooperation from the entire staff. Make sure everyone understands how the promotion works; hold general staff meetings for this purpose, and make sure everyone understands the plan is confidential.

600-3-o STATION PROMOTIONS

These differ from sales promotions in that they usually are non-revenue producing. The maximum budget for one station promotion is \$100.00, unless you have prior approval from PO, or unless you have an approved annual budget in which the desired promotion is included. Proposed annual promotion budgets should be submitted to PO no later than December 1st.

The sales department should stay on top of station promotions, to explain them to clients and to consider the possibility of turning a station promotion into a commercial vehicle. Rear Window, for example, is a great station promotion. It is even greater if it can be sold to Texaco, Gulf, or some other multi-outlet retail account.

GM should make sure LPD keeps him fully informed on all planned station promotions. GM is directed to look for all possible commercial angles. The Weekly Digest is an excellent source of ideas

600-3-o STATION PROMOTIONS (Cont.)

for station promotions. GM should ascertain that LPD is contributing good station promotion ideas to the Digest. Make sure your promotion does not violate local ordinances (Rear Window, for example, may violate laws prohibiting stickers on automobile rear windows), and, for insurance purposes, be sure to notify ST of all promotions where a public liability may be incurred.

Substantial care should be exercised to insure that the station is not vulnerable to a charge that a station promotion has been instituted for the purpose of hyping ratings.

600-3-p WEEKLY DIGEST

The Weekly Digest is mailed weekly to all managers, LPDs, MEs, and to various executives to HO. It is made up from Manager's and Program Director's Weekly Reports. Each station is required to submit each week:

General Manager's Weekly Report:

1. Creative sales ideas sold or proposed
2. Effective commercials on competitive stations
3. Potential high-caliber employees your market
4. Ideas needed
5. Regional sales leads
6. National sales leads
7. Best employee idea
8. GM sales calls
9. Community survey developments
10. New station listening posts

600-3-p WEEKLY DIGEST (Cont.)

11. Most pressing program problem
12. Changes in competitor share of audience (based on Hooper)
13. Program changes affecting promises
14. Suggestions for reducing expenses
15. Proposed capital expenditures

Program Director's Weekly Report:

1. Activity increasing listener awareness your station
2. Unusual positive listener comments on programming
3. Significant negative listener comments on programming
4. New ideas presented for improving programming
5. Best new on-air promotion or promotional idea
6. Best new public service idea or promotion
7. News on exceptional locally-produced commercials
8. Objectional commercials presented to you
9. Music of questionable taste
10. Creative ideas needed
11. Functional difficulties
12. Operational changes
13. Problems encountered/solved this week
14. New production albums located
15. New production techniques developed
16. Competitor activity in contests and promotions
17. New or old songs you think should be on GM playlist

600-3-p WEEKLY DIGEST (Cont.)

18. New or old songs you think should be deleted from GM
play list,

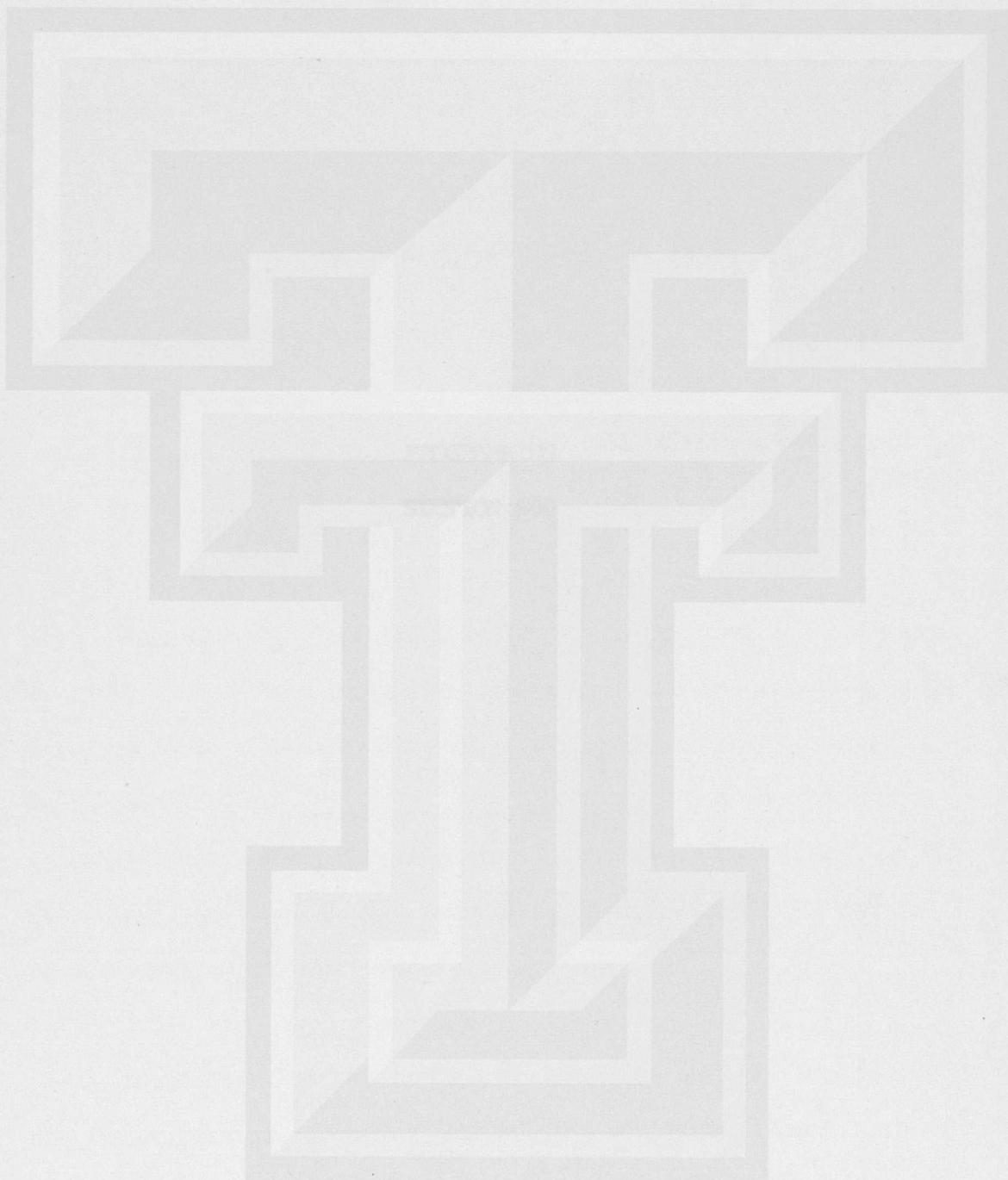
19. Significant programming changes or direction your market
(complete form samples available in back of Policy Book).

These should be sent to the NPD at HO. Include all available
information. It will be boiled down into workable form at HO. You
need not contribute to every department every week. But when you do
have something, share it!

The Weekly Digest is one of our most effective means of
communications, and by far the most economical. So make use of it.
Read it. Contribute to it.

600-3-q CONDITIONS OF EMPLOYMENT, SALESMEN

1. When a salesman leaves of his own accord or is fired for whatever reason his commission stops as of the last day he works. This applies to all salesmen hired after September 15, 1968, and should be made a part of any agreement you make with salesmen hired after that date. The company expends considerable money replacing and training salesmen. It is our desire to recover some of these expenses by issuing "full and final" checks to salesmen on the date of their departure. You may wish to give a discharged salesman two weeks severance pay, based on draw, which is at GMs option. But commissions will stop with collections received on his last full day of work. Be sure to advise the new salesman that he will be commissioned on collections.
2. When a salesman is promoted within the company and a new system of remuneration is established, he is paid only on that new system. In other words, if Salesman "A" becomes sales manager or general manager, he gets no commission on previous sales once he assumes his new duties and the new pay system begins. This should be made very clear to any employee when he is promoted and when the new pay system is explained to him.



PROGRAMMING 500

EMPLOYMENT AGREEMENT

ARTICLE I

The following contract will be entered into with each staff member (hereinafter referred to as "employee").

ARTICLE II

EMPLOYMENT AGREEMENT

THIS AGREEMENT was entered into this _____ day of _____, 19____, by and between _____, hereinafter referred to as "First Party," and _____, hereinafter referred to as "Second Party."

PROGRAMMING

SECTION 500

Second Party, in consideration of the promises and agreements of First Party herein contained, hereby promises and agrees to employ, or to continue in, the employ of the First Party (said employment commencing on _____, 19____, and to continue thereafter until such time as either party hereunto shall give the other party at least 14 days advance written notice of the desire of either party to terminate this agreement.

First Party wishes to take Second Party into its confidence, for the purpose of discussing and working out future plans, both long range and short term, for the operation of First Party's

DEPARTMENT RESPONSIBILITIES

500-1-a ANNOUNCER CONTRACTS

The following contract will be executed with each staff (announcer).

McLENDON (LICENSEE NAME)

STANDARD "KEY PERSONNEL" EMPLOYMENT CONTRACT

THIS AGREEMENT made and entered into this _____ day of _____, 19____, by and between McLendon _____, hereinafter called Second Party:

WITNESSETH

1.

Second Party, in consideration of the promises and agreements of First Party herein contained, hereby promises and agrees to enter into, or to continue in, the employ of the First Party (said employment commencing on _____, 19____, and to continue thereafter until such time as either party hereto shall give the other party at least 14 days advance written notice of the desire of either party to terminate this agreement.

2.

First Party wishes to take Second Party into its confidence, for the purpose of discussing and working out future plans, both long range and short term, for the operation of First Party's

500-1-a ANNOUNCER CONTRACTS (Cont.)

Broadcasting Station, or stations, and Second Party agrees not to divulge any of this information or the results of these discussions, to any person whomsoever, except as directed by First Party.

3.

Second Party further agrees in consideration of the aforementioned confidences, and in consideration of the Second Party's unique and extra-ordinary services that Second Party will not (unless prior approval is received in writing from the First Party) directly or indirectly, accept employment from or appear on or become financially interested in, any radio or television station, whose station, office or antenna, is located within a radius of 35 miles of any city in which First Party now or hereafter owns or operates a broadcasting station, for a period of 18 months, from the date that Second Party should cease to be employed by First Party by reason of resignation or discharge or for any other reason.

4.

In the event Second Party should breach this contract, Second Party hereby recognizes and approves First Party's right to secure equitable relief by way of legal injunction, restraining order, or otherwise.

5.

In consideration of the foregoing promises, First Party promises and agrees to pay the Second Party the sum of One Dollar (\$1.00) receipt of which is hereby acknowledged, and such other sums

500-1-a ANNOUNCER CONTRACTS (Cont.)

as compensation for services, as may be mutually agreeable and acceptable.

IN TESTIMONY WHEREOF we, the undersigned have hereunto set our hands at _____ the day and year aforesaid.

McLENDON _____

By: _____
First Party

Witness

By: _____
Second Party

Witness

Sworn and subscribed before me, a notary public, in and for

_____ County, _____, this _____
day of _____ 19 _____ A.D.

SEAL

Notary Public
My Commission Expires _____

500-1-b BILLBOARDING

Stations are required to "billboard" certain events when those events are not being carried live by competition. For example, if the British Open is being played this weekend, and there is to be NO local TV coverage, you should make arrangements with your wire services for special protection and you should "billboard" every _____ minutes for _____ days the fact that your station will have continuing special reports on the event this weekend. This could include Davis Cup Tennis Matches, other events GM and LPD regard as sufficiently important to merit such effort. The "billboard" should be no more than 10 to 20 seconds in length.

