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AMATEUR RADIO OPERATORS

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HEARING
BEFORE THE
COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH CONGRESS

SECOND SESSION

ON

H.R. 7309, H.R. 9035, S. 920

BILLS 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

FEBRUARY 20, 1964

Printed for the use of the
Committee on Interstate and Foreign Commerce



U.S. GOVERNMENT PRINTING OFFICE
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INTERNATIONAL RECIPROCITY FOR AMATEUR RADIO OPERATORS

THURSDAY, FEBRUARY 20, 1964

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The committee met at 10 a.m., pursuant to call, in room 1334, Longworth Building, Hon. Oren Harris (chairman of the committee) presiding.

The CHAIRMAN. The committee will come to order.

This morning the committee is meeting to hold hearings on H.R. 7309 by our colleague, Mr. Cederberg, and H.R. 9035 by our colleague Mr. Brown of California. These are substantially the same proposals as one which has already passed the Senate, S. 920, sponsored by Senator Goldwater. These bills are quite important.

(H.R. 7309, H.R. 9035, and S. 920, and departmental reports follow:)

[H.R. 7309, 88th Cong., 1st sess.]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of section 303 of the Communications Act of 1934 (47 U.S.C. 303) is amended—

(1) by inserting "(1)" immediately after "(1)"; and

(2) by adding at the end of such clause the following: "(2) Notwithstanding section 301 of this Act and part (1) of this clause, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government 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 on a reciprocal basis by United States amateur radio operators. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

Sec. 2. Subsection (a) of section 310 of the Communications Act of 1934 is amended by adding at the end thereof the following: "Notwithstanding section 301 of this Act and clauses (1) and (2) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government 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 on a reciprocal basis by United States amateur radio operators. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

[H.R. 9035, 88th Cong., 1st sess.]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (1) of section 303 of the Communications Act of 1934 (47 U.S.C. 303) is amended—

(1) by inserting "(1)" immediately after "(1)"; and

(2) by adding at the end of such subsection the following: "(2) Notwithstanding section 301 of this Act and paragraph (1) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government 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 on a reciprocal basis by United States amateur radio operators: *Provided*, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further*, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

SEC. 2. Subsection (a) of section 310 of the Communications Act of 1934 is amended by adding at the end thereof the following: "Notwithstanding section 301 of this Act and paragraphs (1) and (2) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government 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 on a reciprocal basis by United States amateur radio operators: *Provided*, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further*, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

[S. 920, 88th Cong., 1st sess.]

AN ACT 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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (1) of section 303 of the Communications Act of 1934 (47 U.S.C. 303) is amended—

(1) by inserting "(1)" immediately after "(1)"; and

(2) by adding at the end of such subsection the following: "(2) Notwithstanding section 301 of this Act and paragraph (1) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an ama-

teur radio operator to operate his amateur radio station licensed by his government 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 on a reciprocal basis by United States amateur radio operators: *Provided*, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further*, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

Sec. 2. Subsection (a) of section 310 of the Communications Act of 1934 is amended by adding at the end thereof the following: "Notwithstanding section 301 of this Act and paragraphs (1) and (2) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government 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 on a reciprocal basis by United States amateur radio operators: *Provided*, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further*, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

Passed the Senate October 16 (legislative day, October 15), 1963.

Attest:

FELTON M. JOHNSTON, *Secretary*.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 6, 1964.

HON. OREN HARRIS,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your requests for the views of the Bureau of the Budget on H.R. 7309, 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 U.S. amateurs on a reciprocal basis.

H.R. 7309 is similar to S. 920 and would amend section 303 (which is concerned with operators) and section 310 (which is concerned with station licenses) of the Communications Act of 1934 to permit the Federal Communications Commission to authorize 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 U.S. citizens on a reciprocal basis.

The Federal Communications Commission has forwarded to you, as a part of its report, a copy of its letter dated September 30, 1963, to Senator John O. Pastore concerning S. 920, which, when introduced in the Senate by Senator Gold-

water, was identical to H.R. 7309. That letter was coordinated with and concurred in by the Departments of Defense, Justice, and State, and the Central Intelligence Agency, as indicated.

Subject to your consideration of the comments and amendments (which have been incorporated in S. 920 as passed by the Senate) contained in the Federal Communications Commission's letter to Senator Pastore, the Bureau of the Budget would have no objection to enactment of H.R. 7309.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., September 6, 1963.

