

would normally be reached for processing. Such petition shall be served on the applicant and shall contain specific allegations of fact sufficient to show that the petitioner is a party in interest and that a grant thereof would be prima facie inconsistent with subsection (b). Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof. The applicant shall be given the opportunity to file a reply in which allegations of fact or denials thereof shall similarly be supported by affidavit. If the Commission finds on the basis of the application, the pleadings filed, or other matters which it may officially notice that there are no substantial and material questions of fact and that a grant of the application would be consistent with subsection (b), it shall make the grant, deny the petition, and issue a concise statement of the reasons for denying the petition which shall dispose of each substantial question presented thereby. If a substantial and material question of fact is presented or if the Commission for any other reason is unable to find that grant of the application would be consistent with subsection (b), it shall proceed as provided in subsection (c).

"(b) Whether or not a petition to deny is filed under subsection (a), the Commission shall examine each application provided for in section 308. If upon examination of any such application provided for in section 308 and upon consideration of any such petition and any reply thereto or such other matters as the Commission may officially notice the Commission shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

"(c) If upon examination of any such application, petition to deny or reply thereto or such other matters as the Commission may officially notice the Commission is unable to make the finding specified in subsection (b), it shall formally designate the application for hearing on the ground or reasons then obtaining and shall forthwith notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally: *Provided*, That, if the Commission finds that by first giving the applicant and other known parties in interest notice of all objections to such application and an opportunity to reply thereto a determination of the application may be expedited, it shall forthwith give such notice and opportunity for reply before formally designating the application for hearing. The parties in interest, if any, who are not notified by the Commission of its action with respect to a particular application, may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than ten days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate. The burden of proceeding with the introduction of evidence and the burden of proof shall be upon the applicant, except that with respect to any issue presented by a petition to deny or a petition to enlarge the issues, such burdens shall be as determined by the Commission.

"(d) When an application subject to subsection (a) has been filed, the Commission, notwithstanding the requirements thereof, may, if otherwise authorized by law and if it finds that there are extraordinary circumstances requiring emergency operations in the public interest and that delay in the institution of such emergency operations would seriously prejudice the public interest

grant a temporary authorization, accompanied by a statement of its reasons therefor, to permit such emergency operations for a period not exceeding ninety days, and upon making like findings may extend such temporary authorization for one additional period not to exceed ninety days. When any such grant is made, the Commission shall give expeditious treatment to any timely filed petition to deny such application and to any petition for rehearing of such grant filed under section 405.

"(e) The stations other than in the broadcasting or common carrier service referred to in subsection (a) are (1) fixed point-to-point microwave stations, but not including control and relay stations used as integral parts of mobile radio systems, (2) industrial radio positioning stations for which frequencies are assigned on an exclusive basis, (3) aeronautical en route stations, (4) aeronautical advisory stations, (5) airdrome control stations, (6) aeronautical fixed stations, and (7) such other stations or classes of stations as the Commission by rule provides.

"(f) The Commission is authorized to adopt by rule reasonable classifications of applications and amendments in order to effectuate the purposes of this section.

"(g) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act; (3) every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 hereof."

SEC. 2. Section 319(c) of the Communications Act of 1934 (47 U.S.C. 319(c)) is amended by striking out "and (c)" and inserting in lieu thereof "(c), (d), and (e)".

SEC. 3. Section 405 of the Communications Act of 1934 (47 U.S.C. 405) is amended—

(1) by striking out "and party" in the first sentence and inserting in lieu thereof "any party", and

(2) by inserting after the fourth sentence a new sentence as follows: "The Commission shall enter an order, with a concise statement of the reasons therefor, denying a petition for rehearing or granting such petition, in whole or in part, and ordering such further proceedings as may be appropriate: *Provided*, That in any case where such petition relates to an instrument of authorization granted without a hearing, the Commission shall take such action within ninety days of the filing of such petition."

The amendment was agreed to.