500-1-c CONTESTS

Should any impropriety ever be discovered in any of your contests, notify PO immediately. You will be advised on how to proceed. Under no circumstances are you to hide such improprieties. Here are two situations for your consideration:

- (1) Station discovers announcer rigged contest so friend could win. Manager discovered the scheme, notified PO. who notified Washington attorney, who notified FCC. Result: Station fined \$10,000.00, even though PO had no prior knowledge of rigging.
- (2) Station discovers LPD rigged contest so there would be no winner during first 10 days of contest. Manager discovered scheme; made immediate corrections, decided,

500-1-c CONTESTS (Cont.)

since he had made corrections, to keep the matter quiet. Announcer, conscience stricken, made call to FCC and gave report on events. Result: \$10,000.00 fine and station license revoked.

So, if you discover any violation of this nature, notify PO the minute you make the discovery. You probably will be advised to call Washington attorney immediately, but notify PO first.

Each station employee must be advised that when an FCC rule is violated, the corporation is liable for a substantial fine, even though officers of the corporation were unaware of the violation.

It is a rule of this corporation that if any person violates a rule that results in a fine being levied upon the corporation, the responsible party will, himself, pay half the fine. This is a condition of everyone's employment at any McLendon station.

The commission doesn't ordinarily fine the licensee when a simple mistake is made. If the mistake is made repeatedly and willfully, yes, we become liable. A willful violation of the rules (as in rigging a contest) will bring the FCC down on us like a clap of thunder.

500-1-d CONTINUING NEWS COVERAGE

This action is taken only on approval from PO . It requires that you preempt ALL regular programming and devote your facilities 100% to coverage of a news event of major importance. Some

500-1-d CONTINUING NEWS COVERAGE (Cont.)

examples of when you consider invoking the Continuous News Coverage concept: Assassination of President; downtown explosion buries dozens; insurrection; uncontrolled riot, your city, etc.

500-1-e FORMAT CHANGES

You are never to make a major change temporary or otherwise in your format with approval from PO. And any permanent change that affects your promises to the FCC MUST be reported to Washington attorney BEFORE the change is made. Never report changes directly to FCC. If you decided to add 15 minutes of news per day, or drop 15 minutes of news per day, THIS IS A MAJOR CHANGE. Get clearance from PO before you proceed, and get advice from Washington attorney before you proceed. PO clearance should come first.

Other major format changes, for which you must have PO approval:

1. Alter time of newscasts
2. Alter length of newscasts
3. Change music from good music to contemporary
4. Change delivery style of news
5. Add 1-hour church program
6. Delete 1-hour church program
7. Run noisy commercial on good music station
8. Run promo that is not consistent with good music format
9. Change music in deference to death of a prominent person

LPDs must have a clear idea of what the format is, and must have had considerable dialogue with PO and NPD regarding the format.

500-1-e FORMAT (Cont.)

There is no way to spell out exactly what changes can be made in a format without PO approval. But if LPD has an understanding of what the format is, of what promises have been made to the FCC (check promises in Section IV-A of the license application, on file in "Public File" in OM's office), no problems should arise.

500-1-f MUSIC

See Station's Program Policy Book.

500-1-g NEWS

(See also, Program Policy Book)

There are several basics regarding news that may not appear specifically in the Program Policy Book. Some of them are:

1. Firearms are never kept in the station, newsroom, or mobile news unit.
2. Families of victims of dog bites frequently telephone with a plea for broadcast appeals for help in finding the missing animal. Your policy is to always assist the victim in the search, but only during the final three days of the incubation period of rabies. Ten days from the bite, the rabies shots usually begin. Your station will begin broadcasting the appeal on the eighth day following the bite, but not before. We are sincerely concerned about these cases, and will make every effort

500-1-g NEWS (Cont.)

to be of valuable assistance, but because of the probable volume of such requests, you must wait until the eighth day. Most animals are found -- without radio assistance -- during the first seven days.

3. Only in the event that police suspect foul play will your station broadcast a missing persons appeal. We prefer that a policeman actually record the broadcast. If that is not practical, the ME or LPD must have the appeal verified by someone of whom the ME or LPD has personal knowledge at the police department. If you have the slightest doubt of the appeal's authenticity, DO NOT RUN IT. Pranksters sometimes sound authentic. If you are working by telephone, get the report, then call the officer with whom you spoke back through the police switchboard.
4. Appeals for blood will be made only on request from a hospital official.
5. Names of accident victims will be withheld pending notification of next of kin. Police generally will give guidance in this area.
6. Keep routine news copy no more than 30 days. If you quote "A" in an attack on "B", you should maintain this copy for an indefinite period in a special file. You should also notify "B" of the attack and get his reaction for your follow up stories. "B" may be an individual or an institution. (See 500-4-c PERSONAL ATTACK RULES)

7. McLendon stations do not pay for out-of-state news actualities. News directors must be instructed also that no actualities concerning national political conventions will be paid for. News directors should concentrate all forces on covering local news, recognizing that we cannot compete effectively with networks on national and international events.

500-1-h OFF-AIR PROCEDURES (For Program Department)

1. Notify Hooper, Pulse and other survey companies working in your area of the exact date and time off and time back on.
2. Note on the operating log the time off and time back on. Note the reason off, console failure, etc. If the reason was transmitter failure, make a note of this and refer to the transmitter log of that date.
3. Note on the program log discrepancy sheet the spots missed during the off-air period. Do not attempt to go back and catch up on the announcements missed, unless you were off the air for less than 5 minutes, or unless the Traffic Manager, on instructions from OM, makes necessary log changes to compensate for those missed. If you are off for half an hour or more, just note spots missed on discrepancy sheet and traffic will handle it from there. On the program log, bracket the off-air period, initial and date, being careful not to obliterate log entries.
4. When you first know you're off the air, notify LCE and LPD immediately. Corrective action will be taken.
5. Upon returning to the air, simply state that due to technical difficulties KXXX has been off the air for the past X number of minutes and "We now resume with xxx (regular programming)." Identify the station immediately, and continue with programming. DO NOT BOTHER WITH LONG, WORDY EXPLANATIONS OF WHY YOU WERE OFF THE AIR.
6. Announcers should stay in the control room ready to resume

500-1-h OFF-AIR PROCEDURES (Cont.)

programming the minute repairs are made, unless otherwise directed by GM or LPD.

500-1-i PROGRAM MONITORING

It is necessary that the executive staff of your station be almost constantly involved in "critical" monitoring of your programming. At times, it will be necessary for certain members of the executive staff to take off several hours for constant monitoring. Continuous "policing" of your sound is necessary if you are to keep and increase your ratings.

There are some definite techniques involved in "critical" monitoring. Unfortunately, you can't listen just for the enjoyment of it. You can't just hope to remember to mention it to "somebody" next chance you get. Casual listening won't get the job done. You must know your program policies -- and then listen with a critical ear to find out where and how program policy is being violated. In your monitor report, we aren't particularly interested in what is being done right. We must know, however, what is being done improperly so that corrections can be made.

Your monitor reports should go to your program director, in writing, with a copy to the national program director. Our purpose is not to "squeal" on the program director or any air personality. Errors will be made in executing the program format. Unless we communicate clearly and frequently, we cannot hope to maintain program improvement. By monitoring consistently, you can improve

500-1-i PROGRAM MONITORING (Cont.)

consistently.

Don't generalize in your report. Don't say a newscast was bad. Say, instead, that the announcer kicked five words in a 4-1/2 minute period. Say the newsman mispronounced "often" and "Thailand." Be specific! If you are specific, the program directors will be able to solve the problem. As an executive of your station you should read the daily newspapers every day. If this morning's paper had a screaming headline about a battle in Vietnam and you didn't hear it on your 7 or 8 a.m. newscast, find out why. Bad news judgment, or no news judgment, is involved. How many other front page stories didn't your early morning newscasts carry? Did we miss a big local story? How long are the newscasts supposed to be when they are sponsored? How long when unsponsored? And how long was your 7 a.m. news which was sponsored? How long was your 8 a.m. news, which was not sponsored? You read a story in the morning paper about the city council voting to hold a public vote on a tax increase. Did your station have the story? Was the "meat" of the story reported, or did your news department just breeze over it? Did the announcer sound like he had "woodsheded" the story? Or did he sound uncertain, as though he were reading the story cold? Was the news rewritten or was it what you heard on other stations? So, on news, you should listen for:

Kicks and fluffs

Timeliness (was there an old story on the news?)

500-1-i PROGRAM MONITORING (Cont.)

Completeness (was all current, hot news included?)

Length of newscast

Comprehension (did we have the "meat" of each story used?)

Preparation (did the announcer rehearse the news - or read it cold?)

Authoritativeness

Break-ups

Copy stale or fresh

Were wire stories localized

Know your music policy and be prepared to relate each piece of music you hear on the station to that policy. Your music format requires certain balances and tempos. Find out what they are. If you hear two songs by the "Supremes" back-to-back, something's wrong! When does your format call for "Hits of Yesterday?" Was the one you just heard played at the wrong time? Were the last five tunes you heard all UP TEMPO? If so, the announcer was probably ignoring the format. Did you hear three female vocalists in a row? How about three instrumentals in a row?

During any quarter hour, did you hear triple spotting and music back-to-back? Did the announcer break up commercials with time and temperature? Did he fade a vocal for the news or a commercial? Did he use any humorous one-liners? Did he tell a "story" that ran over 20 seconds? Did he bore you with the story? Was it timely? Did he tell a drinking story? Have you heard him refer to booze previously? Did he mention an advertiser (at a point not related to a commercial just played)? Did his mood reflect the time

500-1-i PROGRAM MONITORING (Cont.)

of day? Did he communicate with you, or did he just make noise?

Did he maintain strong station identification? Did he get the legal ID s in at the proper time? Did he give frequent time and temperature checks? Did he repeat the weather forecast? How were news department bulletins handled? Were the bulletins of sufficient value to merit breaking into regular programming? Any house jokes?

Did the announcer knock the station or his job?

Did you hear any loud commercials? Was the delivery of the commercials clear? Did you understand what the client was trying to sell? Did the announcer make any untoward remarks about any particular commercials? If you've got a contest going, were the promos clear? Did the announcer make any off-color remarks? Did he use the word lousy, garbage, stinking? Did he say anything that would embarrass you in the presence of your 12 year old son or daughter or your mother or wife?

If you know your format, you can turn in a comprehensive monitor. If you don't know the format, you're wasting your time.

If you do an expanded monitor, such as from 6:00 a.m. until 12:00 noon, you should rough out a form on which you keep your notes. The following is a suggestion:

HOUR: 6-7 a DATE: ANNCR ON DUTY: MONITOR BY:

Time	Temp	Sta ID	Music	News	Commercials	Pacing	Mood

500-1-i PROGRAM MONITORING (Cont.)

