

Mr. GRIFFIN. Mr. Chairman, this is a 3-year bill. It is limited as to time, and it is limited as to funds. I suggest that the House would be wise to limit the allocation of the public's tax funds to educational institutions and educational agencies or combinations thereof. Later, if the great Committee on Interstate and Foreign Commerce should desire to go into this subject further and more carefully perhaps it could come up with a better and more meaningful definition upon which an expansion of this program could be based. But, on this basis of this record, I believe we should limit the bill as my amendment indicates.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I must say I have had very serious misgivings about this broad language contained in the bill. As I understand it, the whole matter will go to conference. As far as I am concerned, I am going to support the amendment because I agree with the gentleman from Michigan. I do not think in starting out with this sort of program we should get ourselves spread too far too fast.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I trust this amendment will not be agreed to. If I had the fear which the gentleman from Michigan and the gentleman from Indiana just mentioned a moment ago as to what it would do, I certainly would probably vote for an amendment of this kind. But, I do not have that fear.

Now, then, let me tell you what this will do. It will disqualify the Bay Area Educational TV Association, San Francisco; Educational Television, Inc., Jacksonville, Fla.; Florida West Coast Educational TV, Inc., St. Petersburg; Chicago Educational Television Association, Chicago; WGBH Educational Foundation, Boston; Detroit Educational TV Foundation; Twin City Area Educational TV Corp.; Greater Cincinnati TV Educational Foundation; Greater Toledo Educational TV Foundation; Metropolitan Pittsburgh Educational TV Station; Memphis Community TV Foundation; and Greater Washington Television Association here composed of various organizations organized for this purpose here in Washington, the very organizations that must be given the credit for the miserly progress that we have made in this field now would be the very ones that would be disqualified. And, I do not believe the gentleman would want to do that.

Now, I can say that in my judgment the Committee has considered this thing to the fine point that there would be no possibility that the Federal Communications Commission or the Commissioner of Education or the State educational organizations could permit any abuse of this language here. I know the gentleman does not want to do these things and he just does not know how far-reaching his amendment is. And I hope that this bill will not be completely de-

stroyed and the people who are responsible for this kind of progress are not going to be deprived of the benefits under this bill.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

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

Mr. HALLECK. Do I understand that the organizations to whom you have referred are now operating under FCC licenses?

Mr. HARRIS. Some of them are, and some are applying for licenses.

Mr. HALLECK. If this amendment were adopted, would it destroy their licenses?

Mr. HARRIS. No, it would not destroy their licenses, but it would prevent their participating with all the other stations in the benefits available under this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. GRIFFIN] to the committee amendment.

The question was taken; and on a division (demanded by Mr. GRIFFIN) there were—ayes 57, noes 44.

Mr. HARRIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROBERTS of Alabama and Mr. GRIFFIN.

The Committee again divided, and the tellers reported that there were—ayes 69, noes 66.

So the amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YATES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 132) to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes, pursuant to House Resolution 552, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

Mr. HARRIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRIS. Mr. Speaker, is it not a fact that the amendment that was adopted in the Committee of the Whole was to an amendment of the committee amendment and therefore the amendment as amended is what we were voting on?

The SPEAKER. That is correct; and it was agreed to. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. HARRIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 337, nays 68, not voting 31, as follows:

[Roll No. 30]
YEAS—337

Abbutt	Fenton	Libonati
Adair	Flinnegan	Lindsay
Addonizio	Fino	Loser
Albert	Flood	McCulloch
Alexander	Flynt	McDowell
Alford	Fogarty	McFall
Andersen,	Ford	Macdonald
Minn.	Forrester	MacGregor
Anfuso	Frazier	Mack
Arends	Frelinghuysen	Madden
Ashley	Friedel	Magnuson
Ashmore	Fulton	Mahon
Aspinall	Gallagher	Mailliard
Auchincloss	Garland	Martin, Mass.
Ayres	Garwitz	Martin, Nebr.
Balley	Gary	Mason
Baker	Gathings	Mathias
Baldwin	Gavin	Matthews
Barry	Gialmo	May
Bass, N.E.	Gilbert	Meador
Bass, Tenn.	Glenn	Morrow
Bates	Gonzalez	Miller, Clem
Battin	Goodell	Miller,
Becker	Goodling	George P.
Beckworth	Grant	Miller, N.Y.
Belcher	Gray	Milliken
Bennett, Fla.	Green, Oreg.	Mills
Blatnik	Green, Pa.	Minshall
Blitch	Griffin	Monagan
Boggs	Griffiths	Montoya
Boland	Gross	Moore
Bolling	Gubser	Moorehead,
Bolton	Hagan, Ga.	Ohio
Bonner	Hagen, Calif.	Moorehead, Pa.
Boykin	Haley	Morgan
Brademas	Halleck	Morris
Breeding	Halpern	Morse
Brewster	Hansen	Moshier
Bromwell	Harding	Moss
Brooks	Hardy	Moulder
Broomfield	Harris	Multer
Brown	Harrison, Wyo.	Murphy
Broyhill	Harsha	Murray
Burke, Ky.	Harvey, Ind.	Natcher
Burke, Mass.	Harvey, Mich.	Nedzi
Byrne, Pa.	Hays	Nix
Cannon	Healey	Norblad
Cederberg	Hébert	Nygaard
Celler	Hechler	O'Brien, Ill.
Chamberlain	Hemphill	O'Brien, N.Y.
Chenoweth	Henderson	O'Hara, Ill.
Chiperfield	Herlong	O'Hara, Mich.
Clark	Hoeven	Olsen
Coad	Hollifield	O'Neill
Cohelan	Holland	Osmers
Collier	Huddleston	Ostertag
Conte	Hull	Passman
Cook	Ichord, Mo.	Patman
Cooley	Inouye	Pelly
Corbett	Jarman	Perkins
Corman	Jennings	Peterson
Cramer	Joelson	Pfost
Curtin	Johnson, Calif.	Philbin
Curtis, Mass.	Johnson, Md.	Pike
Curtis, Mo.	Johnson, Wis.	Plicher
Daddario	Jonas	Pillion
Dague	Jones, Mo.	Pirnie
Daniels	Judd	Poff
Davis,	Karsten	Price
James C.	Karh	Pucinski
Davis, John W.	Kastenmeter	Furcell
Davis, Tenn.	Kearns	Quie
Dawson	Kee	Rains
Denton	Keith	Reece
Derounian	Keogh	Reifel
Diggs	Kilgore	Reuss
Dingell	King, Calif.	Rhodes, Pa.
Dominick	King, Utah	Riehlman
Donohue	Kirwan	Rivers, Alaska
Dooley	Kitchin	Rivers, S.C.
Dowdy	Kluczynski	Roberts, Ala.
Downing	Knox	Robison
Dulski	Kornegay	Rodino
Durno	Kowalski	Rogers, Colo.
Dwyer	Kunkel	Rogers, Fla.
Edmondson	Landrum	Rogers, Tex.
Elliott	Lane	Roosevelt
Ellsworth	Langen	Rosenthal
Everett	Lankford	Rostenkowski
Evins	Latta	Roush
Farbstein	Lennon	Rutherford
Feighan	Lesinski	Ryan, Mich.

Ryan, N.Y.	Spence	Utt
St. George	Springer	Vanik
St. Germain	Stafford	Van Zandt
Santangelo	Stagers	Vinson
Saund	Steed	Wallhauser
Saylor	Stevens	Watts
Schenck	Stratton	Weaver
Schneebeli	Stubblefield	Weis
Schwengel	Sullivan	Westland
Scott	Taylor	Whalley
Seely-Brown	Thomas	Wharton
Shelley	Thompson, La.	Whitener
Sheppard	Thompson, Tex.	Wickersham
Shipley	Thomson, Wis.	Widnall
Shriver	Thornberry	Willis
Sibal	Toil	Wilson, Calif.
Sikes	Tollefson	Wilson, Ind.
Siler	Trimble	Yates
Slisk	Tuck	Young
Slack	Tupper	Younger
Smith, Iowa	Udall, Morris K.	Zablocki
Smith, Va.	Ullman	

NAYS—68

Abernefny	Devine	Marshall
Addabbo	Dole	Michel
Alger	Dorn	Moeller
Anderson, Ill.	Fascell	Nelsen
Ashbrook	Findley	Norrell
Avery	Fisher	Poage
Beermann	Fountain	Ray
Bell	Hall	Rhodes, Ariz.
Berry	Hiestand	Roberts, Tex.
Betts	Hoffman, Ill.	Roudebush
Bow	Horan	Rousselot
Bray	Hosmer	Schadeberg
Bruce	Jensen	Scherer
Burleson	Johansen	Short
Byrnes, Wis.	Kilburn	Smith, Calif.
Carey	King, N.Y.	Taber
Casey	Kyl	Teague, Calif.
Church	Laird	Teague, Tex.
Clancy	Lipscomb	Van Pelt
Colmer	McDonough	Waggonner
Cunningham	McMillan	Williams
Delaney	McSween	Winstead
Derwinski	McVey	

NOT VOTING—31

Andrews	Granahan	Rooney
Baring	Harrison, Va.	Schweiker
Barrett	Hoffman, Mich.	Scranton
Bennett, Mich.	Jones, Ala.	Selden
Buckley	Kelly	Smith, Miss.
Cahill	McIntire	Thompson, N.J.
Chelf	Morrison	Walter
Dent	O'Konski	Whitten
Doyle	Powell	Wright
Fallon	Randall	Zelenko

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Fallon for, with Mr. Harrison of Virginia against.

