

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

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MOULDER. Mr. Speaker, this bill was unanimously passed by the Committee on Interstate and Foreign Commerce.

The bill has passed the Senate.

The legislation has been urged by the Department of the Interior so as to give the Commission authority to issue radio operator licenses to foreign nationals engaged in navigation.

The committee held hearings at which representatives of the Department of the Interior and the Federal Communications Commission testified in support of this legislation.

Under the bill the Federal Communications Commission would be empowered to issue radio operator licenses to natives of American Samoa who are nationals of the United States and owe allegiance to it, but to whom full citizenship has not been extended.

The bill is approved by the Department of the Interior and the Federal Communications Commission. It materially affects the fishing industry of Samoa.

Mr. SPRINGER. Mr. Speaker, this bill has been considered by the committee and reported unanimously. I know of no objection, either in the House or from anybody else concerned.

The SPEAKER. The question is on the motion of the gentleman from Missouri that the House suspend the rules and pass the bill S. 1589.

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

AMENDING COMMUNICATIONS ACT TO ELIMINATE 30-DAY RESTRICTION ON SPECIAL AND SAFETY SERVICE LEGISLATION

Mr. MOULDER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1371) to amend subsection (e) of section 307 of the Communications Act of 1934, as amended, to permit the Commission to renew a station license in the safety and special radio services more than 30 days prior to expiration of the original license.

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 subsection (e) of section 307 of the Communications Act of 1934, as amended (48 Stat. 1064; 47 U.S.C. 307 (e)), is amended by striking out all after "(e)" and adding in lieu thereof the following:

"No renewal of an existing station license in the broadcast or the common carrier services shall be granted more than thirty days prior to the expiration of the original license."

The SPEAKER. Is a second demanded?

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

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

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MOULDER. Mr. Speaker, the Committee on Interstate and Foreign Commerce, to which this bill was referred to amend section (e) of section 307 of the Communications Act of 1934, as amended, would permit the Commission to renew a station license in the safety and special radio services more than 30 days prior to expiration of the original license.

This provides authority for the Commission to issue the license prior to the 30-day expiration, not so provided at the present time. It applies only to safety and special radio services. For example, during the fiscal year 1959 there were 10,500 modified licenses issued. Eventually, each of these 10,500 licenses must be processed again on renewal.

The bill as reported would permit the Commission to consider such applications for modification and renewal. The Commission could then issue such modified licenses for a regular license term, thus eliminating most of the duplicate effort that the Commission is now burdened with.

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

Mr. MOULDER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, the distinguished chairman of the subcommittee has done a very commendable and outstanding job on these bills, in the way of allowing hearings and developing them before the subcommittee and getting them reported by the full committee. These are very important bills.

I may say to the gentleman from Missouri probably it might be advisable to comment on the fact that the legislation maintains the present restriction insofar as broadcasting and common carrier licenses are concerned, and to state that it is in this area that the restrictions of 307(e) are more appropriately applied.

Mr. MOULDER. Yes, I thank our outstanding chairman of the Committee on Interstate and Foreign Commerce for his complimentary statement and cooperation. This bill applies to safety and special radio services only. It is a step in the direction of making available to the FCC a flexibility which will permit more efficiency and a reduction of its backlog of cases.

Mr. HARRIS. I think the important thing to keep in mind is that we have here applications, and where they are competitive they must pursue the regular course in the competitive field.

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

Mr. MOULDER. I yield to the gentleman from Iowa.

Mr. GROSS. Does this require any fee or additional fee, if there is a fee charged?

Mr. MOULDER. None whatsoever.

Mr. SPRINGER. Mr. Speaker, this applies only to safety and special licenses and is not applicable to the broadcasting or common carrier licenses insofar as

they are concerned. The present rule is retained for them. In view of the fact there were over 10,000 of these last year, there is no objection, insofar as I know, from anybody, and it seems to me it is in the public interest that this be passed without further ado.

The SPEAKER. The question is on the motion of the gentleman from Missouri (Mr. MOULDER) that the House suspend the rules and pass the bill, S. 1371.

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.

ELIMINATION OF OATH ON CERTAIN FCC DOCUMENTS

Mr. MOULDER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 683) to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission.

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 subsection (a) of section 219 of the Communications Act of 1934, as amended (47 U.S.C. 219(a)), is amended by striking out from the first sentence thereof the words "under oath".

Sec. 2. That subsection (b) of section 219 of the Communications Act of 1934, as amended (47 U.S.C. 219(b)), is amended by striking out from the penultimate sentence thereof after the word "Act" the semicolon, adding a period thereafter and striking out the following: "and such periodical or special reports shall be under oath whenever the Commission so requires".

Sec. 3. That subsection (b) of section 308 of the Communications Act of 1934, as amended (47 U.S.C. 308(a)), is amended by striking out from the last sentence thereof the words "under oath or affirmation".

Sec. 4. That subsection (a) of section 319 of the Communications Act of 1934, as amended (47 U.S.C. 319(a)), is amended by striking out from the last sentence thereof the words "under oath or affirmation".

The SPEAKER. Is a second demanded?