Obviously, it is not a primary function of the GM and OM to monitor on any kind of a regular basis. However, if your interest is as high as it should be, you will set for yourself some kind of informal schedule for monitoring. It is the direct responsibility of the program director to do a great deal of monitoring and policing of the sound. The national program director monitors tapes that local program directors are required to send in. These tapes should be at least one hour in length, and should cover different time periods each week. The national program director also will do "in-city" monitoring on his visits. These monitors, of course, will be unannounced. The national program director should find a minimum number of programming flaws when he does the unannounced monitoring. This will prove to him that you are indeed on top of your sound and that you are making daily, on the spot corrections. Nothing really big may be wrong with the way your format is being executed. But a dozen "little things" wrong can drive your audience (and consequently your revenue) to another station.

500-1-j PUBLIC AFFAIRS PROGRAMMING

Most McLendon stations have a fixed schedule of Public Affairs programs. These were established to do a public service, and to comply with promises we made on the license application.

500-1-j PUBLIC AFFAIRS PROGRAMMING (Cont.)

But during the course of a year, you will likely do a great deal of "unscheduled" public affairs programming, details of which you must keep on file and use in the preparation of license renewal exhibits dealing with public affairs programming.

Here are some examples of unscheduled public affairs programming that may come up:

1. Explosion at factory. Police chief is given 5 minutes to plead with public to keep out of area. This is a PA program. Make sure it is logged that way and that all details pertaining to the program are put in the PA file.
2. You run a five-minute interview between Senator Snow and the head of Urban Renewal in your city. This is a PA program.
3. There is a riot in your city. You go "all-news" for 12 solid hours. You cooperate with the police and fire department officials in warning people to stay clear of the troubled area. This is PA programming.
4. You have a hot tax election in your city. You run a 5 minute discussion show between two of the opposing principals. This is a PA program.

There will be many times during a year when you can run public affairs programming, aside from that which you have regularly scheduled. Look for it; take advantage of the opportunities, and keep exact, detailed records.

500-1-j PUBLIC AFFAIRS PROGRAMMING (Cont.)

In running this kind of programming, however, you must be sure that it doesn't violate your format requirements, or that it is sufficiently important to the public that you can, indeed, justify a format violation.

Some stations broadcast listener comments or "talk shows" as part of public affairs programming. A record should be kept of each show. A form for this purpose, "Talk Show Resume," can be found at Page 76-d. Each station is required to maintain tapes of each such broadcast for 30 days. If something unusual develops in which the station may be liable (foul language, personal attack, etc.), Washington attorney and PO should be notified immediately and the tape should be kept on file indefinitely.

500-1-k PUBLIC SERVICE

McLendon stations regard public service as public service, NOT LIP SERVICE! When the corporation applied for a license to operate your station it promised to run a certain number of public service announcements (Para. 19, Part III, Section IV-A of the license renewal application in your public file). When we apply for a license renewal, we will have to state how many public service announcements we actually ran (Para. 10, Section II, Section IV-A of the license renewal application in your public file). Our performance must agree substantially with our promises.

Each GM and OM should know the exact number of public service announcements promised in the corporation's application for license renewal, and should continually check to see that the promises are being kept. Up to one-half of your commitment will be dedicated to seeking unskilled full-time labor for local industry, provided the federal minimum wage is paid and provided there is no racial discrimination.

To keep the promises, you should schedule X number of public service announcements per day. These should be more or less fixed on the log. THEN you should undertake to fill these public service availabilities with worthwhile public service announcements of NO

500-1-k PUBLIC SERVICE (Cont.)

MORE THAN 30-seconds in length. We do not want you to take the easy way out in fulfilling the PS commitment. You receive, almost on a daily basis, a quantity of public service announcements from a variety of governmental and national fund-raising agencies. It is simple to put these on the air and think you have fulfilled your promises. YOU CANNOT DO IT THIS WAY! Only one-third of your PSA commitment may be fulfilled via pre-recorded material.

Appoint someone on your staff as public service director. This could be an announcer, your copywriter or perhaps your traffic manager. It might be a secretary or even, in an extreme case, your OM. But someone should be made PSD.

After you have selected the PSD, he should undertake to find out what is happening in the community. You learn that the Lions Club will sell brooms next month with proceeds going to buy eyeglasses for indigent children in your community. Your PSD should talk with the chairman of the project, find out exactly how the campaign will work, then offer your station's help. You may want to devote from 25% to 75% of your PS availabilities to the project. The chairman himself or his representative must record the announcements. Each PSA must mention your call letters at least once. Then, the PSD should write a complete report on the campaign and give it to the OM to file in the public service file. In the course of a year, you might participate in 20 such campaigns, and you must keep detailed records of your participation. The following is not acceptable:

500-1-k PUBLIC SERVICE (Cont.)

Talked with the Lions Club today and they accepted our help on their broom-selling campaign.

This report is acceptable:

9/12/67 - had lunch with William Potter, 3112 Main Street, San Francisco, who is chairman of the Downtown Lions Club "Operation Eye Glasses." Mr. Potter gave details on the project, and, on behalf of KXXX, I offered to run 25 half-minute announcements per week to support the project. Mr. Potter agreed to come in and record the announcements personally. He suggested that our announcements during the five-day build-up period be run mostly during 10 a.m. to 5 p.m. I agreed, and also agreed to change the copy at the end of five days and prepare special copy to run while Lions Club members were actually on the street selling the brooms. I suggested that Mr. Potter take the copy we prepared and offer it to other local radio stations. He was most happy with the suggestion, and said he had heard a great deal about KXXX's affirmative efforts to help on such project. After my talk with Mr. Potter, I asked Mayor Smith to come by and record some announcements for the campaign and he agreed.

P.S. - Mr. Potter wrote on 9/19 that the campaign was a big success. His letter is attached.

500-1-k PUBLIC SERVICE (Cont.)

Of course, there won't always be such a campaign in progress. But from the deluge of discs and tapes received from national groups, there is much that can be done. For example, you'll get material from the National March of Dimes. It's well-produced. But you will do a better job for your community if you contact the local chairman and let him do the spots. Find out what local problems are; maybe you can completely localize the copy.

Your PSD should seek out locally prominent persons to record public service announcements. Mrs. Big Wig may be chairman of the city beautification program. Get her to record some announcements. The city has an LSD educational program that is handled by the police department. Find out about it; get the police chief to record announcements. This kind of public service programming requires work. But it is exactly the kind we expect you to have at your station.

Make sure traffic knows how to log the announcements (see Program Log), and make sure you send a memo bill marked "Paid" to each organization using your time. Show units and dollars, and keep a carbon and running totals. These figures can be used in your SECTION IV-A EXHIBITS. In addition to narrative reports, the PSD should complete the "Public Service Campaign Resume" form in the back of this book. This completed form will serve as a cover sheet for other material from the campaign. The entire file is part of your "public file" and should be maintained for at least 3 years.

An individual announcer may become impressed with the effects of YWCA girls who are trying to raise money for one purpose or another by washing cars on Saturday afternoon. The announcer may wish to promote the effort on his show. This is OKAY, provided he doesn't violate format and PROVIDED HE ATTACHES A MEMO TO THE LOG

500-1-k PUBLIC SERVICE (Cont.)

THAT HE MADE THE ANNOUNCEMENTS AND GIVES THE PSD A COMPLETE REPORT ON HIS INVOLVEMENT. This report, again, goes into the Public Service File.

Your logs will tell you how many PSA s you ran during your composite week. The file you keep on how you handled PSA's will be invaluable when you start writing the Exhibit for Para. 12, Part II, Section IV-A, of the license renewal application.

Should you run an editorial campaign calling for a clean-up of slum areas, and the city does in fact clean up the areas, and you do in fact get mail complimenting you on the effort, the entire story should become part of your public service file. Copy of the editorials should be included, along with any mail you receive, plus a memo on what people "said" to members of the staff about the comment. The memo should be complete as to names, addresses, dates and what was said. "Bill Jones liked it," is not adequate. Bill Jones (with addresses, dates and circumstances) said he had seen the slum areas and had wondered when someone would make a clean-up demand. Mr. Jones said "this is the kind of thing more stations ought to do." Mr. Jones said other media had ignored the problem for years. He said he was thankful that KXXX was a member of the community. "Details" And after you submit your exhibit, keep the material on file in case the Commission wants a closer look at it! (Read the Editorial section in Programming - 500-3-f).

500-1-k PUBLIC SERVICE (Cont.)

Your public service activity relates very closely to your Community Survey projects. Your public service file must be used to prepare the exhibit for Para. 12, Part II, Section IV-A. It also will be helpful in preparing the exhibit for Para. I, Part I, of IV-A, and possibly in preparing the exhibit for Para. 16, Part III, of IV-A. (See 700-6-b)

500-1-l REJECTED COMMERCIALS

It is important that the office manager maintain a file on commercials that are rejected for any reason. There could be many reasons for maintaining the file, including the possibility of litigation, justifying our position to an important agency or client, or possibly to prove to the Commission that we are very careful about the length of commercial continuity and the commercial content. Don't try to second guess these eventualities. Just keep the file. Include agency-produced material.

500-1-m REJECTED MUSIC

You are familiar with the policy on music lyrics. Music rejected by your station because of questionable lyrics should be kept in a special file in the program department, along with a copy of the lyrics and your comments and reasons for refusing to play it. Make sure the national program director is informed in writing of your decision to NOT play a certain piece of music. If you are

500-1-m REJECTED MUSIC)Cont.)

overruled in your decision by the national PD, his decision must also be in writing. Music rejected because it, in your opinion, simply has no popular appeal may be kept in a "scrap pile."

500-1-n STUDIO SECURITY

The Local Program Director is responsible for studio security. NO visitors are permitted in the control room at any time. A guest announcer, Arthur Godfrey, for example, is not a visitor per se and would be permitted to make a guest appearance on the Big Bill Smith Show. People wanting to "watch" the announcer are not permitted in the control room. After regular business hours, the studio areas should be closed to the public, unless the individual visiting is accompanied by the GM, OM, PD or CE. Studio area would include the control room, production room, music library, traffic office, copy office. Visitors in these departments should always be kept to a minimum. Visitors should never be allowed to wander around alone in the program department.

500-1-o IN CAR SURVEY, PILOT SURVEYS, HOW TO CONDUCT

You will from time to time, be instructed to conduct an in-car pilot survey in your market. This section contains instructions used by the C. E. Hooper Company in its in-car surveys. It is suggested that you use these instructions as your guideline.

500-1-o IN-CAR SURVEY (Cont.)

1. General Outline

These studies are designed to provide popularity measures of radio stations on hourly time periods for the hours 7:00 a.m. - 6:00 p.m. Male college students are employed, and after a brief training period, placed at intersections which are representative of the traffic for the city involved. A description of the training and choice of locations is developed later. Drivers of personal passenger vehicles are queried when traffic is at a standstill. They are asked if they have a car radio, if it is in working order, and if they are listening to it. Further, the station which they are listening to is obtained and the number of men, women, teens and children present is noted. At the same time this is taking place we will conduct separate interviewing, using our regular Radio and Market Research interviewers, and inquire as to the use of the auto in a sample of telephone homes utilizing a questionnaire similar to the enclosed example.

II. Choice of Locations

Before the set up procedure is begun, permission of the police department for the city involved will have been obtained, usually by one of the sponsoring radio stations.