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

EXPANSION OF FEDERAL COMMUNICATIONS COMMISSION'S REGULATORY AUTHORITY

The bill (S. 1740) to amend section 202(b) of the Communications Act of 1934, in order to expand the Federal Communications Commission's regulatory authority under such section was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sub-

section (b) of section 202 of the Communications Act of 1934 (47 U.S.C. 202(b)) is amended to read as follows:

"(b) Charges or services, whenever referred to in this Act, include charges for, or services in connection with, the use of communication facilities of common carriers in chain broadcasting or incidental to radio communication of any kind."

REDEFINING DUTIES AND FUNCTIONS OF REVIEW STAFF, COMMUNICATIONS ACT OF 1934

The bill (S. 1738) to amend section 5(c) of the Communications Act of 1934, to redefine the duties and functions of the review staff, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 5 of the Communications Act of 1934, as amended (47 U.S.C. 155 (c)), is amended by striking out the fourth sentence thereof and inserting in lieu thereof the following two sentences: "The review staff shall perform no duties or functions other than those prescribed by the Commission to assist it, in cases of adjudication (as defined in the Administrative Procedure Act) which have been designated for hearing. It shall make no recommendations concerning the final disposition of any proceeding, and any document finally disposing of a proceeding shall be prepared in accordance with the specific directions of the Commission."

BILLS PASSED OVER

The bill (S. 1735) to repeal the honorarium provision of subsection (b) of section 4 of the Communications Act of 1934 was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1654) to provide for the construction, alteration, and acquisition of public buildings of the Federal Government, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

ACQUISITION AND CONVEYANCE OF CERTAIN DISTRICT OF COLUMBIA PROPERTY TO THE PAN AMERICAN HEALTH ORGANIZATION

The joint resolution (S.J. Res. 115) authorizing the purchase of certain property in the District of Columbia and its conveyance to the Pan American Health Organization was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by me in explanation of the bill, as meeting the requirements of the Morse formula.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

Senate Joint Resolution 115 authorizes an appropriation of funds necessary for the Administrator of General Services to acquire certain land, buildings, and improve-

ments in the District of Columbia. In addition, the resolution authorizes the Administrator of General Services to convey the above-mentioned property to the Pan American Health Organization for use as a headquarters site without monetary consideration.

The United States as a member of the Organization has since the inception of the Health Organization taken the leadership in the health problems experienced by our friends of the Americas. The headquarters of the Organization are located in Washington and I understand it is crowded and inadequate. I also understand that it is imperative that much more adequate headquarters be found.

The Organization received invitations to establish its headquarters in several other countries which participate in its activities. The U.S. delegation to the Pan American Sanitary Conference in 1950 made assurances that it would like to have the Organization headquarters remain in this country and that action would be taken to make land available for a headquarters in the Washington area. Because of the offer to provide a suitable headquarters site on the part of the U.S. delegation, the offers to establish headquarters in other countries were not acted upon.

Because the United States is a leading participant in the Pan American Health Organization, and because of the substantial interest of the United States in the health of the people of the Americas, Senate Joint Resolution 115 does not appear to violate the Morse formula.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S.J. Res. 115) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the Administrator of General Services to acquire by purchase, condemnation, or otherwise, including any expenses of such acquisitions, the land in the northwest section of the District of Columbia, known as square 59, bounded on the north and south by Virginia Avenue and E Street, and on the east and west by Twenty-second and Twenty-third Streets, together with any building and improvements thereon.

Sec. 2. The Administrator of General Services is hereby authorized to convey, without consideration, the property acquired under section 1 of this Act to the Pan American Health Organization, formerly known as the Pan American Sanitary Bureau and the Pan American Sanitary Organization, for use as a headquarters site, subject to the condition that the site development plan be coordinated with the National Capital Planning Commission.

The preamble was agreed to.

