

# Garey Says "Gestapo" Charges Justified

## New York Phase Of Cox Inquiry Concluded

By BRUCE ROBERTSON

ACCUSATIONS made by the House Select Committee investigating the FCC "that the Commission had set up a Gestapo which under the guise of lawful and proper investigation was violating the constitutional rights of individuals" has been amply justified and supported by the evidence adduced in New York during the past month, Eugene L. Garey, general counsel of the Committee, declared last Friday as the New York proceedings adjourned.

In his closing statement, Mr. Garey said the testimony developed "a shameful picture" that adds "a sordid and black page to our American history". He previously had alluded to the story of Lido Belli, which he had branded as a "shameful" case.

"Deplorable and heart-sickening as these activities of the Commission and its allies in the illegal seizure and usurpation of power and governmental functions have been discovered to be", Mr. Garey said, "they represent but a small phase of this Committee's work. The results of the investigation into other phases of the Commission's activities will be made public at subsequent hearings to be held in Washington.

"We know now that it can happen here because it has happened here. We have had related to us stories depicting a series of consistent acts reflecting unlawful conduct by the FCC and OWI. Constitutional rights accorded to every American have been flagrantly violated by a Gestapo, drunk with unlawful power and running amuck.

"The letters which I have read into the record today indicate that the Committee's labors are bearing some fruit and that the Commission is evidencing an intention to sin no more, in certain respects, at least. I cannot refrain from expressing the hope that the reformation, belated though it is, is permanent."

Mr. Garey also presented to the Committee, represented by its Chairman, Rep. E. E. Cox (D-Ga.), further evidence in support of its charges that Office of War Information executives had taken an unauthorized and excessive interest in the personnel of foreign language stations, despite the fact that the Office of Censorship is the only government agency empowered to rule any individual off the air.

One of the witnesses, an alien and a former member of the Fascist party, testified he had been employed at a broadcasting sta-

tion at the "suggestion" of OWI officials, taking over the duties of a man who had been ousted at the suggestions of these same officials. Commenting on the apparent fondness of the OWI for putting non-citizens on the air, Mr. Garey said that the OWI itself currently has more than 400 aliens on its payroll, citing the Congressional Record as authority for that statement.

### Congress Action Sought

With the completion of this phase of the Committee's investigation, hearings will be resumed in Washington Monday on FCC draft deferments with Rep. Louis E. Miller (R-Mo.) presiding. These will consume two or three days. Then the Committee proposes to draft its interim report, along with legislative recommendations to the House, to be presented with the reconvening of Congress Sept. 14. It is regarded as a foregone conclusion that the Committee will ask Congress to transfer the so-called war activities of the FCC, covering operations of the Radio Intelligence Division and Federal Broadcast Intelligence Service to the military. Such a transfer had been recommended to President Roosevelt by the joint chiefs of staff in a proposed executive order drafted last February but which never has been executed. This disclosure proved the highlight of the proceedings, which opened July 2.

First day's hearings were devoted to the testimony of Mr. Belli and to material on him in the FCC files, which combined to show that the OWI's unproved charges against him had been sufficient to prevent him from conducting his business as a time broker for some nine months, resulting in loss to him of more than \$90,000. On the following day, Renzo Nissim, hired Mr. Belli to operate his business on the recommendation of the OWI, told of his failure to find any support for the accusations that Mr. Belli was a Fascist and of his efforts to restore to Mr. Belli the conduct of his own business.

### War Spirit Admitted

Another development of the week was the testimony of Duccio Tabet, an alien and an ex-member of the Fascist party employed as censor and translator at WOV, who admitted himself so imbued with the war spirit that he would not even allow a Christmas religious program to refer to the Christian doctrine of forgiveness for fear that some listener might think he should forgive the Nazis and Fascists.

Mr. Garey entered into the record the testimony of a number of foreign language announcers, censors, monitors and other station employes, taken privately and sworn to by them, to save the time

of putting them all on the stand, so that the hearings on this phase of the committee's investigation could be concluded. He also put Ralph Weil, manager of WOV, and William I. Moore, assistant manager of WBNX, briefly on the stand to complete the testimony on matters previously developed.

