

three separate occasions refused to legalize these operations because of the interference they could cause, and because the Commission felt that there were other methods of effectively bringing television service to these areas without any interference problems being created thereby.

The hearings we have held have revealed that despite the repeated turn-downs of VHF boosters by the Federal Communications Commission, they have continued to multiply so that at the time of the hearing before your committee, the FCC reported that these stations are now in the vicinity of 1,000 in number. It appears that practically all of these VHF boosters are located in the Far Western States.

The Federal Communications Commission now feels that in view of the reliance by many people upon VHF boosters for television service and of the substantial investments that have been made by the public in VHF boosters, it is not practicable to close down these boosters. The Federal Communications Commission believes that some provision must be made for their continuance upon a legalized and regulated basis. However, the Commission assures us that if such operations are legalized the operation of these stations will be permitted only under suitable conditions that would keep to a minimum the potential for disruptive interference which inevitably results from booster operation.

The Federal Communications Commission has advised us that two provisions in the Communications Act as presently written impose difficulties in accomplishing the objective of legalizing boosters. The first is the provision of section 318 of the Communications Act requiring that all transmitting apparatus be operated by a person holding a radio operator's license. The Commission has no authority to waive this requirement so far as broadcast operations are concerned. The bill before you would give the Commission discretion to waive the operator requirement with respect to television rebroadcast stations if it is found that public interest, convenience, and necessity would be served thereby.

The second difficulty is found in section 319 which forbids the Commission to issue a license for a station where construction has been undertaken prior to the receipt of a construction permit from the Federal Communications Commission. All of the boosters which are presently in operation, of course, were constructed before a construction permit was received from the Commission and cannot be licensed under the present provision of the Communications Act. Under the bill before you, the Commission would be given discretion if it finds that public interest, convenience and necessity would be served thereby to waive the requirement of a permit for construction of a station that is engaged solely in rebroadcasting television signals if such station were constructed on or before the date of the enactment of the instant bill. In effect, this provision would authorize the Commission to establish "grandfather rights" for those VHF boosters which initiated operation

without authorization before the enactment of the instant bill.

In view of the testimony of the Federal Communications Commission and the showing that has been made as to the reliance which residents in sparsely settled areas of the West have placed on these VHF boosters, the committee has approved the bill now before you. In so doing we have relied upon assurances given by the Commission that appropriate regulations can and will be drawn to keep interference from such operations at a minimum.

I have already mentioned the fact that the Commission has shown great reluctance in the past to license VHF boosters. This reluctance has been based upon the twofold feeling that there was a great potentiality of serious interference resulting from such operation and also because of the availability of alternative means of bringing television service to the areas in question by means which involve no interference problems. Despite its change of position to recognize the practical need for enabling sparsely settled communities in mountainous regions, particularly in the West, to be able to continue to receive television service from VHF boosters, the Commission is under a duty to make sure that these operations are conducted in accordance with rules and regulations that provide maximum protection against disruptive interference and to encourage, wherever feasible, the use of alternative methods of bringing television service that do not entail interference problems. We are sure that the Commission in acting under the bill we are recommending for your adoption, will keep this in mind.

(Mr. McGOVERN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. McGOVERN. Mr. Speaker, I strongly support the legislation to make possible the continuance of low-power television booster stations. The legislation before us is in the public interest because it will enable many thousands of persons living in sparsely settled areas or in rugged terrain to receive the benefits of television.

The legislation would accomplish two purposes. First of all, with respect to stations engaged solely in the function of rebroadcasting the signals of television broadcast stations, the Federal Communications Commission is authorized to waive the statutory requirement that broadcast stations be operated only by licensed operators. Secondly, the legislation would authorize the FCC to waive the requirement of a construction permit for a station that is engaged solely in rebroadcasting television signals if such a station were constructed on or before the enactment of this legislation.

Mr. Speaker, for many years, so-called booster or repeater units have been operated in small rural communities or in areas of mountainous terrain where high frequency television is prohibitive. A TV booster is a simple, inexpensive device ordinarily financed by cooperative community action. These devices pick up the signal from a nearby television sta-

tion and beam it on a short-range, low-power system to television sets within the immediate area. Such low-power operations do not interfere with normal high-frequency telecasts.