HON. OREN HARRIS,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.*

DEAR CHAIRMAN HARRIS: This is with further reference to your letter of July 8, 1963, requesting the Commission's comments on H.R. 7309, a bill to permit the Commission to issue authorizations to alien amateurs licensed by their own countries provided there is in effect a bilateral agreement granting reciprocal privileges to U.S. amateur radio operators.

Inasmuch as this bill is identical to S. 920, on which the Commission has already submitted a report pursuant to a request from the Senate Commerce Committee, we wish to submit the same report and comments in response to your request.

Enclosed therefore please find six copies of our report on S. 920. We have been advised by the Bureau of the Budget that from the standpoint of the administration's program, there is no objection to the presentation of this report to the Congress.

Also enclosed are six copies of the Commission's letter of August 1, 1963, to the Bureau of the Budget expressing the Commission's views on the proposed comments of the Departments of State, Justice, and Defense on this bill.

Yours sincerely,

E. WILLIAM HENRY, *Chairman.*

COMMENTS OF THE FEDERAL COMMUNICATIONS COMMISSION ON S. 920

S. 920 would amend section 303 (dealing with operators) and section 310 (dealing with station licenses) 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 U.S. amateurs on a reciprocal basis. The bill also provides that other provisions of the Communications Act and the Administrative Procedure Act will not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization.

This Commission has no objection, in principle, to permitting operation by alien amateurs on a reciprocal basis. However, as Congress is aware, such licensing would constitute a departure from the general concept embodied in the Communications Act against granting radio station licenses or radio operator licenses to aliens. At the present time, there are only two exceptions to this prohibition contained in sections 303(1) and 310(a) of the Communications Act against the granting of radio operator licenses and radio station licenses to aliens. The first was contained in a convention between the United States and Canada, effective May 15, 1952 (TIAS No. 2508), which permits citizens of either country who are station licensees to operate certain radio equipment, including amateur radio stations, while in the other country. The second exception results from amendments to sections 303(1) and 310(a), adopted in 1958 (Public Law 85-917), which permit the licensing of certain alien pilots flying aircraft in the United States.¹

¹ Sec. 310(a) of the Communications Act also provided that nothing in that subsection shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when such apparatus is required by law or treaty.

The Commission commented on a bill in the 87th Congress, S. 2361, also designed to permit alien amateurs to operate in the United States. S. 920 was apparently drafted in an attempt to meet some of the factors which the Commission indicated in its earlier comments should be given careful consideration if Congress determined that legislation permitting reciprocal authorization of alien amateurs should be enacted.

The Commission's position can be summarized as follows: While the Commission has received a small number of sporadic inquiries from U.S. citizens desiring to use their amateur equipment in other countries and who cannot do so because the United States does not grant reciprocity, we have no indication that the interest in the matter, or its merits, considering the problems involved, would warrant our active support of the measure. We do, however, have no objection in principle, should the Congress determine such legislation is in the public interest.

One of the principal difficulties with any such proposal is the question of national security. The Commission's chief concern with S. 2361 was based on the requirement that the Commission find that the national security not be endangered by such grant. At that time, we pointed out our strong feeling that the Commission is not the appropriate agency to assume such responsibility. Our comment continued:

"* * * This Commission is not staffed to make such national security findings with reference to alien applicants. There would appear to be a serious problem concerning the Commission's ability to obtain the information necessary to carry out this sensitive task as well as our ability to evaluate adequately whatever information is obtained. It should be noted that this Commission has not been given the task of making security clearances for alien applicants under the two exceptions which now exist; e.g., with respect to foreign pilots and Canadian mobile equipment. To the extent therefore that national security considerations are involved, we believe they should not be the responsibility of this Commission * * *"

While S. 920 would not specifically place this burden upon the Commission, and while reciprocal agreements, which would likely be limited to friendly nations, might reduce the national security problem, consideration of national security would remain in individual cases.

What the Commission would prefer—should Congress determine some legislation along this line is desirable—is that the Commission's role in the matter be essentially a ministerial function of registering such operators. Thus, enactment of a bill by the Congress would itself be a determination that it is in the public interest to permit the operation. The Department of State and other appropriate agencies concerned could be given the responsibility of determining with which countries reciprocal agreements would be concluded. And, of overriding importance, the Department of Justice or other appropriate agency of Government, other than the Federal Communications Commission, should be given the statutory obligation to undertake whatever security measures are appropriate and to report its findings and recommendations to the Commission.

