

strict, recommended the changes incorporated in this bill, thereby vesting in the Commission certain discretion which it does not have at this time.

There are several reasons for this legislation, the first and most convincing being the situation at the Cruft Laboratory at Harvard University. Harvard University was permitted a license for a general experimental station and for several years operated under that license, making continuous observations of the ionosphere. The licensee, being Harvard University in this case, felt that it could not afford to keep a licensed operator on duty throughout the continuous operation but because of the absolute requirements of section 318, no waiver of that requirement could be made by the Communications Commission. Consequently, this valuable collaboration between Harvard University and the Commission and the tremendous value being derived therefrom had to be discontinued. Another reason is the possibility of using automatic transmitters on police cars which will be valuable in this emergency field. At present, a central operation but because of the absolute requirement of section licensed operators. It is felt with this new provision in the law, radio beacons could be operated automatically at stations too remote and too expensive to operate under existing law.

A letter from the Communications Commission to me dated February 19, 1937, expresses very fully and in a most convincing way the controlling reason for our committee reporting this bill.

I ask unanimous consent to extend my remarks and incorporate therein this letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The letter referred to is as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., February 19, 1937.

Hon. WM. P. COLE, JR.,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN COLE: In respect to your request by telephone for a statement of the considerations which the Commission had in mind in proposing an amendment to section 318 of the Communications Act of 1934, which amendment is embodied in H. R. 3896 in the form in which it was originally introduced at this session, I beg to report as follows:

This amendment is designed to give the Commission discretion in certain instances to relax the absolute requirement of section 318 that all transmitting apparatus at all times of operation must be under the control of a licensed operator.

The need for such discretion was brought to the attention of the Commission forcibly by an application of the Cruft Laboratory, Harvard University. A general experimental station had been licensed to that institution for several years for the purpose of making continuous observations of the ionosphere. The value of this research depended on continuous operation of the station. The results of the operation were recorded automatically. There was no function which an operator could have performed in this connection other than to keep the station upon its proper frequency. The Cruft Laboratory, in consultation with the Engineering Department of the Commission, worked out an automatic device capable of preventing improper operation of the station. The licensee felt that it could not afford to keep an operator on duty throughout continuous operation and regarded such a requirement as unreasonable in view of the fact that no useful function could be performed by the operator. However, the absolute requirement of section 318 prohibited such operation. Consequently, this important piece of research had to be discontinued. This is but one of a number of instances in which the actual operation of a station by a licensed operator is impractical and unnecessary from an engineering viewpoint. Useful scientific research is inhibited by the present rigid requirement of section 318. Free balloons containing small automatic transmitters are useful in obtaining reports and in recording atmospheric conditions at great altitudes.

The use of automatic transmitters on police cars controlled by a central operator would be of value in this important field of emergency service. It would obviate the existing necessity of requiring that police driving such cars be also licensed operators. Since these stations operate only on the ultra-high frequencies, there is little danger of interference from such operation.

The development of radio to promote the safety of life and property in the air is also handicapped. Without such a requirement, radio beacons could be operated automatically at remote points where the attendance of an operator would be impractical both from a physical and a financial standpoint.

It is important to remember that control by the Commission over a station is not lost because it is automatically operated. The control over the licensee of the licensee remains to insure proper operation.

It should be noted that the amendment suggested by the Commission excluded four classes of stations from the field of discretion

of the Commission. These exceptions were carefully designed to avoid conflict with international agreements, to preserve safety, and to exclude stations operating with great power or on frequencies where considerable interference might be expected. It may be that the bill as amended before being reported out of committee confers somewhat greater discretion upon the Commission. However, the Commission believes that it can, in the exercise of its discretion, avoid any relaxation of the operator requirements where such relaxation would not be in the public interest.

Sincerely yours,

IRVIN STEWART, Commissioner.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was, on motion of Mr. LEA, laid on the table.

The SPEAKER pro tempore. Has the Committee on Interstate and Foreign Commerce any further bills?