On December 31, 1958, the Federal Communications Commission threatened the continued operation of such booster stations by requiring that they must convert to high-frequency operation within 90 days. This order, had it been allowed to stand, would have meant that many communities would have lost their television reception entirely.

For that reason, I joined with a number of Members of Congress in sponsoring legislation to bring about a reversal of this unfortunate announcement by the Commission.

Since that time, the Commission has reconsidered its action and has requested legislation similar to the bill now pending before us. I am pleased that the FCC, the Federal Aviation Agency, the Department of the Air Force, the Department of Commerce, and the Bureau of the Budget are all in agreement as to the desirability of the proposed legislation.

Mr. Speaker, in the interest of the many thousands of citizens in western South Dakota and other similar areas, who depend upon TV booster units for television reception, I urge the speedy passage of this legislation.

(Mr. THOMSON of Wyoming asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. THOMSON of Wyoming. Mr. Speaker, I urge favorable consideration of S. 1886. The action of the House of Representatives on this bill will at long last make it possible to legalize existing booster television operations which are so vital to the western States and have been invaluable in providing free television reception to remote sections of Wyoming.

I am pleased that we are able to take favorable action on this bill so that it may become law in this session of Congress. It is legislation that is most important and is, I am convinced, in the public interest.

As Wyoming's sole U.S. Representative, I have closely followed the actions on this bill—both in the House and the Senate. I appeared before both the House and Senate Interstate and Foreign Commerce Committees and presented detailed statements outlining why action on the bill is imperative.

The reason this bill will be of vast benefit to so many television viewers in the West is that so many small communities and rural areas can receive television signals by no other means than by television booster stations.

The primary objective in the public interest is to make available to the maximum possible number of our citizens the benefits of television.

In Wyoming, a large portion of our population is dependent on these television booster systems for television reception and cannot expect to receive a usable picture through any other means.

The impact of television boosters on Wyoming is pinpointed when one realizes that about 60 percent of Wyoming television viewers see TV over booster

systems and at least one-fourth of the people of Wyoming cannot expect to receive a suitable TV signal by any other means.

The Federal Communications Commission is now proceeding to formulate regulations for the licensing of new VHF booster stations and for the operation of these stations, in their proceeding which is known as docket No. 12116.

There is no doubt, Mr. Speaker, of the FCC's authority to license and promulgate operating regulations, but I would point out that these regulations must be reasonable and in the public interest.

The Wyoming TV Repeater Association has submitted several recommendations for amendments to the regulations that the FCC has proposed, dealing with the operation of booster systems. I have joined in urging that the FCC give these recommendations of the Wyoming association careful and favorable consideration.

And, in this regard, unless action is taken to reasonably provide for the needs of these booster operations—which are so important for the entertaining and informing of so many Wyoming people—it may well be that additional legislation will be required.

In the meantime, however, this legislation would remove the obstacles to continued operation of booster stations already constructed.

I would also point out, Mr. Speaker, that all booster facilities that are now operating will be required to meet all of the requirements which may be promulgated by the Federal Communications Commission. This is pointed out by the House committee report on S. 1886, and must be borne in mind.

I have made a serious effort to identify the guiding principles which I think should control our efforts to solve problems which have come up with respect to the television industry and its impact upon my section of the country.

Mr. Speaker, I sincerely believe that the bill now before us, which will help solve the problems that the booster television systems in the West now face, should be approved.

I urge that the bill be passed.

Mr. DIXON. Mr. Speaker. I would like to thank the members of the House Interstate and Foreign Commerce Committee for reporting out S. 1886 and thank the House for passing it today.

A major purpose of the Federal Communications Act has been to provide free radio and television to the citizens of the United States. However, failure to enact this law would have terminated that desirable objective for many of the rural people of the West.

For example, in Utah 80 percent of the area of the State is or could be served by boosters. The State of Utah has enacted a law permitting local governments to erect these booster stations in areas where television signals do not reach. These boosters are already in use in 19 of the 29 counties.