NOTE: The name of the individual involved at the sponsoring station will be given to you to use when contacting the police traffic department. Do not contact the station in any way. If a question arises, phone Robert D. Atkinson or Frank Stisser for assistance.

500-1-o IN-CAR SURVEY (Cont.)

Since our knowledge of these locations is usually required by the traffic departments, it is best to set up the specific locations with them. With the aid of a street map, which usually can be obtained locally, go over the area with the view towards meeting the following requirements:

1. Safety of Interviewer

Choose a traffic intersection where cars come to a complete stop. A red light is almost a "must"; a "STOP" sign will not do. Except under unusual circumstances, try as often as possible to get a safety island location where you will find the interviewer can work easily from the drivers side. Also, one way streets can be utilized, since standing on the driver's side can again be accomplished.

2. Representative Traffic Flow

For the area involved, attempt to determine a point where the "in" and "out" of city traffic will be representative for the area -- in this respect, expressway exits or interchanges unusually meet the qualifications. Be sure that downtown traffic is represented as well as the expressway and suburban traffic.

3. Quantity of Flow

Attempt to have maximum traffic going through the interviewing point. "Waiting" for traffic interferes with sample accumulation and dispersion.

500-1-o IN-CAR SURVEY (Cont.)

4. Number of Locations

Choose ten "best" and five alternates in a ring around the city as equally spaced as possible, consistent with the foregoing qualifications involving safety, representation, and quantity of flow. The far suburban rural areas need not be selected since the "on" and "off" expressway traffic will sample them.

III. Checking Locations

Before your orientation meeting with the interviewers is held, a physical check of the locations selected is in order to see that they are workable and that you thoroughly understand exactly where the interviewer is to be located. You will want to explain these locations and such problems as parking at the locations, etc. during the interviewer orientation period.

IV Selection of Interviewers

At the time that the car radio study is confirmed to you, we will attempt to provide you with the names of the placement officials at colleges with male enrollments. You will then write to these individuals, or simply "Placement Director" where a name is not available, and request four reliable male students who have autos and who can work from 7:00 a.m. to 12:00 noon, or 12:00 noon to 6:00 p.m. for the dates of the survey. You will need two for each morning and afternoon. In addition, request two alternates since the experience of this writer is that one or two will quit,

500-1-o IN-CAR SURVEY (Cont.)

or will be unsatisfactory. Usually since you have notified the placement director of the dates, they can let you know if enough people will be available, and, if not, you can get in touch with another college. Arrange an orientation meeting, ordinarily the day before, when the interviewers have been decided upon, and within the same body of correspondence.

V. Orientation Meeting

1. Supply Packets

Sent to your home, or other destination, will be supply packets containing the following:

- a. 200 interviewing sheets
- b. Interviewer schedule form
- c. A "Car Radio Survey" badge
- d. A return envelope -- the packet itself

Distribute each one of these packets to your four definite interviewers and the two alternates, if present. The interviewer sheets are self-explanatory, however, there are several things to be explained.

- a. Be sure that the day, date, location and especially time are recorded. Also, when the hour is completed, begin a new sheet, no matter what time it is.
- b. Audience composition need only be reported for listening cars. Interview each car that comes to a stop.

500-1-o IN-CAR SURVEY (Cont.)

c. One of the following indications must be made for each interview:

- I. no radio
- II. radio broken
- III. off
- IV. on
- V. refusal

d. Interview on personal passenger vehicles only.

2. If it is noticed that the same car reappears to be interviewed, it is not to be done. If this or any other unusual occurrences take place, the interviewer is to move to the next location and so note this on his interviewer's form. An unusual occurrence might be an instance of being approached by a radio station.

VI. Interviewer Schedules

Before your meeting there is a master schedule assigning the locations given to you to be prepared. Use as a guide the numerical and alphabetical system shown on the enclosed example. You will find it is easier to transpose the numbers on to a map to keep with you for references. In addition, the interviewers will be able to transfer from their schedules to maps if they like. At this point, they must fill in their own individual schedule after you have determined who is working in the morning and the afternoon. Remind them to keep track of their actual time, (NOT INCLUDING GOING TO AND

500-1-o IN-CAR SURVEY (Cont.)

FROM), their mileage driven (from point of departure to home again), parking fees (they must return receipts when their work is done). Mailing costs on the returned packet should be determined before they seal their envelopes. The time sheets are tallied with the auto use, parking, mailing, and any other verifiable expense and a check is returned thereafter. No longer than one week is necessary for this.

If rain, or other weather problem should intervene, the interviewer is to seek shelter until the storm has passed and then return, keeping to the original schedule. The missed time is to be made up whenever convenient for the interviewer. Any week day is satisfactory for makeup. NO PACKET IS TO BE RETURNED UNTIL THE INTERVIEWER IS COMPLETED, and if makeup is necessary due to sickness or hardship, it must be done by them or another interviewer before it is returned. If they run out of (in) time sheets, they can request more from you. (The extras will be sent to your hotel to arrive when you do.)

VII. Interviewer Verification

Beginning with the first day of interviewing, it is proper to check on each interviewer to see that they are:

1. At their assigned location
2. Recording the interview properly
3. Not entering traffic, or exposing themselves to injury
in any way

Answer their questions.

500-1-o IN-CAR SURVEY (Cont.)

The above should require about two or three days, since it is our feeling that you should check each interviewer at least twice. Do not hesitate to terminate an uncooperative interviewer, since good work takes precedence over doubt. Notify them they will be checked. Any problems -- call New York -- YU 6-8010.

DAY: _____

INTERVIEWING TIME

DATE: _____

From _____ a.m. to _____ a.m.

LOCATION _____

_____ p.m. to _____ p.m.

Question 1. Are you listening to your radio?

Question 2. What station, please? What dial number?

Question 3. Do you have an FM set in your car?

No	Radio	Listening	Audience Composition	FM						
Radio Broken	Off	On	Ref	Stat/Prog	Men	Women	Teens	Child	Yes	No

1. _____

2. _____

3. _____

TOTALS

1480	680	1150	1350	1110	1540	930	860	550	1310
KADE	KBAT	KBER	KCOD	KDRY	KEDA	KITS	KONO	KTSA	KBVD

1250	1200
KOKA	WOAL

Others: _____

City: _____

500-1-p EMERGENCY OPERATIONS

The following requirements must be noted with respect to any emergency operation by AM stations:

1. Daytime only AM stations or AM stations which operate with a different pattern at night may use their full daytime facilities during nighttime hours to carry emergency information if there is not an unlimited-time service in the community or if it is inadequate from the standpoint of coverage. In addition, even if there is an unlimited full-time operation with adequate coverage, emergency operation may be conducted by another licensee if its program format is directed in particular to a specific group for whom the information is of a critical importance (such as a Negro oriented broadcast station broadcasting during a time of civil disorder involving Negroes).
2. Any emergency operation must be on a non-commercial basis
3. Recorded music may be used to provide program continuity.
4. A full report must be filed with the Commission (through Washington attorney, of course) following operation by the licensee on an emergency basis.

NOTE: CHECK WITH PO OR WASHINGTON ATTORNEY BEFORE YOU
INITIATE EMERGENCY OPERATIONS.

Some conditions under which you might consider emergency operations:

Tornado

500-1-p EMERGENCY OPERATIONS (Cont.)

Earthquake

Flood

Civil Disorders posing community-wide emergency

500-1-q DUPLICATION OF AM AND FM PROGRAMMING

After August, 1965, licensees of FM stations in cities over 100,000 population shall operate so as to devote no more than 50 percent of the average FM broadcast week to programs duplicated from an AM station owned by the same licensee in the same local area. 73.242 (FCC Rules)

PROCEDURES

500-2-a DISCREPANCY SHEET

This should be the last page of your log. The discrepancy sheet may be called an "exceptions sheet" at your station. Regardless of the name, it is to be used by announcers to note "exceptions" to or "discrepancies" on the daily log. Here are examples of material that should be noted on the discrepancy sheet:

1. You are off the air from 12-1 p.m. Note on the discrepancy sheet the spots you missed.
2. The Coca Cola cart is dragging. Make a note on the discrepancy sheet.
3. Smith Furniture Commercial is 70-seconds long. Make a note.

500-2-a DISCREPANCY SHEET (Cont.)

4. You were unable to get the stock market report on. Make a note.
5. Last Friday's "Almanac" ran today (Your system is automated). Make a note.
6. Copy left out of book.
7. Format missing from book.
8. News Program improperly classified.
9. Political party not shown with political spot.
10. You missed the 3:00 p.m. news
11. You noticed an erasure on the log.
12. You noticed "something" completely marked out on log.
13. You noticed a 60-second announcement logged as a 30-second announcement.
14. You missed the 3:20 p.m. Winston spot.

500-2-b PERMANENT LOOPS

Your station probably has at least two permanent loops. These will be laid in between your studio and your transmitter. One is regularly in use, the other is a "standby" in case something goes wrong with your regular one. Your good relationship with the telephone company will help in getting fast maintenance if the loops fail. Your loop record file should contain information on the permanent loops. You may also have permanent control lines between your remote control equipment and your transmitter. These are

500-2-b PERMANENT LOOPS (Cont.)

ordered through the commercial department of the telephone company. These are special lines and should be ordered by the station CE. But the OM still should keep careful records. Check the record once in a while just to make sure you are still using the loops for which you are being charged. You may have put a special loop from the studio to the court house which hasn't been used for months. This has happened, and the phone company generally makes no rebates due to faulty memory.

500-2-c PROGRAM LOGS

The following was written by Washington attorney and accurately reflects the policy of the company with reference to program logs.

Every member of station management, as well as the traffic manager and all announcers, must understand program log policy.

These logs will be kept on file at least 24 months, but no more than 25 months, except those logs covering a period in which controversy or litigation is currently existent.

Program Information and Definitions

The rules require that the following four items of information be entered on the log for each program:

1. Name or title of program.
2. An entry of the time each program begins and ends.

500-2-c PROGRAM LOGS (Cont.)

3. A classification of the program by "type" (agricultural, entertainment, etc.)
4. A classification of the program by "source" (recorded, local or network).

If entries pertaining to a particular program occur no more than one page of a log , the name or title of the program need not be repeated on each of the log pages that contains information pertaining to that program and time period.

Logging of "Program Inserts"

Many stations depend heavily upon a music format with news at regular intervals. The music is interrupted, from time to time by an interview, commentary, editorial, etc. The rules specifically recognize that such abbreviated inserts can and should be logged separately. The required logging technique is set forth below. It assumes a format of block music programming interrupted by occasional "program inserts."

8:00 a.m. - 10:00 a.m. Morning Record Parade REC E

8:00 a.m. - 8:35 a.m. News and Weather N L

9:13 - 9:14 Interview with Mayor PA L

The name of the program itself need not be repeated but the inserted program unit should be clearly identified and time on and time off explicitly shown. In the illustration the news and interview are indented. Whether you do it by indenting or otherwise, it should be made clear that the short program unit was broadcast within the longer program.

500-2-c PROGRAM LOGS (Cont.)

Identifying the Network

The Commission has a special requirement with respect to network programs. In addition to the name or title of the program and the classification of the program as a network program, you must also show the initials of the network - ABC, CBS, MBS, NBC.