Mr. LEA. The committee has no further bills this afternoon, Mr. Speaker.

CALL OF COMMITTEES

The SPEAKER pro tempore. The Clerk will call the committees.

AMENDMENT OF MERCHANT MARINE ACT OF 1936

Mr. BLAND (when the Committee on Merchant Marine and Fisheries was called). Mr. Speaker, I call up the bill (H. R. 4951) to amend section 704 of the Merchant Marine Act of 1936 (49 Stat. L., 2008-2009).

The Clerk read the title of the bill.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

Mr. WEARIN. Mr. Speaker, reserving the right to object, if this request be granted, what will be the situation with reference to amendments to the bill?

Mr. BLAND. Amendments will be in order. My understanding is that the effect of this request is to eliminate general debate, that the bill is read under the 5-minute rule. As a matter of fact, when the bill is read I shall move to strike out the last word in order to make a statement.

The SPEAKER pro tempore. The Chair advises the gentleman from Iowa that the bill will be read under the 5-minute rule.

Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008-2009) be amended to read as follows:

"Sec. 704. All vessels transferred to or otherwise acquired by the Commission in any manner may be chartered or sold by the Commission pursuant to the further provisions of this act. All vessels transferred to the Commission by this act and now being operated by private operators on lines in foreign commerce of the United States shall be temporarily operated by the Commission for its account by private operators until such time and upon such operating agreements as the Commission may deem advantageous, preference to be given to present operators, and all operation of the Commission's vessels by private operators under such operating agreements shall be discontinued as soon as practicable after December 31, 1937: *Provided*, That nothing contained herein shall be construed as limiting or affecting the power of sale under provisions of section 705 of this act."

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, it will be recalled that when the Merchant Marine Act of 1936 was passed there was no opportunity to go to conference, for it was during the closing hours of the session.

There was inserted in the Senate, and it first appeared by amendment on May 4, 1936, this section which we are seeking to amend, section 704. The pertinent portion as applicable to the situation before us deals with the operation of certain Government-owned lines that were operated by the Government and have been operated by the Government for many years. This section as originally passed provided that the Commission might continue the operation under agreements to be entered into with the operating managers and then provided that the operation should be discontinued within 1 year after the passage of the act. The act became a law on June 29, 1936. Five lines had

Mr. ROBINSON. And it was not incorporated in the report?

Mr. WHITE. And it is not referred to in the report, so far as I know. I wish to check on it.

Mr. ROBINSON. Very well.

OPERATION OF EXPERIMENTAL RADIO STATIONS

The Senate proceeded to consider the bill (H. R. 3898) to amend section 318 of the Communications Act of 1934, which was read, as follows:

Be it enacted, etc., That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

"Sec. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however,* That the Commission if it shall find that the public interest, convenience, or necessity will be served thereby may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreements, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below 30,000 kilocycles: *Provided further,* That the Commission shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices and for the operation of such devices."

Mr. WALSH. Mr. President, this passed the House and has been reported favorably by the Committee on Interstate Commerce. It was recommended by the Communications Commission and simply permits the Communications Commission to authorize the operation of experimental stations, such as the one at Harvard College, without requiring a licensed operator, which they have no authority to do under the present law.

Mr. ROBINSON. Mr. President, was not a similar bill passed at the last session?

Mr. WALSH. Yes; it was passed during the last session. I think the Senator from Maine [Mr. WHITE] is particularly familiar with the bill.

Mr. WHITE. Mr. President, under existing law a radio station may not be operated without a licensed operator. At Harvard College, in particular, and at some other places, automatic transmitting apparatus has been developed. Such stations operate in the very high frequencies which are, not in general use. This bill simply authorizes the operation of automatic transmitting apparatus without the presence of a licensed operator. As the Senator from Massachusetts says, the bill has been approved by the Communications Commission, and I know of no objection to it on the part of anyone.

Mr. WALSH. Mr. President, I inquire whether these experimentations are not very helpful to the radio science.