Under this type of procedure the Commission would then—without the necessity of a public interest finding (which, in effect, would have been made by the Congress) and without any responsibility for security determinations (which would have been accomplished by other appropriate agency)—perform the ministerial task of registering such individuals in the absence of any indication from the agency performing the security duties that registration of particular individuals should be denied. The Commission also could engage in such limited monitoring of such operations as proves necessary and feasible. These are essentially the same functions the Commission already performs under the treaty with Canada on this subject.

Any such legislation should provide that registration, renewal, or termination of registration shall be in accordance with procedures established by the Federal Communications Commission (without the necessity of rulemaking) and not entitled to any substantive or procedural benefits of the Communications Act or the Administrative Procedure Act.

As already mentioned, operation similar to that intended is permitted with respect to Canadian citizens in the United States by virtue of a treaty which was ratified by the Senate. The main purpose of S. 920 seems to be to pave the way for some similar authorization with respect to citizens of other countries, but apparently through executive agreements not requiring Senate ratification. If this is what is intended, it may be profitable, should

Congress determine that some such legislation is in the public interest, to explore the desirability of a separate statute embodying the entire statutory scheme, and placing specific security responsibility outside the Commission.

In the event the committee determines that some legislation dealing with this subject is in the public interest, the Commission would be pleased to make its staff available to provide such technical assistance as may be desired.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., August 1, 1963.

Mr. PHILLIP S. HUGHES,
*Assistant Director for Legislative Reference,
Bureau of the Budget, Washington, D.C.*

DEAR MR. HUGHES: This refers to your request of July 26 for the Commission's views with respect to the proposed comments of the Departments of State, Justice, and Defense on S. 920, a bill to amend sections 303 and 310 of the Communications Act of 1934, as amended, with respect to alien amateur radio operators.

The Commission's comments on S. 920 were adopted by the Commission on July 3 and submitted to the Bureau of the Budget shortly thereafter. Several clarifying telephone discussions were held by representatives of the Commission and your staff.

We find nothing in the comments of the Departments of State, Justice, and Defense which is inconsistent with the Commission's views on S. 920. The Department of Defense indicates that "the United States and its representatives have frequently been embarrassed because we have denied citizens of other countries the right to operate radios in this country and have, at the same time, sought to secure for our citizens amateur rights in foreign countries. The United States would appear in a more favorable light if we were to permit amateurs of other countries to operate radio stations here under the same safeguards that other governments apply to foreigners who operate amateur radios." The Commission in its comments notes that it has received only "a small number of sporadic inquiries from U.S. citizens desiring to use their amateur equipment in other countries and who cannot do so because the United States does not grant reciprocity" and that "we have no indication that the interest in the matter, or its merits, considering the problems involved, would warrant our active support of the measure" adding that we have no objection in principle should Congress determine such legislation is in the public interest.

These positions are, therefore, not necessarily inconsistent—the Defense Department saying that because of information available to it—it supports the bill, and this Commission saying its files do not contain evidence of sufficient interest in the matter to warrant its active support of the bill—in view of the problems involved.

Defense suggests that the words "if it [FCC] finds that the public interest, convenience or necessity may be served" be deleted from the title because they do not appear in the text of the bill. The Department of Justice notes that the bill provides for issuance of authorizations by the Commission "under such conditions and terms as it may prescribe." It also notes that the opening sentence of section 303 provides "Except as otherwise provided in this chapter, the Commission from time to time, as public convenience, interest, or necessity requires, shall * * *" and suggests clarification of the language of the bill to avoid any question as to the findings required to be made by the Commission.

To expand slightly upon the Commission's comments in this regard—it is our position that—even though we don't have information which warrants our active support of the bill, its enactment by the Congress would itself be a public interest determination of the desirability to permit such operations under the conditions the Congress may set forth. Because section 303 contains the public interest language, it would seem unnecessary to include similar language in either the title or text. The Commission under the public interest standard would, therefore, consider any information in its files which would bear on whether the requested operation by a particular person would serve the public interest. For example, assuming such a statute and bilateral agreements, it would be pertinent for the Commission to consider that someone requesting such authority had previously operated under such authority in violation of Commission rules. The language "under such conditions and terms as it [FCC] may prescribe" would simply provide us with additional flexibility in tailoring the operations in a particular case to provide for operation in the public interest.