Definitions by "Type"

The rule specifies 8 type categories and 3 sub-categories. The categories are agricultural, entertainment, news, public affairs, religion, instructional, sports and other. The total of these 8 categories must equal 100%. The Commission has added three additional sub-categories: editorials, political programs, and education institution programs. These are supplemental classifications for specific programs. All programs must first fall into one of the first 8 categories. In addition, some programs will also have a secondary classification into one or more of the three sub-categories.

The eleven categories and sub-categories are listed below. For each category the Commission has provided a specific abbreviation, which you should use on your logs. The first 8 categories are as follows:

- (1) Agricultural Programs (A) This category includes market reports, farming or other information specifically addressed or primarily of interest to the agricultural population. It has been customary to treat a home gardening program as an agricultural pro-

500-2-c PROGRAM LOGS (Cont.)

gram. In light of the similarity of definitions, this would appear to be appropriate under the new rules as well.

Similarly, a weather report which is prepared in such a manner as to be of particular value to the farmer has been classified in the past as agricultural programming and this practice can be continued. This does not mean that every weather report is an agricultural program. In order to defend the classification, you should be able to demonstrate, if necessary, that the weather report contained information of particular value to, and was prepared for the benefit of, an agricultural population.

(2) Entertainment Programs (E) This definition includes all programs intended primarily as entertainment, such as music, variety, comedy, quiz, etc.

(3) News Programs (N) "News" includes news reports dealing with current local, national and international events. It also includes weather and stock market reports. Finally, if commentary and analysis and/or sports news are an integral part of a news program, they should now also be classified as news. Stated otherwise, unless you separate commentary, analysis and sports so that they fall into a separate program, the commentary or sports news is combined with hard news and the entire program classified as news.

(4) Public Affairs Program (PA). This category includes talks, commentaries, discussions, speeches, editorials, political programs, documentaries, forums, panels, round tables, and similar

700-2-c PROGRAM LOGS (Cont.)

programs primarily concerning local, national and international public affairs. You are not required to determine whether a particular program is "discussion" or "talk", a distinction which sometimes is difficult, if not impossible to make. The public affairs category is limited to local, national, and international public affairs. Safety messages, school openings and closings, and "Community Calendar" programs all partake of public service, but they are not Public Affairs, under the FCC definition.

(5) Religious Programs (R). This category includes sermons or devotionals, religious news and music, drama, and other types of programs designed primarily for religious purposes.

(6) Instructional Programs (I). This category includes programs which either (a) discuss or (b) are primarily designed to further an appreciation or understanding of, literature, music, fine arts, history, geography and the natural and social sciences. This category also includes programs devoted to occupational and vocational instruction; for example, it ~~includes~~ instruction with respect to hobbies and similar programs where the basic purpose is to teach someone how to do something. The category of "instructional" programs should not include programs which would otherwise be classified as agriculture, news, public affairs, religion or sports.

(7) Sports (S). This category includes play-by-play, pre or post game related activities and separate programs of sports instruction, news or information -- fishing opportunities, golfing instructions, etc. A program which teaches how to play golf, baseball

500-2-c PROGRAM LOGS (Cont.)

or football, for example, is classified as a "sports" program and not as an "instructional" program. Sports news, such as baseball or football scores, is classified as "sports", if it constitutes a separate program. However, if sports news is included as an integral part of a news program, it falls within the category of "news".

(8) Other Programs (O). This Category includes all programs not falling within the above 7 definitions.

The following 3 categories relate to subclassifications and will always be used in addition to one of the first 8 categories listed above.

(9) Editorials (EDIT) Programs presented for the purpose of stating opinions of the licensee.

(10) Political Programs (POL) Programs which (a) present candidates for public office or (b) which give express views on such candidates or on issues which are to be voted on by the public.

(11) Educational Institution Programs (ED). Any program prepared by, on behalf of, or in cooperation with, educational institutions, educational organizations, libraries, museums, PTA s or similar organizations. Do not include any high school or college sports programs in this category.

It is important to remember in logging the foregoing 3 categories that they are always to be included as a part of the basic 8 types of programming. For example, if you broadcast a

500-2-c PROGRAM LOGS (Cont.)

program which presents a candidate for public office the program would require 2 separate "type classifications. Initially, it would be a public affairs program (PA), (category 4) but it should also be logged as a political (POL) (category 10).

Sponsor Identification on the Logs

You are required to enter in the logs the name of the sponsor or sponsors of each of your programs or announcements.

Specifically, if the title of a sponsored program includes the actual name of the sponsor -- "General Foods Brings You the News"-- a separate sponsor identification entry is not required. Otherwise, the logs should show the sponsor's name immediately adjacent to the name of the program. The same is applicable to spot announcements. If the listing of the announcement identifies the sponsor ("Rinso", "Joe's Esso Station"), nothing further is required; otherwise, the log should show the name of the sponsor.

Moreover, even in connection with unsponsored programs, if materials or services are furnished to the station in consideration of a particular program being broadcast, you are required to identify on the logs the company that furnished such material or services. (See Sponsor Identification -- 500-4-j)

Commercial Continuity

You are required to make an entry showing the total amount of commercial matter (CM) within each commercially sponsored program.

500-2-c PROGRAM LOGS (Cont.)

In the ordinary situation, it will not be difficult to determine the amount of commercial matter within each commercially sponsored program. It would usually consist of a tabulation of the opening billboard, the middle commercial and the closing billboard. Immediately adjacent to the name and title of a sponsored program, you should show the letters CM (commercial matter) and the number of minutes within that program devoted to the sponsor's message or messages. On the other hand, you are not required to show the number of messages or to list them separately as you would announcements. As an illustration, your local Ford dealer buys a 5-minute news program and the contract entitles him to an opening 15-second billboard, a one-minute message in the middle, and a closing 15-second billboard. All you need do is to show immediately adjacent to the name of the program the letters CM followed by the notation, "1-1/2 minutes". (8:30 a.m. - 8:35 a.m. News (Ford) CM 1-1/2 min. NL).

There are some programs usually commercial religious and political programs, where it is difficult to measure the exact length of what would be considered "commercial matter". Prior to the rule change, AM and FM stations were, nevertheless, required to note on the log the amount of commercial matter within such programs (although in such circumstances it was permissible to compute commercial time on the basis of the station's normal limits for commercial programs of comparative length). Under the revised rule, you are not required to note on the log the amount of commercial matter for

500-2-c PROGRAM LOGS (Cont.)

such programs. The programs should simply be logged and announced as "sponsored". You need not make any entry relative to the amount of commercial continuity within the program.

This exception is not specifically limited to religious and political programs. It could conceivably be applied to discussion of a controversial issue which was paid for by a local citizen or to other situations. This exception, however, does not apply to any program or announcement advertising commercial products or services. In other words, if you present a 15 minute program which consists of a hard pitch for an automobile wax, the entire 15 minutes must be counted as commercial time.

Commercial Announcements

Commercial copy on participating programs is defined (and logged) as commercial matter (CM).

The Logging Of The Length Of Commercial Matter

The rule provides two ways of logging the required information concerning the duration of the announcement. McLendon stations use the technique of logging by 60-minute time segments. As an illustration:

9:00 - 10:00	XYZ Soap (60 sec)
	PDQ Clothes (30 sec)
10:00 - 11:00	XYZ Soap (30 sec)
	PDQ Clothes (60 sec)
11:00 - 12:00	

500-2-c PROGRAM LOGS (Cont.)

The essential element here is that the logs accurately identify the particular 60-minute time segment within which the spot falls and that the log contain information as to the length of the announcement.

McLendon policy requires that the time on for each announcement be entered on the program log by the announcer or operator.

You may type in the length of announcements in advance. Where the announcement is recorded or transcribed, you will know the precise length and this should be reflected on the log. Where announcements are to be read live on the air by the announcer, the length should be estimated as closely as possible. As an illustration, if you have typed the length of a particular announcement as 20-second, the announcer need not correct the log because it took, in fact, 22 seconds to read the copy. But if the announcement varies five seconds either way, you are required to indicate this on the log and make a note to traffic on the discrepancy sheet.

These principles are also applicable to commercial continuity. The amount of commercial matter in a sponsored program may also be typed in advance on the log. The calculation of commercial time is particularly necessary in connection with non-musical programming. You are required, in determining how much time you devoted to news, public affairs, etc., to eliminate the commercial matter within such programs. In other words, if you have a 5-minute news program and it contains 2 minutes of commercial matter, these 3 minutes - rather

500-2-c PROGRAM LOGS (Cont.)

than 5 minutes -- will be the amount of "news" which will be reflected in Section IV-A of the renewal application.

Commercial Matter Includes Bonus and Other Spots

The category "commercial matter" is not limited solely to announcements for which the station received remuneration directly.

"Commercial Matter" also includes:

1. Bonus spots
 2. Trade out spots
 3. Promotional announcements of a future program, if either of the following elements are present:
 - a. Your agreement to provide the sponsor with such promotional announcements, or
 - b. Such promotional announcements identify the sponsor of the future program beyond the mere mention of his name as an integral part of the title of the program.
- As an illustration, if the promotional announcement is phrased, "Listen tonight to the Lux Radio Theatre", it is not a commercial announcement. If, however, you state, "Listen tonight to the Radio Theatre brought to you by Lux Soap", this announcement is a commercial matter and should be so identified on the log (CM).

Generally speaking, promotional announcements on behalf of the station itself or its programs is not "commercial matter".

Thus, a statement "Stay tuned to this station for the best in music"

500-2-c PROGRAM LOGS (Cont.)

is not commercial matter, nor is it commercial matter to say "Stay tuned for the news".

Other Announcements Which Must Be Logged

1. An entry must be made showing that a "public service announcement" (PSA) has been broadcast, together with the name of the organization or interest on whose behalf the announcement was made. A "public service announcement" is an announcement for which no charge is made and which either (a) promotes programs, activities, or services of federal, state, or local governments, or the programs, activities or services of non-profit organizations (U.S. bond sales, Red Cross, etc.), or (b) may reasonably be regarded as serving community interests (excluding time signals, routine weather announcements and promotional announcements). Typical of such latter announcements would be school closings and the time and places of organization meetings. Promotional announcements constitute either commercial matter, in accordance with prior definitions, or they may be completely ignored.
2. Stations are required to make an entry of the time that station identification announcements are made.
3. You are required to make an entry for each announcement by, or in behalf of, a political candidate. The entry should show the name and political affiliation of such candidate.

500-2-c PROGRAM LOGS (Cont.)

4. The commission rules require that under certain circumstances, you broadcast notice of the filing of applications with the Commission. You are required to make a log entry for each such announcement showing the time it was broadcast.

5. The Rules (§ 73.118) require a Mechanical Reproduction Announcement (MRA) before or after any of the following:

- A. Pre-recorded newscasts
- B. Newscasts containing at least one (1) minute of pre-recorded material
- C. Pre-recorded panel or discussion shows
- D. Other pre-recorded programs or programs containing at least one (1) minute of pre-recorded material in which time is of the essence and which a listener might reasonably infer or assume that the activity, event, or voicing is occurring simultaneous with the broadcast.

The FCC does not prescribe a form MRA announcement. "Preceding pre-recorded," "following pre-recorded," or "portions of the preceding pre-recorded," are all acceptable.

