

**A GUIDE TO THE ARCHIVES OF  
NATIONAL PUBLIC RADIO  
OFFICE OF THE GENERAL COUNSEL**

National Public Broadcasting Archives  
University of Maryland Libraries

Processed by: Jennifer Muter  
November 2004  
12.75 lin.ft.

## **ADMINISTRATIVE HISTORY**

National Public Radio was incorporated in 1970. It was created by the Corporation for Public Broadcasting to provide a nation-wide public radio system. NPR serves as the organizational body for public radio stations, produces and distributes programming to member stations, and runs public radio's satellite interconnection system.

The Office of the General Counsel serves as legal counsel for NPR. It handles all of NPR's legal affairs, and also provides legal advice to all corporate divisions within NPR. The office handles a wide variety of legal issues, including communications, copyright, trademark, tax, employment, and labor law, as well as contracts in all areas. The Office of the General Counsel also provides legal expertise to member radio stations. The office consists of the General Counsel, who serves as chief legal representative for NPR, and several other lawyers specializing in areas such as copyright or employment. The Office of the General Counsel staff reports to the General Counsel, who reports to the president of NPR.

## **SCOPE AND CONTENT**

The Archives of National Public Radio: Office of the General Counsel files span from 1970 to 1986 with some undated materials, with the bulk of the materials dating from 1979 to 1983. The papers include correspondence, legal materials, reports, news articles, and other reports that document the activities of the Office of the General Counsel during this period.

The collection consists of eight series:

- Series 1: Papers of Carol Whitehorn
- Series 2: Papers of Theodora Brown
- Series 3: Federal Communications Commission Legal Documents
- Series 4: Program Distribution Files
- Series 5: Cable Royalty Fees Disputes
- Series 6: Music Cue Sheets
- Series 7: Financial Files
- Series 8: Background Information, Press Coverage, Contracts, and Agreements

## **PROVENANCE**

The Archives of National Public Radio: Office of the General Counsel files was donated to the National Public Broadcasting Archives, University of Maryland Libraries by National Public Radio as part of a larger donation in 1991.

## **SERIES DESCRIPTIONS**

### Series 1: Papers of Carol Whitehorn, 1970 – 1986 (1.0 lin. ft.)

This series contains the papers of Carol Whitehorn. Whitehorn served in the Office of the General Counsel in the 1970s and 1980s. She was the Assistant General Counsel, and served as NPR's Copyright Attorney. Her papers are grouped into two subgroups. The first deals with the various buildings that NPR rented space in from 1970 to 1978. The second subgroup consists of the remainder of her legal papers. Both subgroups are arranged chronologically.

### Series 2: Papers of Theodora Brown, 1976 – 1986, nd (0.6 lin. ft.)

This series consists of the papers of Theodora Brown. Brown served in the Office of the General Counsel as a Copyright Attorney for NPR in the 1980s. Her papers include samples of contracts and agreements, copyright correspondence and documentation for NPR programs. Files are arranged chronologically, with files with no dates filed at the beginning of the series.

### Series 3: Federal Communications Commission Legal Documents, 1972 – 1984, nd (2.5 lin. ft.)

This series contains documents related to two FCC cases, Docket Numbers 20753 and 20642. FCC Docket Number 20735 was filed in 1972 and deals with channel allocation, licensing, and allocation of station designations. It led to the FCC's Second Report and Order on the regulation of radio stations. FCC Docket Number 20642 was filed in 1975, and deals with the clear channel broadcasting controversy and requests for "super power" station status. This case led to the end of clear channel broadcasting privileges. The documents include comments and statements of various corporations involved in the cases, such as Clear Channel Broadcasting Services, WSM Incorporated, and American Broadcasting Companies, Inc. Files are grouped by Docket Number, and within that grouping, left in the original order as delivered by NPR.

### Series 4: Program Distribution Files, 1978 – 1984 (2.0 lin. ft.)

This series consists of documentation related to the distribution of programs by NPR. It includes contracts, correspondence, and draft agreements with Dataspeed, National Information Utilities Corporation, and Mobile Communications Corporation of America. In addition, there is information about the Satellite Interconnect System, and FCC documentation related to program distribution. The documents are grouped into four subgroups (INC/NIUC, Nationwide Paging, Dataspeed, and Other Related Folders), and are arranged chronologically within each group.

