

inflicted a reversal as unanticipated as the fire, but potentially more damaging. This came in the form of an order from the U.S. Court of Appeals in Washington, blocking the sale of channel 13, occupied by WNTA-TV in Newark, N.J., to a New York ETV organization.

The establishment of channel 13 as an educational outlet has come to be regarded as the route for a major breakthrough in ETV's long and difficult struggle for access to major audiences. Though it long has had the good wishes of the Federal Communications Commission, ETV has found little space available on the very high frequency band, which is the only band that can be received on virtually all the nation's TV sets. The ultra-high frequency band, for which few sets are equipped, stands open for ETV's expansion, but ETV groups have been understandably reluctant to broadcast on a band which reaches only a tiny audience. The importance of channel 13 for ETV lay in the fact that it is on the VHF band, in the heart of the nation's most populous reception area.

The court action blocking the sale was in response to a petition from Governor Robert B. Meyner, of New Jersey, who argued that the sale to a New York group would deprive New Jersey of its sole commercial television outlet. In granting his request for a stay of the sale, the court noted that the FCC has approved the sale without giving New Jersey the opportunity for a hearing. The ruling, by a three-judge panel of the nine-member court, came after a 30-minute hearing and was wholly unexpected by attorneys for the FCC and the ETV group. The owners of the station, meanwhile, have announced that if the sale is not carried through by 27 November, the expiration date of the sales contract, they will retain ownership. They have indicated that the economic reverses which made the sale attractive to them may be ended by a contract for broadcasting baseball games. At the same time, the FCC asked the court to reconsider its decision, but it is extremely unlikely that a new ruling will be forthcoming before the 27th. Some observers think the channel 13 case is now en route to becoming a landmark fiasco in ETV.

Whether or not it is, it is well larded with some extreme ironies. Legal experts, though their fingers were singed by the unexpected court ruling, contend that on the merits the FCC was correct

in authorizing the sale to an educational group over the objections of Governor Meyner and without a hearing. It is within the FCC's discretion to grant a transfer of a station without a hearing if it concludes there is no substantial question of fact involved. The course it chose reflected the friendly atmosphere which has been generated for ETV since Newton Minow became FCC chairman. The channel 13 case has been of especial interest to Minow, and it is reported that he took special pains to ease the way for the sale to the ETV organization. As a result, however, the case was brought up against a procedural block which now threatens to negate the sale.

The source of Meyner's persistent opposition to the sale constitutes a considerable mystery. WNTA, the present occupant of the channel, was never noted for rendering public service to the State of New Jersey, and if its present owners succeed in landing a baseball contract, that tradition would probably continue. The ETV group, on the other hand, has pledged itself to air the state's public affairs, and on the basis of ETV's performance elsewhere, the pledge deserves respect.

In Boston, meanwhile, the task of restoring the burned-out WGBH is receiving considerable public support. The station's transmitter was not affected by the fire, and commercial stations in the area have been lending WGBH studio facilities. Public contributions for new studios have passed \$300,000. The goal is \$1.5 million, and the prospects are bright, which cannot be said, at present, for bringing ETV to New York.—D.S.G.

#### **Project West Ford: Cause of Failure Still Unknown**

The status and future of Project West Ford were beset by uncertainty this week, a month after the initial attempt to establish an experimental wire filament belt in space. A spokesman at the Lincoln Laboratory said a second attempt would not be made until efforts were completed to account for the failure. It appeared that this would not be accomplished quickly.

The filament belt, intended for tests on jam-proof communications, was to have been formed by 350 million hair-like copper wires discharged from a 15- by 50-centimeter canister. On 21 October the canister was carried aloft

on a Midas satellite, but there has been no evidence that it discharged the filaments. The first indication that the canister itself had separated from the satellite came on 3 November, in a 75-second radar image. Efforts to pick up the image again have been unsuccessful, and there is some doubt now about whether it actually was created by the canister.

The controversy over whether the project would interfere with radio and optical astronomy has led to considerable caution in the decision on when to attempt another shot. The Lincoln Laboratory wants to be as certain as possible that the second attempt will not be followed by a sudden blossoming of filaments from the first canister.—D.S.G.

#### **Mental Retardation: President's Panel Is Moving Quickly**

The Washington landscape is dotted with the remnants of boards and panels summoned to special tasks and then quickly forgotten. It appeared unlikely last week that such would be the fate of the special panel on mental retardation established in mid-October by President Kennedy.

The President took special pains at the time he announced establishment of the panel to emphasize his personal interest. Last week, Leonard Mayo, head of the panel, asked each member to consider "What you would do if you had the opportunity, with unlimited resources at your disposal, to create and build a comprehensive program of research, care and education for the mentally retarded."

At the same time, Mayo appointed Edward Davens, deputy commissioner of the Maryland State Department of Public Health, to head the panel's research task force. He also appointed William Hurder, associate director for mental health, of the Southern Regional Education Board, as chairman of a task force on services. The two panels will meet at the Department of Health, Education, and Welfare on 8 December.

Recently appointed as a consultant to the panel was the President's sister, Mrs. R. Sargent Shriver, Jr. Her presence provides the panel quick access to the President and enhances the prospects of smooth relations with various federal agencies that may be of assistance to the panel.—D.S.G.