

S. 920

[Report No. 562]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 1963

Mr. GOLDWATER (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BENNETT, Mr. BOGGS, Mr. CURTIS, Mr. HAYDEN, Mr. HRUSKA, Mr. LAUSCHE, Mr. METCALF, Mr. MOSS, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. SCOTT, Mr. SPARKMAN, Mr. TOWER, Mr. YARBOROUGH, Mr. MCINTYRE, Mr. DOMINICK, Mr. CLARK, Mr. HUMPHREY, Mr. FONG, Mr. BAYH, Mr. ERVIN, Mr. GRUENING, and Mr. JAVITS) introduced the following bill; which was read twice and referred to the Committee on Commerce

OCTOBER 15, 1963

Reported by Mr. PASTORE, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may, if it finds that the public interest, convenience, or necessity may be served, issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 *That ~~clause~~ subsection (1) of section 303 of the Communica-*
4 *tions Act of 1934 (47 U.S.C. 303) is amended—*

5 (1) by inserting “(1)” immediately after “(1)”;

6 and

7 (2) by adding at the end of such ~~clause~~ *subsection*
8 *the following: “(2) Notwithstanding section 301 of this*
9 *Act and ~~part (1) of this clause, paragraph (1) of this~~*
10 *subsection, the Commission may issue authorizations,*
11 *under such conditions and terms as it may prescribe, to*
12 *permit an alien licensed by his government as an ama-*
13 *teur radio operator to operate his amateur radio station*
14 *licensed by his government in the United States, its*
15 *possessions, and the Commonwealth of Puerto Rico pro-*
16 *vided there is in effect a bilateral agreement between*
17 *the United States and the alien’s government for such*
18 *operation on a reciprocal basis by United States amateur*
19 *radio operators: radio operators: Provided, That when*
20 *an application for an authorization is received by the*
21 *Commission, it shall notify the appropriate agencies of*
22 *the Government of such fact, and such agencies shall*
23 *forthwith furnish to the Commission such information in*
24 *their possession as bears upon the compatibility of the*
25 *request with the national security: And provided further,*

1 *That the requested authorization may then be granted*
2 *unless the Commission shall determine that information*
3 *received from such agencies necessitates denial of the*
4 *request. Other provisions of this Act and of the Admin-*
5 *istrative Procedure Act shall not be applicable to any*
6 *request or application for or modification, suspension,*
7 *or cancellation of any such authorization.”*

8 SEC. 2. Subsection (a) of section 310 of the Communi-
9 cations Act of 1934 is amended by adding at the end thereof
10 the following: “Notwithstanding section 301 of this Act and
11 ~~clauses~~ *paragraphs* (1) and (2) of this subsection, the Com-
12 mission may issue authorizations, under such conditions and
13 terms as it may prescribe, to permit an alien licensed by his
14 government as an amateur radio operator to operate his ama-
15 teur radio station licensed by his government in the United
16 States, its possessions, and the Commonwealth of Puerto
17 Rico provided there is in effect a bilateral agreement be-
18 tween the United States and the alien’s government for such
19 operation on a reciprocal basis by United States amateur
20 ~~radio operators.~~ *radio operators: Provided, That when an ap-*
21 *plication for an authorization is received by the Commission,*
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23 *of such fact, and such agencies shall forthwith furnish to*
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1 *riety: And provided further, That the requested authorization*
2 *may then be granted unless the Commission shall determine*
3 *that information received from such agencies necessitates de-*
4 *nial of the request. Other provisions of this Act and of the*
5 *Administrative Procedure Act shall not be applicable to any*
6 *request or application for or modification, suspension, or can-*
7 *cellation of any such authorization."*

Amend the title so as to read: "A bill to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis."

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By Mr. GOLDWATER, Mr. ALLOTT, Mr. BARTLETT, Mr. BENNETT, Mr. BOGGS, Mr. CURTIS, Mr. HAYDEN, Mr. HRUSKA, Mr. LAUSCHE, Mr. METCALF, Mr. MOSS, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. SCOTT, Mr. SPARKMAN, Mr. TOWER, Mr. YARBOROUGH, Mr. MCINTYRE, Mr. DOMINICK, Mr. CLARK, Mr. HUMPHREY, Mr. FONG, Mr. BAYH, Mr. ERVIN, Mr. GRUENING, and Mr. JAVITS

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2 *tives of the United States of America in Congress assembled,*
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4 of 1934 (47 U.S.C. 303) is amended—

5 (1) by inserting “(1)” immediately after “(1)”;

6 and

7 (2) by adding at the end of such clause the fol-
8 lowing: “(2) Notwithstanding section 301 of this Act
9 and part (1) of this clause, the Commission may issue
10 authorizations, under such conditions and terms as it may
11 prescribe, to permit an alien licensed by his government
12 as an amateur radio operator to operate his amateur
13 radio station licensed by his government in the United
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19 and of the Administrative Procedure Act shall not be
20 applicable to any request or application for or modifica-
21 tion, suspension, or cancellation of any such authoriza-
22 tion.”

23 SEC. 2. Subsection (a) of section 310 of the Communi-
24 cations Act of 1934 is amended by adding at the end thereof
25 the following: “Notwithstanding section 301 of this Act and

1 clauses (1) and (2) of this subsection, the Commission may
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FEBRUARY 28, 1963

Read twice and referred to the Committee on
Commerce

88TH CONGRESS
1ST SESSION

H. R. 7309

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 1963

Mr. CEDERBERG introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may, if it finds that the public interest, convenience, or necessity may be served, issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis.

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By Mr. CEDERBERG

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Referred to the Committee on Interstate and Foreign
Commerce