Series 5: Cable Royalties Fees Dispute, 1977 – 1985 (2.25 lin. ft.)

This series consists of the legal documents and correspondence regarding the Cable Royalties Fees Disputes. The Cable Royalty Tribunal's distribution of the 1978 and 1979 cable royalties fund was disputed by many of the involved parties, including NPR. These files include both documents relating to the hearings before the Cable Royalty Tribunal (CRT Dockets 79-1 and 80-4) and subsequent appeals to the US Court of Appeals (Dockets 80-2281, 80-2335, 80-2298, 90-2273, 80-2284, 80-2290, 82-1213, 82-1360, 82-1272). The documents have been grouped into two groups, one dealing with the 1978 dispute, and the other with the 1979 dispute. Within these groups, files are arranged alphabetically by petitioner, and then chronologically.

Series 6: Music Cue Sheets, 1979 – 1983 (3.0 lin. ft.)

This series consists of music cue sheets for music played on NPR programs from 1979 to 1983. It includes cue sheets for NPR programs, as well as for programs on NPR Plus Classical, and NPR Plus Jazz. The cue sheet folders include master lists of everything that was played during a week, as well as individual log sheets for each program. Folders are arranged chronologically by program.

Series 7: Financial Files, 1979 – 1983 (0.25 lin. ft.)

This series consists of documentation related to financial matters. Included are guidelines on wages and documentation on the NPR budget crisis of 1983. Folders are arranged chronologically.

Series 8: Background Information, Press Coverage, Contracts, and Agreements, 1971 – 1981 (0.5 lin. ft.)

This series consists of background information related to the Office of the General Counsel. Included are news clippings of various NPR shows, sample agreements, and AFTRA agreements. The folders are arranged chronologically.

**BOX INVENTORY**

**SERIES 1: PAPERS OF CAROL WHITEHORN**

Box	Folder	
1	1	PBS/NPR Station Cost Allocations, 1970
	2	Raymond C. Brophy, Inc. 2000 M Street N.W., 1971
	3	Blueprints of PBS Network Center, 1971
	4	Oliver T. Carr Co. Lease, 1971
	5	M Street Move – Miscellaneous Notes, 1971
	6	Security Problems, 1971
	7	PBS M Street Project Meeting Minutes, April 1, 1971
	8	PBS M Street Project Meeting Minutes, April 8, 1971

Box	Folder	
1	9	PBS M Street Project Meeting Minutes, April 22, 1971
	10	PBS M Street Project Meeting Minutes, May 7, 1971
	11	CPB/NPR Building File for 2025 M Street, 1971-1972
	12	2025 M Street – Building History, 1971-1972
	13	Oliver T. Carr Co. Layout Drawings, etc., 1971-1972, 1977
	14	Cafritz – leases and layouts, 1971-1973
	15	2025 M Street – Moving, 1972
	16	2025 M Street – Vending, 1972-1973
	17	M Street Miscellaneous, 1972-1973
	18	Construction Agreement for 2025 M Street, 1972-1973
	19	2025 M Street Correspondence, 1977
	20	2025 M Street Correspondence, 1978
	21	625 Market Street, San Francisco, 1978
	22	Some Thoughts on the BBC & Public Service Television, 1971
	23	American Federation of Television & Radio Artists (AFTRA), 1980-1981
	24	AFTRA, 1982
	25	Guidelines of Legal Responsibility in Music Recording, 1980-1982
	26	Writers Guild, 1980-1982
	27	Marc Rosenbaum Memos, 1982-1983
	28	Financial Statements, 1983
	29	NPR Recovery, 1983
	30	Producer’s Guide to the Extended Program Service, 1983
	31	Conflict of Interest, 1983-1984
	32	Nominations/Election Procedures for Public Board Members, 1984
	33	Tax Reform Act of 1986 – Documentation, 1986
	34	Final Regulation on Plan Assets, 1986
	35	Immigration Reform Act of 1986, 1986