The MRA should be scheduled in advance when possible and the announcer should enter the time of each MRA on the log. In the event an MRA is not scheduled but the program warrants such an announcement, the announcer should enter "MRA" in the appropriate column of the log and enter the time of the MRA beside it.

500-2-c PROGRAM LOGS (Cont.)

6. You are required to show in your logs the fact that the sponsor has been identified over the air. It is perfectly appropriate to log such sponsor identification by a check-mark, except that you should indicate the time the sponsored program or participating announcement started.

Logging of Network Programs

A station broadcasting the programs of a national network must show on its logs:

- a. The time when it joins the network
- b. The name of each network program broadcast
- c. The sponsor, if a commercially sponsored program is broadcast
- d. The time it leaves the network
- e. Any non-network matter broadcast which is otherwise required to be logged, e. g., local commercial matter.

The network will supply the station with all the network programming information necessary to prepare a renewal application. Except as noted above, this material need not be entered on the logs; it should

500-2-c PROGRAM LOGS (Cont.)

however, be retained and associated with the logs.

Program Source Definitions

1. Local Program (L). A "local program" is any program originated or produced by the station or for the production of which the station is primarily responsible, employing live talent more than 50% of the time. The station must be actively involved in producing or originating the program (its studios or other facilities must be used) in order for the program to be local. If the station's sole relationship to the program is one of financial support, it does not qualify as a local program. A program is local even if it is taped or recorded for later broadcast.
 - a. A program fed to a network by a station should be classified by the originating station as "local."
 - b. All non-network news programs may be classified as local.
 - c. Programs which primarily feature records or transcriptions are recorded, even though a station announcer appears in connection with such material. Stated otherwise, all disc jockey programs are "recorded" and not "local".
 - d. If, during the course of a disc jockey program, as indicated earlier, you have a news program, an interview, or some other separate identifiable program

500-2-c PROGRAM LOGS (Cont.)

segment and if this segment is separately logged, such as news, it may be classified as local.

2. Network Programs (NET). Any program furnished to the station by a network, whether national, regional or special. Delayed broadcasts of programs originated by networks are also classified as network.

3. Recorded Programs (REC). Any program not otherwise defined herein, including programs using recordings, transcriptions, or tapes. A disc jockey program is a recorded program.

Legend

Your log form should contain a legend which lists all of the abbreviations that are to be utilized on the log. They are:

A	Agricultural
E	Entertainment
N	News
PA	Public Affairs
R	Religious
I	Instructional
S	Sports
O	Other
EDIT	Editorials
POL	Political
ED	Educational Institution

500-2-c PROGRAM LOGS (Cont.)

L Local

NET Network

REC Recorded

CM Commercial Matter

PSA Public Service Announcement

In addition to the abbreviations noted above, your legend should include every abbreviation that you expect to be used on the log, such as ET for electrical transcription, REM for remote, ID or SI for station identification, AS for announced as sponsored, etc.

Correction of Logs

Where a form or schedule will ultimately become a log, no entry, once made, may be erased, obliterated or destroyed.

The only legal way of deleting an entry from a log (or a schedule which will ultimately become a log) is to draw a line through it.

Even though the deletion or correction of the program log -- drawing a line through an erroneous entry -- is made prior to broadcast, that deletion or correction must be initialed by the operator on duty at the time of broadcast, in the same manner as he would initial a deletion or correction that he, himself, made. Deletions on the operating logs must also be initialed by the operator on duty. In summary, when an operator signs "off" a log, every deletion or correction shown on that log at that time must bear his initials.

The rules are not concerned with additions to the log so long as the addition is made before the person keeping the log signs

500-2-c PROGRAM LOGS (Cont.)

it. The addition is covered by the log-keeper's signature at the end of his tour of duty. Stated otherwise, no special initial is required if the announcer on duty adds a commercial.

Correction in maintenance logs made prior to signature, must be made by the engineer who made the original entry and must be initialed and dated by him.

Any change made in logs after they have been signed (in the case of program and operating logs after the tour of duty of the operator in question is over and he has signed off) must be accompanied by an explanation, dated and signed by the operator or engineer who made the original entry or by the station program director or manager (program logs only) or an officer of the licensee (all logs). The explanation of a change in a maintenance log must be on a separate memorandum and if this memorandum is not signed by an engineer who made the original entry, an additional explanation must be given.

The rules set forth above do not apply to extraneous information shown on logs such as that needed for billing purposes, and cuing in the logs. You may include such information in logs.

Who May Keep Logs

Logs must be kept by an employee of the station.

The only exception to the foregoing rule relates to stations which are not required to employ a full-time first class engineer and, instead, pursuant to contract, share the services of a first class engineer with other stations or businesses under Section 73.93 (c)

500-2-c PROGRAM LOGS (Cont.)

of the Commission's Rules. Such contract engineers are permitted to keep operating and maintenance logs even though, technically, they are not station employees.

(See standard McLendon form in "Forms" section)

500-2-d REMOTE TELEPHONE LOOPS

When you plan a remote broadcast, the OM should order the loop, ascertain the total cost, beginning and ending times and dates, and record the information in a special file for this purpose. The OM should get to know one person in the commercial department of the telephone company and should maintain good relations with him. This is helpful in several ways. If you need an emergency installation, a little good will goes a long way. If you forget to cancel a loop, again, a little good will goes a long way. Even if you order an automatic end date on a given loop, it still is a good idea to check with your friend at the phone company to make sure it is taken out. When bills for remote loops come in, check them against your records to make sure you didn't cancel it and that you have been charged as promised.

500-2-e TELEPHONE RECORDINGS

The requirement of a "beep" arises from telephone company tariffs which normally require that whenever a telephone conversation is recorded there be an audible "beep" on the line. The purpose of this, of course, is to notify the individual whose conversation is

500-2-e TELEPHONE RECORDINGS (Cont.)

being recorded that this is being done. The "beep" necessarily becomes a part of the record of the conversation.

There is no requirement under A.T. & T. tariffs or the rules of the F. C. C. that any broadcast contain "beeps." Where "beeps" appear in a broadcast, it is because they are a part of the tape recording of the incoming message. We have been advised that A. T. & T., in fact, has equipment to suppress or eliminate the "beep" signals for purposes of broadcasting recorded telephone messages.

A. T. & T. tariffs are generally followed by local telephone companies. It is possible that the tariffs of your company in your city might have some unusual provisions concerning these matters. This can be checked locally. However, we are unaware of any case where a telephone company tariff has contained anything requiring the broadcast of "beeps." If your local telephone company insists you must broadcast "beeps" from tape recorded conversations, then you should request the copy of the portions of their tariffs which so require. If the telephone company persists, you should seek advice from Washington Attorney.

GENERAL

500-3-a ANNOUNCER'S CONDUCT

Announcers must be prudent about appearance and conduct while in the station and in public places. Indiscriminate drinking can result in dismissal. Liberal attitudes on dress and personal hygiene

500-3-a ANNOUNCER'S CONDUCT (Cont.)

can result in reprimands. The rules that apply to station salesmen also apply to air personnel. Never downgrade stars, on or off air. Never downgrade the job of the DJ.

500-3-b COMMERCIAL CONTENT, SPONSORED PROGRAMS

While the FCC has no specific rules governing the number of commercials that a program may contain, we follow these limitations:

<u>Program Length</u>	<u>Commercial Content</u>
One Minute	1:00
Five Minutes	1:30
Ten Minutes	2:10
Fifteen Minutes	3:00
Twenty-five Minutes	4:00
Thirty Minutes	4:15
Forty-five Minutes	5:45
Sixty Minutes	7:00

Specific promises were made to the Commission in Section IV-A of the application. Before you apply these rules or any other rules, check the application and find out what specific promises were made.

500-3-c COMMERCIAL CONTENT, PARTICIPATING

The Commission has no hard and fast rules on the number of commercial minutes you run within a program hour. However, each McLendon station has promised the Commission in the license applica-

500-3-c COMMERCIAL CONTENT, PARTICIPATING (Cont.)

tion to run only a certain number of commercial minutes within a program hour. Check the application now and make a note on this page the limitations the license application imposes.

Determine, also from the license application, the conditions under which you may exceed your promises.

As a general rule, most stations promise never to exceed 18 commercial minutes in any given program hour. However, the generally acceptable limit is not applicable here.

Promises were made on the application, and these promises must be kept. Furthermore, your particular format may require that you never exceed the promises under any circumstances.

So, to determine commercial content (participating) check:

1. Your promises
2. Format requirements

500-3-d COMMERCIAL LENGTH

Unless you have made a specific promise to the Commission as to the length of commercials, you do not have to adhere to the old 60-second rule. Assuming a policy of a maximum of 12 commercial minutes per hour, it is immaterial whether this consists of 12 one-minute announcements, six two-minute announcements or 24 half-minute announcements. However, your production manager should have personal instructions from the GM to refuse to produce a commercial that exceeds the length specified on the time order. Sixty-second commercials should vary no more than 3 seconds either way. Ninety-second commercials should vary no more than 3 seconds either way. Give the customer what he ordered; no more, no less. (SBC-12/12/68)

1/28/69

500-3-e COMPETITION, PROGRAM

LPDs are responsible for knowing in minute detail the formats of competing radio stations. LPDs should know the strengths and weaknesses of other station's formats and announcers. He should even get to know the other station's PDs in order to better anticipate what they will do under a given set of circumstances. He should arrange, on an informal basis, for someone (perhaps his wife or girl friend or a buddy) to monitor leading opposition stations from time to time so that he can be kept informed of what competition is doing.

The commercial monitor, instituted by GM, will help the PD in this respect and he should maintain communications with GM on this matter. The LPD himself should monitor opposition as often as possible, although it is realized that the LPD will police his own sound most of the time.

If opposition should come up with a new and very good promotion, it is too late for your station to use it; but NOT too late for your sister stations to use it. Make sure it gets into the Weekly Digest. If the opposition comes up with an excellent air man, who might be suitable for one of your sister stations, do an air check and send it to the NPD.

500-3-f EDITORIALS

You will, from time to time, receive editorials of a national or international nature from the HO. It is important, and required, of course, that you run these. Should you not run a HO editorial, simply notify PO of your reasons.

500-3-f EDITORIALS (Cont.)

More important, we believe, is the local editorial that is written and voiced by the local staff. The GM must voice 60% of the editorials.

The president's editorials are run on Wednesdays and Sundays. The Wednesday schedule: 1:45, 5:45, 6:45, 7:45, 9:45, 11:45 in the mornings, and 1:45, 4:45, 5:45, 6:45, 7:45, 9:45, 11:45 in the afternoons and evenings. The Sunday schedule: 1:45, 5:45, 10:45, 11:45, in the mornings, and 12:45, 1:45, 3:45, 4:45, 5:45, 6:45, 7:45, 9:45, 11:45 in the afternoons and evenings. President's editorials may also be run a third day, using the Wednesday schedule. Local editorials (or rebuttal editorials) are run on Mondays, Thursdays or Saturdays at 1:45, 5:45, 6:45, 7:45, 9:45, 11:45 in the mornings and 1:45, 4:45, 5:45, 6:45, 7:45, 9:45, 11:45 in the afternoons and evenings.

Your station should run a minimum of 26 editorial minutes per week. Don't resort to trivia on local editorials. If you don't have a subject, then skip it. But, usually, if you search diligently, you can find a new and critical issue every week.