These boosters are infinitely less expensive than the ultra high-frequency systems. The boosters in Utah have not interfered with other signals and have provided educational and entertainment

values to our farmers who have been economically hard hit and therefore can less afford to pay for expensive television systems.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I take this time to inform the Members of the House that the bill that has just been passed is what is referred to in the communications field as the "booster" bill. There are many Members of Congress, particularly from the west and north-west part of the country, who are tremendously interested in the program.

I will have a statement in the RECORD just prior to adoption of the bill explaining what it is. The bill's provisions have been carefully worked out and it was unanimously agreed to. On the Whip notice, unfortunately, it was referred to as the "community antenna television system." That is incorrect. This bill does not refer in any way to community antenna systems. A bill dealing with that problem will come up for separate consideration.

In view of the fact that there have been so many Members, probably 30 or 40 Members of the House, who have been inquiring about this matter, I wanted them to know that this is the bill they have been interested in.

TERMS OF OFFICE OF MEMBERS OF CERTAIN REGULATORY AGENCIES

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1965) to make uniform provisions of law with respect to the terms of office of the members of certain regulatory agencies.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of the first section of the Federal Power Act (16 U.S.C. 792) is amended to read as follows: "Their successors shall be appointed each for a term of five years from the date of the expiration of the term for which his predecessor was appointed and until his successor is appointed and has qualified, except that he shall not so continue to serve beyond the expiration of the next session of Congress subsequent to the expiration of said fixed term of office, and except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term."

Sec. 2. The first sentence of subsection (c) of section 4 of the Communications Act of 1934 (47 U.S.C. 154(b)) is amended to read as follows: "The Commissioners first appointed under this Act shall continue in office for the terms of one, two, three, four, five, six, and seven years, respectively, from the date of the taking effect of this Act, the term of each to be designated by the President, but their successors shall be appointed for terms of seven years and until their successors are appointed and have qualified, except that they shall not continue to serve

beyond the expiration of the next session of Congress subsequent to the expiration of said fixed term of office; except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he succeeds.

Sec. 3. The fourth sentence of subsection (a) of section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78 (d)) is amended to read as follows: "Each Commissioner shall receive a salary at the rate of \$20,000 a year and shall hold office for a term of five years and until his successor is appointed and has qualified, except that he shall not so continue to serve beyond the expiration of the next session of Congress subsequent to the expiration of said fixed term of office, and except (1) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the Commissioners first taking office after the enactment of this title shall expire as designated by the President at the time of nomination, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years, after the date of the enactment of this title."

The SPEAKER pro tempore. Is a second demanded?

Mr. BENNETT of Michigan. Mr. Speaker, I demand a second.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. HARRIS. Mr. Speaker, this is a Senate bill and it has to do with the terms of office of certain Commissioners of major regulatory agencies. It deals with the members in reference to their term of office as follows: The Federal Communications Commission, the Federal Power Commission, and the Securities and Exchange Commission.

The bill would permit a member of one of these agencies or Commissions to continue to serve in office following the expiration of his term until his successor has been appointed and qualified, but not to exceed the end of the following session of Congress. It does no more than bring these agencies into line with the Civil Aeronautics Board, the Federal Trade Commission and the Interstate Commerce Commission.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Tennessee.

Mr. EVINS. I have been interested in legislation pending before the gentleman's committee which would place the Chairmen of these important regulatory Commissions on a rotating basis, on a basis of where they are elected by the Commissioners themselves for Chairman rather than being designated by the President. Legislation along this line has been introduced. It is very important, in my judgment, that this reform and change be made. Our independent agencies should be arms of the Congress rather than agencies of the Executive.

Would this bill also provide for the election of the Chairmen by the Commissioners, or would it continue the pro-

cedure whereby the Chairman is designated by the President?

Mr. HARRIS. The gentleman raises a very important question. I support the provision or bill, as the gentleman knows, that would give the authority to the agencies to select their own Chairmen. However, that subject is not dealt with here. That is contained in another bill that is before our committee.

Mr. EVINS. Certainly the distinguished chairman knows of the many abuses and improper influence that have arisen in certain of the Commissions. I believe that many of these unwholesome practices would not have developed under the former system prevailing. I hope that the gentleman and his committee will act on this legislation.