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

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MOULDER. Mr. Speaker, this bill or legislation would eliminate duplication and unnecessary voluminous work on the part of the Federal Communications Commission. It would eliminate the necessity of requiring an oath or affirmation to certain papers or documents. For example, where the FCC calls upon an applicant for additional information, and, as the present law stands, an oath is required on every additional piece of paper filed. The committee has been advised by the Department of Justice that the enactment of this legislation would not adversely affect the enforcement activities of that department.

The SPEAKER. The question is on the motion of the gentleman from Mis-

souri (Mr. MOUTRIE) of the House suspend the rules and pass the bill S. 683.

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.

TELEVISION TRANSMISSION FACILITIES IN OUR PUBLIC SCHOOLS AND COLLEGES

Mr. HARRIS submitted the following conference report and statement on the bill (S. 205) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.

CONFERENCE REPORT (H. REPT. No. 1609)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 205) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That title III of the Communications Act of 1934 is amended by adding at the end thereof the following new part:

"PART IV—GRANTS FOR EDUCATIONAL TELEVISION BROADCASTING FACILITIES

"Declaration of purpose

"Sec. 390. The purpose of this part is to assist (through matching grants) in the construction of educational television broadcasting facilities.

"Authorization of appropriations

"Sec. 391. There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the four succeeding fiscal years such sums, not exceeding \$32,000,000 in the aggregate, as may be necessary to carry out the purposes of section 390. Sums appropriated pursuant to this section shall remain available for payment of grants for projects for which applications, approved under section 392, have been submitted under such section prior to July 1, 1968.

"Grants for construction

"Sec. 392. (a) For each project for the construction of educational television broadcasting facilities there shall be submitted to the Secretary an application for a grant containing such information with respect to such project as the Secretary may by regulation require, including the total cost of such project and the amount of the Federal grant requested for such project, and providing assurance satisfactory to the Secretary—

"(1) that the applicant is (A) an agency or officer responsible for the supervision of public elementary or secondary education or public higher education within that State, or within a political subdivision thereof, (B) the State educational television agency, (C) a college or university deriving its support in whole or in part from tax revenues, or (D) a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage educational television broadcasting and is eligible to receive a license from the Federal Communications Commission for a noncommercial educational

television broadcasting station pursuant to the rules and regulations of the Commission in effect on April 12, 1962;

"(2) that the operation of such educational television broadcasting facilities will be under the control of the applicant or a person qualified under paragraph (1) to be such an applicant;

"(3) that necessary funds to construct, operate, and maintain such educational television broadcasting facilities will be available when needed; and

"(4) that such television broadcasting facilities will be used only for educational purposes.

"(b) The total amount of grants under this part for the construction of educational television broadcasting facilities to be situated in any State shall not exceed \$1,000,000.

"(c) In order to assure proper coordination of construction of educational television broadcasting facilities within each State which has established a State educational television agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application.

"(d) The Secretary shall base his determinations of whether to approve applications for grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (1) prompt and effective use of all educational television channels remaining available, (2) equitable geographical distribution of educational television broadcasting facilities throughout the States, and (3) provision of educational television broadcasting facilities which will serve the greatest number of persons and serve them in as many areas as possible, and which are adaptable to the broadest educational uses.

"(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding (1) 50 per centum of the amount which he determines to be the reasonable and necessary cost of such project, plus (2) 25 per centum of the amount which he determines to be the reasonable and necessary cost of any educational television broadcasting facilities owned by the applicant on the date on which it files such application; except that (A) the total amount of any grant made under this section with respect to any project may not exceed 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project; and (B) not more than 15 per centum of any such grant may be used for the acquisition and installation of microwave equipment, boosters, translators, and repeaters which are to be used to connect two or more broadcasting stations. The Secretary shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.

"(f) If, within ten years after completion of any project for construction of educational television broadcasting facilities with respect to which a grant has been made under this section—

"(1) the applicant or other owner of such facilities ceases to be an agency, officer, institution, foundation, corporation, or association described in subsection (a) (1), or

"(2) such facilities cease to be used for educational television purposes (unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation so to do),

the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facilities are situated) of such facilities, as the amount of the Federal participation bore to the cost of construction of such facilities.

"Records

"Sec. 393. (a) Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Secretary to carry out his functions under this part, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this part.

"Definitions

"Sec. 394. For the purposes of this part—

"(1) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

"(2) The term "construction", as applied to educational television broadcasting facilities, means the acquisition and installation of transmission apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, and video-recording equipment) necessary for television broadcasting, including apparatus which may incidentally be used for transmitting closed circuit television programs, but does not include the construction or repair of structures to house such apparatus.

"(3) The term "Secretary" means the Secretary of Health, Education, and Welfare.

"(4) The term "State educational television agency" means (A) a board or commission established by State law for the purpose of promoting educational television within a State, (B) a board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law, or (C) a State officer or agency responsible for the supervision of public elementary or secondary education or public higher education within the State which has been designated by the Governor to assume responsibility for the promotion of educational television; and, in the case of the District of Columbia, the term "Governor" means the Board of Commissioners of the District of Columbia.

"(5) The term "nonprofit" as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"Provision of assistance by Federal Communications Commission

"Sec. 395. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this part as may be requested by the Secretary. The Secretary shall provide for consultation and close cooperation with the Federal Communications Commission in the administration of his functions under this part which are of interest to or affect the functions of the Commission.