## **SERIES 2: PAPERS OF THEODORA BROWN**

36	Non-Union Releases, nd
37	General Release Form, nd
38	Sample Clearance Form, nd
39	AFM Performer Release Form, nd
40	Program Production Agreement, nd
41	Agreement for the Production of News & Related Material for Broadcast, nd
42	Professional/Non-Professional Consultant Agreement, nd
43	Talent Contract, nd
44	AFTRA Pension Fund Letter, nd
45	Distribution Number versus Library Number Controversy, nd
46	National Archives Request Forms, Agreements, Contracts, 1976-1983
47	Use of All Things Considered (ATC) Theme, 1979, 1981
48	Grand Rights, 1978
49	Grand Rights – Old Radio Shows, 1978-1980

Box	Folder	
1	50	In House Clearances – Christmas Project, 1978-1983
	51	Soundtracks, 1980
	52	Grand Rights – Correspondence, 1980-1981
	53	Permissions, 1980-1982
	54	General Reading, 1979-1983
	55	General Reading, 1980-1981
	56	Grand Rights, San Francisco Opera (SFO) 81, 1981
	57	Grand Rights, SFO 82, 1982
	58	Grand Rights, SFO 83, 1983
	59	Grand Rights, Dallas Opera 1983, 1983
	60	In House Clearances – Judy Fisk – NPR Plus Use of George Shearing Artwork, 1983
	61	Home Box Office (HBO), 1983
2	1	Evaluation of the Non-Dramatic Literary License, 1983
	2	CPB Production & Support K FY 83, Analysis of FY 84, 1983
	3	Producer's Guide to the Extended Program Service, 1983
	4	Satellite Program Development Fund, 1984-1985
	5	Satellite Program Development Fund – Amendments, Grants, 1983-1984
	6	Non-Dramatic Literary Licenses, 1983-1985
	7	Public Broadcasting Expediting Center, 1984
	8	NPR Membership Criteria, 1984-1985
	9	KUVO, 1986
	10	Senior Engineer Position, 1986
	11	Department of Specialized Audience Programs – Program Production Agreement Drafts, 1986

### **SERIES 3: FEDERAL COMMUNICATIONS COMMISSION LEGAL DOCUMENTS**

12	FCC Legal Documents – RM 1974, 1972
13	FCC Legal Documents – Docket 20735, 1976
14-15	FCC Legal Documents – Docket 20735, 1977 (2f)
16	FCC Legal Documents – Docket 20735, 1978-1979
17-18	FCC Legal Documents – Docket 20735, 1980 (2f)
19	FCC Legal Documents – Docket 20735, 1981
20	FCC Legal Documents – Docket 20735, 1982
21	FCC Legal Documents – Docket 20735, 1983
22	FCC Legal Documents – Docket 20735 – Comments and Statement of NPR, 1983
23	FCC Legal Documents – Docket 20735 – Joint Comments, 1983
24	FCC Legal Documents – Docket 20735 – Comments of CPB, 1983
25	FCC Legal Documents – Docket 20735 – Misc. Comments, 1983
26	FCC Legal Documents – Docket 20735, 1983
27	FCC Legal Documents – Docket 20735, 1984

Box	Folder	
2	28	FCC Legal Documents – Docket 20735 – Joint Petition for Reconsideration, 1984
	29	FCC Legal Documents – Docket 20735, 1985
3	1	FCC Legal Documents – Docket 20735, nd
	2	Engineering Statements – Docket 20735, 1976-1980
	3	Engineering Statements – Docket 20735, 1982-1983
	4	Stations Affected by Docket 20735, 1982
	5	Stations Affected by Docket 20735, 1983-1985
	6	Questionnaires on FM/Channel 6 Interference, nd
	7	FCC Reports, News Releases, Public Notices, 1967-1985
	8	Federal Register, 1976-1982
	9	Federal Reporter, nd
	10	Misc. Legal Literature, 1981-1982
	11	Correspondence – FCC Secretary RE: Docket 20735, 1977-1982
	12	Correspondence – Dick Cassidy, Don Martin, Walda Roseman RE: Docket 20735, 1979-1982
	13	CPB Correspondence & Memoranda, 1974-1983
	14	NPR Documents RE: Docket 20735, 1979-1983
	15	Misc. Correspondence & Documents RE: Docket 20735, 1978-1980
	16	Misc. Correspondence & Documents, 1974-1984
	17	Comments of American Broadcasting Companies, Inc. – Docket 20642, 1979
	18	Comments of the Board of Regents of the University of Minnesota – Docket 20642, 1979
	19	Clear Channel Broadcasting Service Legal Documents – Docket 20642, 1979
	20	Comments of KFI, Incorporated – Docket 20642, 1979
	21	Comments of Cox Broadcasting Corporation – Docket 20642, 1979
4	1	Comments of WSM, Incorporated – Docket 20642, 1979
	2	Reply Comments of WSM, Incorporated – Docket 20642, 1979
	3	Engineering Affidavit – Docket 20642, 1979