WYSL note: This schedule, if followed in Buffalo, would give you excessive talk since your long newscast comes on the 40. So, you should schedule your editorials in the hours indicated but on the 25 rather than the 45.

If there is no qualified editorial write on the staff, each station is authorized to employ an outside writer @ \$10.00 per editorial, with a maximum of eight per month. We prefer you use a retired local news analyst, editorial writer or editor. Personnel employment (700-3-n) rules apply, except for the Wonderlic test.

The station is authorized to mail editorials (local and national) to a select list of important officials. This should include top executives of the power company, gas company, telephone company, as well as local, state and national governmental officials.

Be careful that your list isn't expanded to include everyone in town. A once-a-week mailing, containing every editorial you have done during the week, should be sufficient. It is possible also that two or more editorials can be included on a single page.

Often, your editorials will provoke a great deal of local talk. We want this comment included in the Weekly Digest, and you

700-3-f EDITORIALS (Cont.)

must keep, in your public service file, those editorials which result in public improvement and/or comment.

Don't send Xerox copies of your working copy. Prepare neat, grammatically perfect copies! Be sure to read (1) Fairness Doctrine and (2) Equal Time (Sec. 315) Sections.

The following "Checklist for Editorials" should be studied carefully:

1. Is the main point of the editorial stated very plainly, at least twice?
2. Does the editorial have good "talk potential" to generate lively conversations ("I heard on KLIF that..."etc.)?
3. Is the editorial in the best interest of the general public?
4. Have "spinoff reaction" potentials been fully assessed?
Reaction comes not only from those directly affected by the editorial, but also from station advertisers and their agencies.
5. Does the editorial improve the overall image of the station?
6. Is the editorial worded simply and clearly so it can be easily understood by the average listener?
7. Is the editorial on a local matter? Subjects of other-than-local implications must be referred to PO for consideration.
8. Have you checked your files to confirm that the viewpoint expressed in this editorial agrees with stands taken previously on the same or related subjects? (It is easy to forget what ran six months ago).

700-3-f EDITORIALS (Cont.)

9. Have you taken advantage of satire or humor in the editorial where possibly applicable? Editorials do not have to be frowningly serious.
10. Has a registered letter been sent to the "opposition" offering equal time for reply?
11. Have you made a note on your calendar to check for follow-up on the editorial? Follow-up action should be taken where necessary.
12. Is the editorial absolutely justifiable on legal grounds, with no room for doubt?
13. Don't forget the occasional editorial of commendation or the occasional requiem editorial when prominent local persons die.

500-3-g OUTSIDE TALENT

Stations will never hire outside talent unless (1) it is an emergency and you are sure you can justify your action, and (2) you have written authorization from PO. This does not apply, of course, to non-paid talent such as record artists who may come in and record promos. When visiting artists cut promos that promote their current employer, these may run only if accompanied by a commercial schedule of reasonable ratio.

500-3-h TRADE vs. CASH ACCOUNTS

When you reach your maximum of (See 500-3-c) commercial minutes per hour on any given day, you will remove trade spots as required to make room for additional commercial business. Trade accounts are never to be run where cash business suffers. There is

500-3-h TRADE vs. CASH ACCOUNTS (Cont.)

NO exception to this rule. Trade and barter accounts with whom we do business are aware of this policy.

All stations are required to keep a list of all persons who are not involved in any "payola" account. This list is to be maintained in the station's files and is to be available to the FCC upon request. However, the list is not to be made available to the public. The list is to be maintained in the station's files and is to be available to the FCC upon request. However, the list is not to be made available to the public.

The following material from the Washington Post should be read and understood by the general manager, office manager, program director and managing editor:

1. Since the Commission has indicated that it is important for each licensee to maintain a constant supervision in order to prevent payola practices at this station, we must be sure that any "payola" activities are avoided by all station employees who have anything to do with programming, and that such "payola" activities are avoided by station employees on a frequent and continuing

LEGAL

500-4-A ANNOUNCER AFFIDAVITS (PAYOLA)

All stations are required to keep on file affidavits by all air personnel that they are not involved in any "payola" schemes. This file of affidavits should be reviewed periodically to make sure that all of your air personnel are covered. These affidavits pertain to all program personnel, including program director, announcers, disc jockeys, news director, newsmen and any part-time personnel in news or programming. Be sure the statements are notarized. All new air personnel are required to make an affidavit. All air personnel must make new affidavits every six months. The LPD is responsible.

Air personnel should be especially careful during the Christmas season about accepting gifts (except nominal ones costing under \$10.00) from any record distributor or advertising agency or other business concern. If any manager is in doubt about a gift being "nominal" he should contact the Washington attorney.

The following material from the Washington attorney should be read and understood by the general manager, office manager, program director and managing editor:

1. Since the Commission has indicated that it is important for each licensee to maintain continual supervision in order to prevent payola practices at his station, you should make sure that new "payola affidavits" are executed by all station employees who have anything to do with programming, and that such "payola affidavits" are executed by station employees on a frequent and a continuing

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basis. By "continuing" we mean, at a minimum of every six months.

2. If you or any management personnel becomes suspicious of the existence of payola practices, please contact us immediately.

Do not reject as unfounded any suspicion of payola which may come to your attention, regardless of the source, without discussing the matter with us.

3. You should require each station employee (who has anything to do with programming) to submit, in writing, a completed questionnaire which sets forth any and all past (last 6 months), present and future outside employment or business interest, whether regular or sporadic. A new questionnaire should be completed at least every six months, in order that station management be continuously apprised of any possible conflict of interest which its employees may have. If the completed questionnaire should raise a question of conflict of interest with respect to any employee, please contact us for further instructions on how to proceed. The following form should be used:

(Please Print)

RADIO STATION: _____ DATE: _____

NAME: _____ POSITION: _____

1. List on reverse side hereof the name of all corporations, companies, firms, governmental organizations, research organizations and educational or other institution in which you are serving as employee, officer, member, owner, trustee, director, expert, adviser, or consultant, with or without compensation.
2. Name all corporations, companies, firms, or other business enterprises in which you have any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements.
3. Do you now or have you ever personally, or on behalf of the station, accepted money or other consideration from anyone, other than the station, for broadcasting any information?
4. Describe the method of payment for services. (Use additional pages if needed.)
5. Do you now or have you ever personally, or on behalf of the station, accepted money or other consideration from anyone, including persons in the record or music publishing field, for playing records or broadcasting any other information?
6. To what extent do you engage or have any business interest in shows, dances, hops or outside business activities? (Explain on back of this page)
7. Describe the method of payment for services. (Use additional pages if needed.)
8. Do you have an interest in or connection with record companies, retail record stores or music publishing companies? If the answer is in the affirmative, please list all such companies or stores detailing your interests in such ventures.
9. Have you ever required recording artists to appear at functions without pay (or at a rate lower than the artist would ordinarily command), with the implication that if they did not so appear, their records would not be played on the air?

It is recognized that all attachments constitute an integral part of this response. I agree to up-date or revise this affidavit from time to time as situation dictates, as a condition to my continued employment.

Signature: _____

Subscribed and sworn to before me this _____ day of _____, 19__.

Notary Public

My Commission expires: _____

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Here are several of the most outstanding problems which can arise in these areas and which must be avoided, as follows:

1. "Payola" is the taking of money, goods or services as an inducement to playing records or presenting other programming or announcements over a radio station which would otherwise be presented or for playing records more often than they would otherwise be played, without the knowledge of the management. It is a federal crime.

"Payola" can easily arise from outside activities involving recording artists and recording companies of which the following are illustrative:

- a. An announcer accepts money, food, payment on his car, transportation money or any similar benefits in return for an understanding, express or implied, that he will play records over the radio station.
- b. An announcer makes a recording for a record company for a fee and royalties and with the understanding, express or implied, that the record will be played over the radio station.
- c. An announcer participates in a show or dance at which recording artists appear. The artists agree to appear for free, or less than they would ordinarily be paid, with the understanding, express or implied, that their records will be played over the radio station.

500-4-a ANNOUNCER AFFIDAVITS (Cont.)

d. An announcer makes reference over the air to particular local services, such as a gasoline station, in return for which the station gives him free service.

2. "Plugola" is the making of a commercial announcement or references over a radio station for something in which the announcer is personally interested without reporting the same to management and without their being logged as commercial announcements. Examples of this are as follows:

a. Same situation as paragraph 1(b) above, except that the announcer makes unusual promos for the record on which he appears on his own initiative with the view to increasing his own royalties or to insure the popularity of the record so that he will be called upon to make other records in the future. This is "Plugola".

b. An announcer participates in outside activities such as dances or shows. He makes announcements for those shows over the air without telling management and without logging them as commercial announcements in order to increase his income at the shows or insure their success so that he will be called upon for other shows. This is "Plugola".

All employees are cautioned not to become involved in any outside activities which could either result in profit to them or cause any

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motivation to affect the material that is broadcast over this station without bringing it to the attention of management in advance.
Failure to do so will be considered an offense which merits appropriate disciplinary measures, including dismissal.

Penal provisions relative to this section follow:

Sec. 501. Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully or knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided in this Act, by a fine of not more than \$10,000 or by imprisonment for a term not exceeding one year, or both; except that any person, having been once convicted of an offense punishable under this section, who is subsequently convicted of violating any provision of this Act punishable under this section, shall be punished by a fine of not more than \$10,000 or by imprisonment for a term not exceeding two years, or both.

Sec. 502. Any person who willfully and knowingly violates any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto,

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to which the United States is or may hereafter become a party, shall, in addition to any other penalties provided by law, be punished, upon conviction thereof, by a fine of not more than \$500 for each and every day during which such offense occurs.

Sec. 317. (a) (1) All matter broadcast by any radio station for which any money, service or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person: PROVIDED, That "service or other valuable consideration" shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.

(2) Nothing in this section shall preclude the Commission from requiring that an appropriate announcement shall be made at the time of the broadcast in the case of any political program or any program involving the discussion of any controversial issue for which any films, records, transcriptions, talent, scripts, or other material or service of any kind have been furnished, without charge or at a nominal charge, directly or indirectly, as an inducement to the broadcast of such program.

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(b) In any case where a report has been made to a radio station, as required by section 508 of this Act, of circumstances which would have required an announcement under this section had the consideration been received by such radio station, an appropriate announcement shall be made by such radio station.

(c) The licensee of each radio station shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program or program matter for broadcast, information to enable such licensee to make the announcement required by this section.

(d) The Commission may waive the requirement of an announcement as provided in this section in any case or class of cases with respect to which it determines that the public interest, convenience, or necessity does not require the broadcasting of such announcement.

Sec. 508. (a) Subject to subsection (d), any employee of a radio station who accepts or agrees to accept from any person (other than such station), or any person (other than such station) who pays or agrees to pay such employee, any money, service or other valuable consideration for the broadcast of any matter over such station shall, in advance of such broadcast, disclose the fact of such acceptance or agreement to such station.

(b) Subject to subsection (d), any person who, in connection with the production or preparation of any program or program matter which is intended for broadcasting over any radio station, accepts

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or agrees to accept, or pays or agrees to pay, any money, service or other valuable consideration for the inclusion of any matter as a part of such program or program matter, shall, in advance of such broadcast, disclose the fact of such acceptance or payment or agreement to the payee's employer, or to the person for whom such program or program matter is being produced, or to the licensee of such station over which such program is broadcast.