Mr. WHITE. Yes, Mr. President. These experiments are in the ultra-high frequencies—frequencies above 30,000 kilocycles—and their use at the present time is largely an experimental one. They create no interference with anything else, and they may result in substantial development of the art.

The VICE PRESIDENT. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 29) to promote the safety of employees and travelers on railroads by requiring common carriers engaged in interstate commerce to install, inspect, test, repair, and maintain block-signal systems, interlocking, highway grade-crossing protective devices, automatic train-stop, train-control, cab-signal devices, and other appliances, methods, and systems intended to promote the safety of railroad operation, was announced as next in order.

Mr. BARKLEY. Mr. President, that bill will have to go over, because the wrong report was made on it. I shall file the correct report later.

The VICE PRESIDENT. The bill will be passed over.

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DEGREES TO GRADUATES OF MILITARY AND OTHER ACADEMIES

The Senate proceeded to consider the bill (H. R. 2291) to amend the act of May 25, 1933 (48 Stat. 73), which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 10, after the word "upon", to strike out "all living graduates of the said academies" and insert "such other living graduates of the said academies as shall have met the requirements of the respective academies for such degree", so as to make the bill read:

Be it enacted, etc., That the act approved May 25, 1933 (48 Stat. 73), be amended by changing the period at the end of the act to a colon and by adding the following words: "*Provided,* That on and after the date of the accrediting of the said academies by the Association of American Universities the superintendents of the respective academies may, under such rules and regulations as the respective secretaries may make, confer the degree of bachelor of science upon such other living graduates of the said academies as shall have met the requirements of the respective academies for such degree."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The VICE PRESIDENT. That completes the calendar.

EXTENSION AND COMPLETION OF THE CAPITOL

The Senate resumed the consideration of the bill (S. 1170) to provide for the extension and completion of the United States Capitol.

The VICE PRESIDENT. The amendments of the committee will be stated.

The first amendment was, in section 1, page 1, line 9, after the word "determine", to strike out "except" and insert "excepting", so as to read:

Be it enacted, etc., That the central portion of the Capitol shall be extended, reconstructed, and replaced in substantial accordance with either scheme A or scheme B of the architectural plan submitted by the joint commission of Congress and reported to Congress on March 3, 1905 (H. Doc. No. 385, 56th Cong., 3d sess.), with such modifications as the Commission may determine, excepting so much of said plan as relates to a sculptural group in the pediment of the House wing, etc.

The amendment was agreed to.

Mr. McNARY. Mr. President, I am not conversant with the provisions of the bill. I think the same statement applies to other Senators. It seems to me, therefore, that a statement should be made regarding the bill by the chairman of the committee reporting it, the author of the bill.

Mr. CONNALLY obtained the floor.

The VICE PRESIDENT. The Chair will state to the Senator from Texas that the Senator from Florida [Mr. Andrews] expressed a desire to address the Senate on yesterday, and has again requested recognition for the purpose of addressing the Senate. Does the Senator from Texas desire to complete the consideration of the bill before that is done, or does he desire to yield for that purpose?

Mr. CONNALLY. Of course, I yield to the Senator from Florida. When the Senate proceeds with the consideration of the bill, it will be agreeable to the Senator from Texas, since he is chairman of the committee, to make a brief statement outlining the purposes of the measure; but I have no disposition to interfere with the remarks of the Senator from Florida.

Mr. ANDREWS. I should like to yield to the Senator from Texas if the consideration of the bill will not consume too much of the afternoon.

Mr. CONNALLY. If it is agreeable to the Senator from Florida, I shall be glad to proceed now. Otherwise, I am perfectly willing that he shall proceed.

Mr. ANDREWS. Can the Senator tell me how long the consideration of the bill will take?

Mr. CONNALLY. I will say that the Senator from Florida may speak at any time he obtains recognition. If he thinks the consideration of the bill is running on too long, he may take the floor and proceed with his address.

Mr. ANDREWS. I prefer to proceed now. Of course, I am with the Senator from Texas on the bill, having served on the committee.