Mr. HARRIS. The committee has held hearings on this and other subjects.

Mr. Speaker, I said a moment ago that these members would serve until their successors had been appointed and qualified, but not exceeding the end of the following session of Congress. We feel that this legislation which puts all of the regulatory agencies in a similar position is necessary so that the agencies may be kept up to full strength and be better enabled to keep on top of the monumental amount of work they have to perform.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. MACK].

Mr. MACK. Mr. Speaker, the gentleman from Tennessee just raised a very important question, and that has to do with the appointment or election of chairmen of the regulatory agencies. The Subcommittee on Legislative Oversight has studied this problem for some 2½ years and has reached the conclusion that we have entirely too much domination in the regulatory agencies by the executive departments and by the industries that they are supposed to regulate. The agencies, purely and simply, are not independent.

Now, Mr. Speaker, this bill is a very simple bill on the surface, and I am opposed to it. I have been joined by one of my colleagues in filing minority views. I recognize the fact that most of us here are practical politicians and, therefore, I foresee little chance of stopping this bill at this time. But this is bad legislation. It establishes a dangerous precedent and it is being proposed at this time so that the party that is successful next January—and I think it is going to be my party—will be able to appoint certain commissioners for these agencies. I maintain that it is the responsibility of this Congress to see that we have well qualified people serving in the agencies and that we should express our opinion as to whether or not anyone is capable and qualified to serve in the regulatory agencies.

In my opinion no commissioner should be appointed and confirmed who is not eminently qualified to serve. Those who are qualified to serve should be appointed now and should be confirmed now. The President and the Congress have the joint responsibility of seeing to it that the men serving on these commissions are well qualified and able to resist outside pressures whether they come from

the Office of the President or from the industries which these men are supposed to regulate. The instant bill on the other hand provides an opportunity of shirking this important responsibility.

Mr. Speaker, if we enact this legislation we are giving a green light to the continuation of political influence in the operation of the regulatory agencies. It would continue the reprehensible practice of making a political football of these supposedly independent agencies. This bill also makes possible a recurrence of the Bernard Goldfine-Sherman Adams affair.

I ask the Members of the House to take the time to read the separate views that I have filed on this subject because I am not going to take the time to bore them with all my views concerning the bill.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. MACK. I will be glad to.

Mr. HECHLER. If this bill is passed, would it not give an opportunity for the Federal Power Commission to exert the authority which Congress has tried to give it to establish a policy to regulate natural gas rates and, thereby, protect the consumers of this country? Would not this bill speed up that process?

Mr. MACK. Well, this bill certainly will not protect the public interest. You want to remember that when the commissioners are appointed and confirmed, they can go into the Commission and vote on any case pending if the oral arguments have not been held. We have cases involving television channels that have been pending for 8 or 10 years. We have other cases before the other regulatory agencies that have been pending for as long as 12 years. Many, many cases before these commissions are pending for 6 or 8 months to a year. The potential commissioners could decide cases involving \$10 million or even, in the case of pipelines, \$50 million, and therefore I again restate my conviction that this is a dangerous precedent and this bill should not be passed.

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. MACK. I yield to the gentleman from Oklahoma.

Mr. BELCHER. I want to congratulate the gentleman on a very fine statement that he has made and I want to associate myself with his remarks.

Mr. MACK. I thank the gentleman.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. MACK. I yield to my very good and distinguished friend from Kansas.

Mr. AVERY. I thank the gentleman for yielding to me. Would he not agree with this. Perhaps this is not as radical a departure from the present law as might have been inferred. For instance, the President of the United States, under present law, can make what we characterize as interim appointments that would carry along to the same time as provided in this bill. This would merely affect the incumbent during his term of office.

Mr. MACK. I would like to state also that it is my understanding that there is going to be some move made in con-

ference to permit the new President to designate the Chairman of the Federal Power Commission. This, again, is a very dangerous precedent and it certainly would not respect the independence of the regulatory agencies if this were done. I shall fight in opposition to that.

(Mr. MACK asked and was given permission to revise and extend his remarks.)

Mr. BENNETT of Michigan. Mr. Speaker, I have no requests for time.