#### **SERIES 4: PROGRAM DISTRIBUTION FILES**

4-5	Dick Hodgett's Files on Inc. Contract, 1983 (2f)
6	National Information Utilities Corporation (NIUC) Registration Statement Filed with the Securities and Exchange Commission, 1983
7	INC Correspondence, Vol. I, 1982-1983
8-9	INC Correspondence, Vol. II, 1983 (2f)
10	INC Unsent Correspondence, 1983
11	NIUC – Drafts of Promissory Note, 1983
12	Full-Time Space Segment Channel Sharing Agreement, 1983
13	NPR/NIU/INC Documentation on Amending Agreement, 1983

Box	Folder	
4	14	NIU Offer to Purchase NPR's INC Holdings, 1983
	15	Mobile Communications Corporation of America (MCCA)/NPCC – Nationwide Paging System Agreements, 1982
	16	MCAA – Nationwide Paging, 1982-1983
	17-18	FM Paging Draft Agreements, 1983 (2f)
	19	FM Paging Correspondence, 1983
5	1	Dataspeed Draft Agreements, 1982
	2	NPR/Dataspeed Services Agreements, 1983
	3	Dataspeed Correspondence, 1982-1983
	4	Dataspeed Correspondence, 1983
	5	Dataspeed Draft Agreements, 1983
	6	NPR Ventures Memos, 1983
	7	Satellite Interconnect System, 1978
	8	Mankiewicz Testimony – Retransmission of Radio Signals, 1981
	9	AT&T Settlement, 1982
	10	FCC Information, 1982
	11-12	Legal Documents Before the FCC, 1982 (2f)
	13	Technology/Distribution Committee Background Papers, 1984

#### **SERIES 5: CABLE ROYALTIES FEES DISPUTE**

14	American Society Of Composers, Authors, And Publishers (ASCAP) v. Copyright Royalty Tribunal – Motions for Leave to Intervene, 1980
15	ASCAP – Notice of Appeal, 1980
16	Canadian Broadcasting Corporation (CBC) v. Copyright Royalty Tribunal – Motions for Leave to Intervene, 1980
17	CBC – Notice of Appeal, 1980
18	Joint Sports Claimants (JSC) Brief Concerning Their Entitlement to Cable Television Royalty Fees – CRT Docket 79-1, 1979
19	JSC v. Copyright Royalty Tribunal – Motions for Leave to Intervene, 1980
20	JSC – Petition for Review, 1980
21	Mildred Kritt v. Copyright Royalty Tribunal, 1980
22	National Association of Broadcasters (NAB) Correspondence – CRT Docket 79-1, 1977-1985
23	NAB v. Copyright Royalty Tribunal – Motions for Leave to Intervene, 1980
24	NAB v. Copyright Royalty Tribunal, 1980
25	NAB et. al. v. Copyright Royalty Tribunal, 1980
26	NPR v. Copyright Royalty Tribunal – Motions for Leave to Intervene, 1980
27	NPR v. Copyright Royalty Tribunal, 1980
28	US Court of Appeals – Copyright Royalty Tribunal Case, 1980-1981