JOHN W. FLANNAGAN DAM AND RESERVOIR

The bill (H.R. 109) to designate the dam and reservoir to be constructed on the Pound River near Bartlick, Va., as the "John W. Flannagan Dam and Reservoir," was considered, ordered to a third reading, read the third time, and passed.

CONFIRMATION OF CONTRACT BETWEEN THE UNITED STATES AND THE TOWN OF BRIDGEPORT, WASH.

The bill (H.R. 802) to validate and confirm a contract entered into between the United States and the town of Bridgeport, Wash., was considered, ordered to a third reading, read the third time, and passed.

DESIGNATION OF STREAM IN CALIFORNIA AS THE "PETALUMA RIVER"

The bill (H.R. 2191) to designate a stream in California as the "Petaluma River," was considered, ordered to a third reading, read the third time, and passed.

DESIGNATION OF COYOTE VALLEY RESERVOIR, CALIF., AS LAKE MENDOCINO

The bill (H.R. 2193) to designate the Coyote Valley Reservoir in California as Lake Mendocino was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN ARLINGTON COUNTY, VA.

The bill (H.R. 2465) to authorize the conveyance by the Secretary of Commerce of certain lands in Arlington County, Va., was announced as next in order.

Mr. MORSE. Mr. President, this bill conforms to the Morse formula. I ask unanimous consent to have printed in the RECORD a statement on that subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

H.R. 2465 authorizes the Secretary of Commerce to exchange certain real property in Arlington County, Va., owned by the Federal Government for certain parcels of real property in the same area owned by certain individuals.

The proposed exchange would have the beneficial effect of improving property lines for both the Federal Government and the private parties. The exchange would also benefit the United States should it decide in the future to widen a highway in the area.

The property in question has been appraised by the Bureau of Public Roads. The land owned by the United States is appraised at \$14,500. The land proposed to be transferred to the Government has been appraised at \$12,700. The private parties have agreed to pay the difference in the appraised value of the properties to be exchanged.

In view of the fact that the land is being exchanged for land of equal value, the bill does not violate the Morse formula.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 2465) was considered, ordered to a third reading, read the third time, and passed.

REPEAL OF ACT CREATING THE LOUISIANA-VICKSBURG BRIDGE COMMISSION

The bill (H.R. 1074) to repeal the act of August 9, 1939, creating the Louisiana-Vicksburg Bridge Commission was considered, ordered to a third reading, read the third time, and passed.

DOUGLAS MCKAY DAM AND RESERVOIR

The bill (S. 2440) to designate the Green Peter Dam and Reservoir in Middle Santiam River, Oreg., as the Douglas McKay Dam and Reservoir was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Green Peter Dam and Reservoir to be constructed on the Middle Santiam River near Albany, Oregon, authorized by the Flood Control Acts of June 28, 1938 (Public Law 761, 75th Congress), and September 3, 1954 (Public Law 780, 83d Congress), shall be known and designated hereafter as the Douglas McKay Dam and Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which such dam and reservoir are referred to as the Green Peter Dam and Reservoir shall be held to refer to such dam and reservoir as the Douglas McKay Dam and Reservoir.

RESOLUTION AND BILL PASSED OVER

The resolution (S. Res. 21) expressing the sense of the Senate concerning the making of loans by the Rural Electrification Administration was announced as next in order.

Mr. ENGLE. Over, Mr. President, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 2449) to extend the International Wheat Agreement Act of 1949 was announced as next in order.

Mr. KEATING. Over, Mr. President, as not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

INTERSTATE TRANSPORTATION OF FISH

The bill (H.R. 5854) to clarify a provision in the Black Bass Act relating to the interstate transportation of fish, and for other purposes, was considered, ordered to a third meeting, read the third time, and passed.

USE OF CERTIFIED MAIL FOR SERVICE OF PROCESS

The bill (H.R. 7112) to amend sec. 1005(c) of the Federal Aviation Act of 1958 to authorize the use of certified mail for service of process, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.