Another story of alleged illegal interference by Lee Falk, chief of the foreign language section of the OWI's radio division, in the personnel of domestic foreign language broadcasting stations was disclosed in the opening sessions of the hearings on Tuesday. Testimony by Lido Belli, Italian language producer and time broker, and documentary evidence from the FCC files, purported that Mr. Belli was deprived of his right to engage in broadcasting activities for nine months, costing him some \$90,000, and regained his right to control his business only after he had agreed to discharge his former employes and to hire persons proposed by Mr. Falk and Alan Cranston, Falk's superior at OWI.

Born in Italy in 1904, Relli Rizeri came to this country in 1926, taking the professional name of Lido Belli when he entered radio as an announcer in 1931. In 1933 he started Lido Belli Radio Productions Inc., buying about five hours a day on WBNX New York and retailing it for commercial programs and announcements broadcast in Italian.

Dec. 9, 1941, two days after Pearl Harbor, he was picked up by government agents and detained two weeks at Ellis Island, after which he was released on temporary parole to W. C. Alcorn, general manager of WBNX. A month later the reviewing section, Alien Enemy Control Unit, Dept. of Justice, reported that it had found "no evidence to indicate any Fascist sympathy on the part of the alien or any anti-American

**WORD OF PRAISE**  
For Broadcasting's Coverage of  
Cox Investigation

EDITOR, BROADCASTING:

As chairman of the Public Relations Committee of the Foreign Language Radio Wartime Control and on behalf of the Committee, I wish to take this opportunity to congratulate BROADCASTING Magazine on the very capable and factual manner in which it is handling the report of the investigation of the Cox Committee, particularly as relating to the foreign language broadcasting field.

You will note that I say it is capable and factual, and I believe it calls for commendation as a service to the broadcasting industry in general.

FOREIGN LANGUAGE RADIO WARTIME CONTROL  
JOSEPH LANG (WHOM)  
Chairman  
Public Relations

New York  
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tendencies," and on Jan. 30, 1942, Mr. Belli's parole was made permanent.

Six months later, according to the FCC file on Mr. Belli, Lee Falk sent a memorandum to the Alien Enemy Control Unit, "pointing to the dangerous nature of Lido Belli's activities. It was based mainly on the analysis made by the Foreign Broadcast Intelligence Service [of the FCC] and the testimony of Dr. Brunori." Summoned before Edward J. Ennis, director, AECU, Mr. Belli on Aug. 27, 1942, agreed to "temporarily cease all radio broadcasting activity. This includes the preparation or control of any material used in radio broadcasting or the engaging by me [Belli] in any way of any activity relating to radio broadcasting."

### OWI Renewed Charges

Until he was finally released from this prohibition in May of this year, Mr. Belli testified, his secretary and Mr. Alcorn handled his financial affairs for him. Mr. Garey read into the record memoranda from E. K. Jett, chief engineer of the Commission, to FCC Chairman James Lawrence Fly, transmitting monitoring reports of Italian language programs on WBNX, totaling at that time about 132 hours a month.

Analyses of the Sunday afternoon *Italian Varieties*, made in March, revealed that the news all came from United Nations sources and that "the program seems harmless." In May, however, after Mr. Falk had written to Nathan David, FCC assistant general attorney, that "quick action is necessary" on Mr. Belli, Mr. Jett reported that a study of the newscasts on the *Morning Parade*, a weekday WBNX program with 20 participating sponsors, indicated that the announcer wanted "the public to believe that the Axis powers may not fare so badly." All but three of the 18 broadcasts studied concluded with an "ominous note for the Allies," the report stated. Both of these programs were announced by Mr. Belli and his assistant Hugo Neri, the report said, adding that Gaetano Salvemini, professor of Italian history at Harvard, had charged Mr. Neri with Fascist tendencies.

### O-C Interested in Case

Dr. Nicola Brunori, on whose testimony against Mr. Belli Mr. Falk had relied in his own charges to the AECU, was described by Mr. Belli as a doctor who had come to him with an idea for a nutrition program, for which Mr. Belli gave him a daily quarter-hour of the time Mr. Belli purchased from the station. Stating that he had almost daily arguments with Dr. Brunori about the latter's habit of running several minutes over his allotted

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