Box	Folder	
5	29	US Court of Appeals Orders for 1978 Cable Royalty Distribution Appeal Cases, 1980-1982
6	1	ASCAP Declaration of Controversy – Docket 80-4, 1980
	2	ASCAP Procedures – Docket 80-4, 1981
	3	ASCAP Prehearing Submission – Docket 80-4, 1981
	4	ASCAP Rebuttals – Docket 80-4, 1981
	5	Broadcast Music, Inc (BMI) Declaration of Controversy – Docket 80-4, 1980
	6	BMI Notice to Participate – Docket 80-4, 1981
	7	CBC Declaration of Controversy – Docket 80-4, 1980
	8	CBC Prehearing Submission – Docket 80-4, 1981
	9	CBC Notice to Participate – Docket 80-4, 1981
	10	CBC Procedures – Docket 80-4, 1981
	11	Christian Broadcasting Network (CBN) Notice to Participate – Docket 80-4, 1981
	12	CBN Prehearing Submission – Docket 80-4, 1981
	13	CBN Procedures – Docket 80-4, 1981
	14	CBN v. Copyright Royalty Tribunal – Motion for Leave to Intervene, 1982
	15	Comes Now Superstation Notice to Participate – Docket 80-4, 1981
	16	Comes Now Superstation Procedures – Docket 80-4, 1981
	17	JSC Declaration of Controversy – Docket 80-4, 1980
	18-19	JSC Prehearing Submission – Docket 80-4, 1981 (2f)
	20	JSC Additional Exhibits – Docket 80-4, 1981
	21	Motion Picture Association of America Inc (MPAA) Declaration of Controversy – Docket 80-4, 1980
	22	MPAA Procedures – Docket 80-4, 79-1, 1981
	23	MPAA Notice to Participate – Docket 80-4, 1981
	24-25	MPAA Prehearing Submission – Docket 80-4, 1981 (2f)
	26	MPAA Rebuttals – Docket 80-4, 1981
	27	MPAA Claims – Docket 80-4, 1981
	28-29	MPAA Additional Exhibits – Docket 80-4, 1981 (2f)
	30	MPAA v. Copyright Royalty Tribunal – Motion for Leave to Intervene, 1982

### **SERIES 6: MUSIC CUE SHEETS**

	31	Cue Sheets, May 1979
	32	Cue Sheets, June 1979
7	1	Cue Sheets, July 1979
	2	Cue Sheets, August 1979
	3	Cue Sheets, September 1979
	4	Cue Sheets, October 1979

Box	Folder		
7	5	Cue Sheets, November 1979	
	6	Cue Sheets, January 1980	
	7	Cue Sheets, February 1980	
	8	Cue Sheets, March 1980	
	9	Cue Sheets, October 1981	
	10	Cue Sheets, November 1981	
	11	Cue Sheets, December 1981	
	12	Cue Sheets, January 1982	
	13	Cue Sheets, February 1982	
	14	Cue Sheets, March 1982	
	15	Cue Sheets, April 1982	
	8	1	Cue Sheets, May 1982
		2	Cue Sheets, June 1982
		3	Cue Sheets, January 1983
		4	Cue Sheets, February 1983
5		Cue Sheets, March 1983	
6		Cue Sheets, April, May, June 1983	
7		Cue Sheets, July, August, September 1983	
8		Cue Sheets, October, November, December 1983	
9		NPR Plus Classical, February 1983	
10		NPR Plus Classical, March 1983	
11		NPR Plus Classical, April 1983	
12		NPR Plus Classical, May 1983	
13		NPR Plus Classical, June 1983	
14		NPR Plus Jazz, February, April 1983	
15		NPR Plus Jazz, May, June, July 1983	

### **SERIES 7: FINANCIAL FILES**

	16	National Public Radio Wage-Price Guidelines, 1979
	17	National Public Radio President's W/P Guidelines, 1979
	18	Documents Relating to the Loan, Sale, and Leaseback, and Other Transactions Involving NPR, CPB, Qualified Public Radio Stations, and Certain Trustees, 1983
9	1-2	House of Representatives Committee on Energy & Commerce Hearing, 1984 (2f)

### **SERIES 8: BACKGROUND INFORMATION, PRESS COVERAGE, CONTRACTS AND AGREEMENTS**

	3	NPR Background Information – Labor, Unions, 1971-1975
	4	Agreements, 1979
	5	National Public Radio – General/Misc. Articles, 1979

Box	Folder	
9	6	All Things Considered – Press, 1979-1981
	7-8	In The News – Volume III – Performance & Specialized Audience Programs, 1979-1982 (2f)
10	1	Standard AFTRA Public Radio Engagement Contracts, 1980
	2	Standard AFTRA Public Radio Engagement Contracts, 1981