Mr. HARRIS. Mr. Speaker, I take 1 minute just for clarification. As I said at the outset, this is a bill that came from the other body. The chairman and members of our counterpart committee over there asked me to present it to the committee and get it out because it would help them in their responsibility there on confirmations that are pending.

Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

(Mr. HEMPHILL asked and was given permission to revise and extend his remarks.)

Mr. HEMPHILL. Mr. Speaker, I join my distinguished subcommittee chairman in opposition to this legislation, recognizing full well that we have little chance of impressing the House with the justice of our views. But historically here is what has happened: The Congress of the United States, in order to expedite certain operations of the Government, created by legislation certain regulatory agencies which are given administrative power. Once the Congress created those agencies, it had in purpose that these agencies would be independent of the Congress and independent of the Executive in order to carry out the administrative processes, following legislation, over such things as the railroads, Federal Power, Federal Communications, and the like.

What has happened since is because of the spoils system. Let me say here that Andrew Jackson was born in my district and he made more manifest the spoils system. It might have worked in his day and time, but the findings of the Legislative Oversight Committee, of which I am not a member, but which has done a good job, show up the unattractiveness of the spoils system today.

The Adams-Goldfine matter is one classic example of what has been happening in the Government and what can happen as a result of the fact that the executive branch of the Government has the power of appointment. What has happened to these agencies is that the Congress has lost what control it had over the agencies, to a large extent. The Executive has the control over the agencies. The gentleman from Illinois [Mr. MACK] and I had the idea, and I think it is the right idea, to try to restore to these particular agencies the integrity of the courts, as they were supposed to have. We do not have any trouble today with the Federal courts or with the State courts. I am happy to say that in my own State we have never had a judge who was corrupt, since Reconstruction.

I am sure the people of this country want the administrative agencies up-town to be clean, honorable, and sepa-

rate and apart from influence peddling and the like. Our courts are that way. Why should not these administrative courts be that way? The point my distinguished subcommittee chairman and I make is not that we think we can convince you, but we want you to think about this minority report and we want to put it on record so that they will know uptown that there are some of us down here demanding the same thing we demand of the courts in this land, especially in the administrative courts because their procedures are different and simpler.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from California.

Mr. COHELAN. I am very much interested in the gentleman's thesis. I was wondering if he would be kind enough to comment on whether or not he feels that an administrative body falls under the executive, the legislative, or the judicial branch of Government.

Mr. HEMPHILL. It was my conception that since Congress created the regulatory agencies the Congress should have the right to say more about it. The administration in power has the right to nominate. The Senate must confirm. Nevertheless, the control of Congress over the administrative courts was such that we did not have these difficulties until they slipped under the control of the Executive.

Mr. EVINS. Will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. EVINS. The Chairman of the Interstate Commerce Commission is selected by the ICC Commissioners themselves. That is one of the Commissions in which the Chairman is not designated by the President, whichever party is in power. The Federal Communications Commission has a unique method by which its Chairmen are elected, but all of the other Commission Chairmen are appointed by the Chief Executive. If the gentleman and his committee would take action on legislation to require that Commission Chairmen not be appointed by the Executive but elected on a rotation basis—by the members of the Commissions, I think that would be a step in correcting the abuses that have developed.

Mr. HEMPHILL. I think the gentleman is correct. I am not trying to cast any reflection on the people that hold office today, but I am saying we have some responsibility to the American people to make sure that this thing is good and clean.

The thing that bothers me, and this is a serious thing that people do not think of enough, is that people begin to lose confidence in their form of government. They lose confidence in the decisions that are made by regulatory agencies every time one of these things is exposed, such as have been exposed by my chairman and his Subcommittee on Legislative Oversight. They have done a great job. But I do not think this legislation goes far enough. I think the job they have done shows the opportunity we have, and I believe the Congress would

be supported by the people of the country if they cleaned up the thing. That was our idea, hoping to pass it on to you.