(c) Subject to subsection (d), any person who supplies to any other person any program or program matter which is intended for broadcasting over any radio station, shall, in advance of such broadcast, disclose to such other person any information of which he has knowledge, or which has been disclosed to him, as to any money, service or other valuable consideration which any person has paid or accepted, or has agreed to pay or accept, for the inclusion of any matter as a part of such program or program matter.

(d) The provisions of this section requiring the disclosure of information shall not apply in any case where, because of a waiver made by the Commission under section 317 (d), an announcement is not required to be made under section 317.

(e) The inclusion in the program of the announcement required by section 317 shall constitute the disclosure required by this section.

(f) The term "service or other valuable consideration" as used in this section shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with a broadcast, or for use on a program which is intended for

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broadcasting over any radio station, unless it is so furnished in consideration for an identification in such broadcast or in such program of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property in such broadcast or such program.

(g) Any person who violates any provision of this section shall, for each such violation, be fined not more than \$10,000 or imprisoned not more than one year, or both.

500-4-b STATEMENT OF MUSIC POLICY

Each station should have on file (at the station and at the Washington attorney's office) a statement of policy which governs the selection of its music. This sample policy gives you an example of how it should be done:

STATEMENT OF POLICY GOVERNING MUSIC SELECTION (KXXX)

1. Music at KXXX is selected by the music director (who is also a disc jockey). All records programmed by KXXX must show sales action in one, or all, of three sources (Billboard, Cash Box, and Bill Gavin Record Poll). If a record received reports of sales action in our immediate area, it may then be added to our list. Occasionally, the music director may add "ear" picks to the playlist (these are records which have no sales justification, but are, in the MDs opinion, good additions to the playlist). These picks are held to a minimum.

500-4-b STATEMENT OF MUSIC POLICY (Cont.)

2. Each Wednesday afternoon, the music director previews all the records added to the playlist in the presence of the Program Director. At that time, the list is either approved as is, or with omissions and additions.
3. Announcers may play any records from the current playlist and from the Klassic (old hit) file. Playing a song that has not been approved and added to the playlist is grounds for immediate dismissal.
4. All announcers are required to keep a log of the music played during their shift. Records are categorized on "A" or "C" lists (depending upon their popularity) and the ratio of play is preset by the program director. These logs are kept in program files for a period of 90 days.
5. All disc jockeys are allowed to do outside record "hops" when "prior" approval is obtained from GM. They may not give promotion to these hops on the air unless they are for non-profit organizations, and the hops are open to the public. None of our disc jockeys promotes his own dances, shows or hops on the air.

500-4-c FAIRNESS DOCTRINE

I. INTRODUCTION

The FCC has rules specifying the responsibility of licensees when their facilities are used to make a personal attack on a specified group or individual or in the event that the licensee utilizes his facilities for the presentation of a political editorial. The Rules (which embrace both radio and TV provide:

"Personal attacks; political editorials.

- (a) When, during the presentation of views on a controversial issue of public importance, an attack is made upon the honesty, character, integrity or like personal qualities of an identified person or group, the licensee shall, within a reasonable time, and in no event later than one week after the attack, transmit to the person or group attacked (1) notification of the date, time and identification of the broadcast; (2) a script or tape (or an accurate summary if a script or tape is not available) of the attack; and (3) an offer of a reasonable opportunity to respond over the licensee's facilities.
- (b) The provisions of paragraph (a) of this section shall be inapplicable (i) to attacks on foreign groups or foreign public figures; (ii) where personal attacks are made by legally qualified candidates, their

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authorized spokesmen, or those associated with them in the campaign, on other such candidates, their authorized spokesmen, or persons associated associated with the candidates in the campaign; and (iii) to bona fide newscasts or on-the-spot coverage of a bona fide news event (but the provisions shall be applicable to any editorial or similar commentary included in such newscasts or on-the-spot coverage of news events).

NOTE: The Fairness Doctrine is applicable to situations coming within (iii), above, and, in a specific factual situation, may be applicable in the general area of political broadcasts (ii), above. See Section 315 (a) of the Act. 47 U.S.C. 315 (a); Public Notice: Applicability of the Fairness Doctrine in the Handling of Controversial Issues of Public Importance.

29 Fed. Reg. 10415.

- (c) Where a licensee, in an editorial, (i) endorses or (ii) opposes a legally qualified candidate or candidates, the licensee shall, within 24 hours after the editorial, transmit to respectively (i) the other qualified candidate or candidates for the same office or (ii) the candidate opposed in the editorial (1)

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notification of the date and the time of the editorial; (2) a script or tape of the editorial; and (3) an offer of a reasonable opportunity for a candidate or a spokesman of the candidate to respond over the licensee's facilities:

Provided, however, that where such editorials are broadcast within 72 hours prior to the day of election, the licensee shall comply with the provisions of this subsection sufficiently far in advance of the broadcast to enable the candidate or candidates to have a reasonable opportunity to prepare a response and to present it in a timely fashion."

By adopting these Rules the Commission has codified matters that were formerly part of its general Fairness Doctrine. The reasons given by the Commission for singling out the "personal attack" and "political editorial" aspects of the Fairness Doctrine for codification into formal Rules were (1) its belief that detailed written Rules would clarify licensees' responsibilities in these areas, and (2) its view that codification of these requirements into formal Rules would permit more efficient enforcement by the Commission.

As long as these requirements were contained only in a Commission statement of policy, and not in formal Rules, there was substantial doubt whether the Commission could impose fines upon licensees who violated them. The Commission has now codified these requirements

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so that it could impose fines for their violation, and it must, therefore, be assumed that the Commission will be assiduous in enforcing these new Rules.

It must be remembered that the new Rules merely transform a portion of the Fairness Doctrine into a more specific form. Those portions of the Fairness Doctrine which were not codified into the new Rules, still remain effective, as a continuing Commission policy. Moreover, the new Rules are unrelated to the equal time requirements of Section 315 of the Communications Act; those statutory provisions and the Commission's interpretations of them continue to be in force.

II. THE PERSONAL ATTACK RULE

The personal attack Rule provides that when a radio or TV station carries a personal attack on an identified individual or group in connection with a controversial issue of public importance, the broadcaster must (a) promptly notify the individual or group that the attack occurred (b) forward a tape or transcript of the attack, and (c) offer a reasonable opportunity to respond over the licensee's facilities.

A. The Creation of the Affirmative Duty

Whenever a broadcast station carries a personal attack that is otherwise covered by the personal attack Rule, the licensee is obligated to comply with the Rule's provisions. This is true

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regardless of the source of the attack. The fact that the attack is made during a network program, rather than during a local program, does not change the licensee's obligation. An employee's attack coming without the prior knowledge or consent of the station owner, likewise falls within the scope of the Rule. Even if an employee disobeys the explicit instructions of the licensee not to make a personal attack, these facts would not constitute a legitimate defense to a charge of violating the Rule.

Summarizing, the critical factor is that a personal attack is broadcast over the station. The source of the attack is irrelevant.

The personal attack Rule applies only where "an individual's or group's integrity, character, or honesty or like personal qualities" is called into question. An obvious example of a personal attack is the statement, "John Smith is a crook." The personal attack is not to be confused with a disagreement -- even a strong disagreement -- as to views on substantive questions or issues. Such a disagreement is not covered by the personal attack Rule. Thus, the statement, "District Attorney John Smith has been doing a poor job of fighting crime," would not be covered by the Rule. Needless to say, sometimes it may be difficult to determine whether a particular statement is a personal attack or simply a disagreement as to views. For example, opinions may differ as to whether the comment, "District Attorney John Smith's actions seem to be favoring the criminal element in our city," constitutes a personal

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attack or a disagreement on views. In any case where you have a genuine doubt whether a statement is a personal attack, you should consult us.

Questions may also arise concerning the "identification" of the individual or group which is attacked. Thus, an individual may be attacked even though he is not named, if he is described with sufficient clarity that there can be no doubt of his identity. On the other hand, an "attack" on a large group of individuals who are not readily identifiable with a specific organization or institution (such as "all left-wingers" or "all right-wingers" are dishonest) may be sufficiently indistinct so that the personal attack ~~Rule~~ does not come into play. The Commission has made no effort in the ~~Rule~~ itself to define the meaning of the term "identified," but has indicated that this is a matter on which each licensee must make a good faith judgment. Here again, if you should have questions, please consult Washington ~~Attorney~~.

In order for the ~~Rule~~ to be applicable, the personal attack must be "in connection with a controversial issue of public importance." Thus, if a personal attack were made upon an individual who has absolutely no connection with anything or anyone in the area served by the station, the ~~Rule~~ would be inapplicable. We believe that there will be very few "attacks" which fulfill this requirement and that the Commission will scrutinize with great care any contention that a personal attack was not made "in connection with a controversial issue of public importance."

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B. Exceptions to the Affirmative Duty

1. Foreign Public Figures and Foreign Groups.

The Commission has expressly exempted personal attacks on "foreign groups or foreign public figures" from the requirements of the personal attack ~~rule~~. It had formerly held, in connection with the Fairness Doctrine, that it is not necessary to send a transcript or summary of the attack, or offer time for response, to a foreign leader even if he were attacked in connection with a controversial issue of public importance. We find no additional explanation or definition of the terms "foreign public figure" and "foreign group" in any reported Commission determinations. Presumably, this exception will be easy to apply in many cases, as for example an attack on President DeGaulle or Premier Kosygin. Problems might possibly arise with respect to basically foreign groups which might have membership in the United States, or "foreign" leaders who are domiciled in this country for a prolonged period of time. Here, again, the test is basically good faith judgment. In any event, whether or not the "personal attack" features of the ~~rule~~ are applicable, the subject matter may deal with a controversial subject of public importance, and the non-personal attack features of the Fairness Doctrine may still be applicable. As an example, although an attack on a Premier would not entitle him to a transcript or time for a response, if the attack were part of an argument that the United States should

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withdraw from Viet Nam, the opposite point of view would have to receive exposure over the station's facilities.

2. The Political Candidate Exception.

The second exception to the personal attack ~~Rule~~ relates to legally qualified candidates for political office. The wording of the political candidate exception to the personal attack Rule is straightforward. It provides that if one legally qualified candidate for political office, or his authorized spokesman, or his associate in the campaign, makes a personal attack on another legally qualified candidate for political office, or his authorized spokesman, or his associates in the campaign, the ~~Rule~~ does not apply. At the same time, however, when one legally qualified candidate for political office makes a personal attack on another legally qualified candidate for the same office, their rights are governed completely by the "equal time" provision of Section 315 of the Communications Act, and neither the new Rule nor the Fairness Doctrine is applicable.

There may be situations which fall within the "political candidate" exception to the personal attack Rule, but where the "equal time" requirements of Section 315 do not apply, such as, e.g., a personal attack on ~~candidate~~ "A" by a spokesman for ~~Candi-~~ date "B", or an attack by a spokesman for ~~candidate~~ "A" on a spokesman for ~~candidate~~ "B". In these situations, the Fairness Doctrine may impose some responsibility on the broadcaster, although it will not be a responsibility under the personal attack Rule.