

86<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1886

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 1959

Referred to the Committee on Interstate and Foreign Commerce and ordered  
to be printed

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## AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. Moss (for himself and Mr. MURRAY) to the bill (S. 1886) to amend the Communications Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities, viz: Strike out all after the enacting clause and insert the following:

1       That section 3 of the Communications Act of 1934 (47  
2 U.S.C. 153) is amended by inserting at the end thereof  
3 the following:

4       “(hh) ‘Community antenna television system’ means  
5 any facility performing the service of receiving and amplify-  
6 ing the signals transmitting programs broadcast by one or  
7 more television stations and redistributing such programs,

1 by wire, to subscribing members of the public, but such term  
2 shall not include (1) any such facility which serves fewer  
3 than fifty subscribers, (2) any such facility which serves  
4 only the residents of one or more apartment dwellings under  
5 common ownership, control, or management, and commercial  
6 establishments located on the premises, or (3) any such  
7 facility used only for the distribution, by wire, of programs  
8 for which a charge is imposed generally on all subscribers  
9 wherever located, and which are not in the first instance  
10 broadcast for reception without charge by all members of  
11 the public within the direct range of television broadcast  
12 stations.”

13       SEC. 2. Section 318 of the Communications Act of  
14 1934 (47 U.S.C. 318) is amended by striking out “(3)  
15 stations engaged in broadcasting, and” in line 12 and insert-  
16 ing in lieu thereof the following: “(3) stations engaged in  
17 broadcasting except those engaged solely in the function of  
18 rebroadcasting the signals of television broadcast stations,  
19 and”.

20       SEC. 3. Section 319 (d) of the Communications Act of  
21 1934 (47 U.S.C. 319 (d) ) is amended by inserting before  
22 the period at the end thereof a colon and the following: *And*  
23 *provided further*, That if the Commission finds that the  
24 public interest, convenience, and necessity would be served  
25 thereby, it may waive the requirement of a permit for (1)

1 construction of a station that is engaged solely in rebroad-  
2 casting television signals or (2) construction of a community  
3 antenna television system, if such station or system was  
4 constructed on or before the enactment of this act”.

5       SEC. 4. Subsection (a) of section 325 of the Communi-  
6 cations Act of 1934 (47 U.S.C. 325 (a) ) is amended by  
7 inserting after the period at the end thereof the following:  
8 “No community antenna television system (as defined in  
9 section 3 (hh) of this Act) shall redistribute the program  
10 or any part thereof of a broadcasting station without the  
11 express authority of the originating station.”

12       SEC. 5. Part I of the Communications Act of 1934 is  
13 amended by inserting after section 329 (47 U.S.C. 329) a  
14 new section as follows:

15       “SEC. 330. (a) Upon request by the licensee of a regu-  
16 lar television broadcast station (other than a station engaged  
17 solely in rebroadcasting) which is assigned to a city or com-  
18 munity in which a community antenna television system pro-  
19 vides television programs to local subscribers, such com-  
20 munity antenna television system shall regularly redistribute  
21 programs broadcast by such local television broadcast station.

22       “(b) The Commission may, by rule or order, prescribe  
23 such standards and conditions as it may find necessary to  
24 assure that the reception of the programs redistributed by  
25 the community antenna television system under subsection

1 (a) hereof shall be reasonably comparable in technical  
2 quality to the reception of programs of other television  
3 stations redistributed by the community antenna television  
4 system.

5 “(c) The Commission also may, by rule or order,  
6 prescribe the period of time within which community  
7 antenna television systems shall complete preparations for  
8 and commence the redistribution of programs under sub-  
9 sections (a) and (b) hereof.”

10 SEC. 6. Section 301 of the Communications Act of  
11 1934 (47 U.S.C. 301) is amended so as to add, following  
12 the third word of line 9 thereof, the words “or community  
13 antenna television system”.

14 SEC. 7. Section 307 (b) of the Communications Act of  
15 1934 (47 U.S.C. 307 (b)) is amended by adding at the  
16 end thereof the following: “No such application shall be  
17 granted for (1) a community antenna television system,  
18 (2) any station engaged solely in the function of rebroad-  
19 casting the signals of television broadcast stations, or (3) a  
20 microwave facility for the purpose of serving exclusively  
21 or predominantly any such systems and stations or either  
22 thereof, unless the Commission shall first find that such  
23 authorization will not adversely affect the creation or main-

1 tenance of a station which will originate local television  
2 programs, and which will serve the community to be served  
3 by such community antenna television system or station  
4 engaged solely in the function of rebroadcasting the signals  
5 of television stations.”

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