Next year I hope to offer legislation along this line. I wish post office appointments were not political. It is my hope that some day we may have all appointees to these regulatory agencies with the same stature as our Federal judges.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill S. 1965, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CIVIL AERONAUTICS BOARD

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7593) to provide that the Civil Aeronautics Board may temporarily authorize certain air carriers to engage in supplemental air transportation, and for other purposes, as amended:

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Civil Aeronautics Board (hereafter in this Act referred to as the "Board") is empowered—

(1) to validate for a period not to exceed twelve months from the date of enactment of this Act, without further proceedings, any temporary certificate of public convenience and necessity for supplemental air transportation issued pursuant to Board Order E-13436 of January 28, 1959, or Board Order E-14196 of July 8, 1959, which certificate has not been revoked or otherwise terminated by the Board on or before the date of enactment of this Act; and

(2) to confer interim operating authority to engage in supplemental air transportation for a period not to exceed twelve months from the date of enactment of this Act upon any air carrier which (A) has operated in interstate air transportation as a supplemental air carrier pursuant to authority granted under Board Order E-9744 of November 15, 1955, and (B) has an application for a certificate as a supplemental air carrier pending before the Board on the date of enactment of this Act.

Sec. 2. (a) Nothing in this Act shall be construed to affect the authority of the Board—

(1) to maintain any enforcement or compliance proceeding or action against the holder of a certificate of public convenience and necessity issued pursuant to Board Order E-13436 of January 28, 1959, or Board Order E-14196 of July 8, 1959, or against the holder of any operating authority conferred under Board Order E-9744 of November 15, 1955, which proceeding or action is pending before the Board on the date of enactment of this Act; or

(2) to institute, on or after the date of enactment of this Act, and enforcement or compliance proceeding or action against the holder of any certificate or operating authority referred to in paragraph (1) of this subsection with respect to any violation of (A) the provisions of the Federal Aviation Act of 1958, (B) the provisions of such certificate, (C) the terms of such operating authority, or (D) the regulations of the Board, without regard to when such violation occurred.

Any sanction which the Board lawfully could have imposed on the operating authority of an air carrier for any violation referred to in

paragraph (2) of this subsection which occurred before the validation of a certificate of public convenience and necessity for or before the conferring of any operating authority for, supplemental air transportation under this Act, may be imposed on the operating authority of such air carrier granted under paragraphs (1) or (2) of the first section of this Act.

(b) The authority granted to the Board under this Act shall not affect any other authority of the Board to license air carriers to engage in supplemental air transportation.

(c) Any certificate validated, and any operating authority conferred, by the Board under this Act shall extend to service between the State of Hawaii and the other States of the United States to the extent that such service was authorized pursuant to Board Order E-9744 of November 15, 1955. For the purposes of any such certificate or operating authority, the State of Hawaii shall be considered one point.

The SPEAKER pro tempore. Is a second demanded?

Mr. COLLIER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second is considered as ordered.

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, the legislation now before us deals with the rights of some 25 so-called supplemental carriers, the so-called irregular or nonscheduled carriers to continue in operation for 12 months.

When the Civil Aviation Act of 1938 was passed, it provided for the regulation primarily of scheduled air carriers between points in the United States and on established routes.

Shortly after passage of the Civil Aeronautics Act of 1938, the Board issued an exemption order authorizing nonscheduled operations. Thereafter nonscheduled operations continued over the years under exemption authority granted by the Board under section 416(b) of the Civil Aeronautics Act of 1938, identical with section 416(b) of the Federal Aviation Act of 1958.

The nonscheduled operations initially authorized by the Board largely were conducted with aircraft smaller than those used in regular airline service.

At the end of World War II, a considerable number of larger surplus military aircraft became available at relatively low prices for purchase or lease, and many nonscheduled operators acquired these larger aircraft. Passenger-carrying operations consequently were expanded.

With this development, the Board, in 1947, revised its exemption regulations and began to distinguish between operators of transport-type aircraft—large irregulars—and small aircraft—small irregulars.

In this revision the Board prohibited the large irregulars from operating "regularly or with a reasonable degree of regularity," but permitted these carriers to operate as many as 8 to 12 flights a month between the same points.

In 1951 the Board instituted the large irregular air carrier investigation.

After extensive hearings, the Board, in 1955, granted the large irregular carriers unlimited charter authority, plus