Until further notice:

Mr. Powell with Mr. Bennett of Michigan.
Mr. Dent with Mr. Scranton.
Mr. Morrison with Mr. Hoffman of Michigan.

Mr. Zelenko with Mr. O'Konski.
Mr. Thompson of New Jersey with Mr. Cahill.

Mr. Rooney with Mr. McIntire.

Mrs. Kelly with Mr. Schweiker.

The result of the vote was announced as above recorded.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 205, and to strike everything after the enacting clause and insert in lieu thereof the provisions of H.R. 132 as passed.

The Clerk read the title of the Senate bill.

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

Mr. AVERY. Mr. Speaker, reserving the right to object, may I inquire of the gentleman from Arkansas just what it is he proposes to do? I could not understand the gentleman's request.

Mr. HARRIS. Mr. Speaker, the other body passed a bill. It is pending before the Committee on Interstate and Foreign Commerce of the House of Representatives. The House has just passed a bill reported by the committee. I am merely taking from our committee the Senate bill, striking out all after the enacting clause, and inserting the language of the House bill just passed.

Mr. AVERY. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated such amounts as may be necessary to assist the States and certain organizations therein to establish or improve television broadcasting for educational purposes, in accordance with the provisions of this Act, by providing for the establishment and improvement of television broadcasting facilities.

SEC. 2. Any agency or officer, or organization in a State, described in clause (b) (2) of this section, which is establishing or improving television broadcasting facilities, may receive a grant as authorized in this Act to cover the cost of such establishment or improvement by—

(a) making application therefor in such form as is prescribed by the United States Commissioner of Education; and

(b) providing assurance satisfactory to the Commissioner of Education—

(1) that the necessary funds to operate and maintain such facilities will be available;

(2) that the operation of such facilities will be under the control of (a) the agency or officer primarily responsible for the State supervision of public elementary and secondary schools, (b) a duly constituted State educational television commission, or (c) a State controlled college or university, except that any such agency, officer, commission, college or university may for the purposes of this Act distribute funds received under this Act to nonprofit foundations, corporations, or associations in the same State which are organized primarily to engage in or encourage educational television broadcasting if the operation of the facilities which such funds are used to establish or improve will be under the control of such nonprofit organization; and

(3) that such facilities will be used only for educational purposes.

SEC. 3. Upon determining that an agency or officer of an organization has satisfied the requirements of section 2 of this Act, the Commissioner of Education is authorized to make a grant to such agency, officer, or organization in such amount as is determined by the Commissioner to be reasonable and necessary to cover the cost of such establishment or improvement of facilities. An agency or officer or an organization may receive one or more grants under the provisions of this Act, but the total amount of such grants for television broadcasting facilities in any State shall not exceed \$1,000,000. Such grants shall be made out of funds appropriated for the purposes of this Act, and may be made in such installments as the Commissioner deems appropriate.

SEC. 4. As used in this Act the term "establishing or improving television broadcasting facilities" means the acquisition and installation of transmission apparatus necessary for television (including closed-circuit television) broadcasting, and does not include

the construction or repair of structures to house such apparatus, and the term "State" means the several States and the District of Columbia.

SEC. 5. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this Act as may be requested by the Commissioner of Education.

SEC. 6. Nothing in this Act shall be deemed (a) to give the Commissioner of Education any control over television broadcasting, or (b) to amend any provision of, or requirement under, the Federal Communications Act.

SEC. 7. No application for any grant under this Act may be accepted by the Commissioner of Education after the day which is five years after the date of enactment of this Act.

SEC. 8. (a) Each recipient of assistance under section 3 of this Act shall keep such records as the Commissioner shall prescribe, 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 Commissioner 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 section 3 of this Act.

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause, and insert "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—

"(1) to assist (through matching grants) the several States to survey the need and to develop programs for the construction of educational television broadcasting facilities, and

"(2) to assist (through matching grants) in the construction of educational television broadcasting facilities.

"Authorization of appropriations

"SEC. 391. (a) There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the two succeeding fiscal years such sums, not exceeding \$520,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (1) of section 390. Sums appropriated pursuant to this subsection shall remain available until July 1, 1967, for payment of grants with respect to which applications, approved under section 392, have been submitted under such section prior to July 1, 1966.

"(b) There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the three succeeding fiscal years such sums, not exceeding \$25,000,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (2) of section 390. Sums appropriated pursuant to this subsection shall remain available for payment of grants for projects for which applications, approved under section 393, have been submitted under such section prior to July 1, 1967.