Justice refers to its earlier comments on S. 2361, 87th Congress, and concludes that "in the light of the security considerations set forth in our report on S. 2361, it would seem that no authorization should be granted unless it is determined that the national security would not be endangered thereby." It also adds, in its S. 2361 comment that "aside from security considerations, which might remain substantially the same regardless of whether the bill is enacted, the subject of this legislation is not a matter for which the Department of Justice has primary responsibility and accordingly we make no recommendation as to its enactment"—the clear implication being that the Department of Justice does have primary responsibility in the security field.

Construing these two statements together, we would agree and have indicated in our comments that "the Department of Justice and other appropriate agency of Government, other than the Federal Communications Commission, should be given the statutory obligation to undertake whatever security measures are appropriate and to report its findings and recommendations to the Commission."

It thus appears that justice and this Commission are both insistent that whatever legislation may be enacted have due regard for questions of national security. The Department of Defense also appears to endorse this view when it says such a bill if it provides "adequate safeguards for the national security" would be of net benefit to the United States.

Because staff discussions with representatives of your office have indicated even more explicit statement of the Commission's position in this regard would be welcome—let me summarize the Commission views on the security problem:

1. While reciprocal agreements—presumably entered into with the more friendly nations—might mitigate security problems, consideration of national security would remain in individual cases especially since we are here dealing with aliens rather than our own citizens.

2. Congress—if it enacts such legislation should assure itself that appropriate security measures will be undertaken by such agencies as it specifies.

3. The Commission has no expertise or staff to handle security investigations and security determinations should not be made by the FCC.

4. While the Commission would prefer simply to refer the names of those requesting such authority to an appropriate security agency and have that agency tell us whenever a request should be denied on security grounds, we are willing—should Congress so desire—to check with whatever security agencies Congress deems appropriate—and to receive information and/or recommendation from such agencies bearing on the security issue—which information would then be evaluated to the extent the Commission is able to do so—and a decision reached as to whether to grant or deny a request. The essentially ministerial function of the registration process we have suggested should be considered in this regard.

The Department of State's assumptions that it would negotiate the proposed bilateral agreements after appropriate coordination with other interested U.S. Government agencies accords with our view and the Commission is, of course, one of the interested agencies. The further assumption that the conditions and terms to be prescribed by the FCC would relate to technical operating details—also substantially accords with our view, but this Commission under such authority could also prescribe procedures and determine such matters as the geographic, technical, and time limits for such authority.

While this letter expands somewhat upon the security discussion in our comments, we deem the above to be fully consistent with the position taken therein and hope that this additional explanation will serve to clarify the matter.

This letter was adopted by the Commission July 30, 1963.

By direction of the Commission:

E. WILLIAM HENRY, *Chairman.*

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., October 3, 1963.

HOB. OREN HARRIS,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.*

DEAR CHAIRMAN HARRIS: This is with further reference to your request of July 8, 1963 for the Commission's comments on H.R. 7309, a bill to amend sections 303 and 310 of the Communications Act of 1934, as amended, to permit the Commission to authorize operation by alien amateurs where reciprocal agreements are in effect.

For your information there is attached a copy of our letter dated September 30, 1963, to Senator Pastore, chairman of the Subcommittee on Communications, outlining the text of an amendment to the bill which was agreed upon by the Departments of Defense, State, Justice, Central Intelligence Agency, and the Federal Communications Commission.

Yours sincerely,

E. WILLIAM HENRY, *Chairman.*

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., September 30, 1963.

Hon. JOHN O. PASTORE,
Chairman, Subcommittee on Communications, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR CHAIRMAN PASTORE: Pursuant to a conference held September 5 with Nicholas Zapple, counsel to your subcommittee, and attended by representatives of the Departments of State, Justice, and Defense, Bureau of the Budget, and the Federal Communications Commission, the following understanding is submitted for inclusion in the Senate committee report on S. 920.

At that meeting, it was tentatively agreed among the staff representatives present that S. 920 should be made more specific with respect to matters of national security and the following amendment was proposed:

At page 2, line 18 and page 3, line 9, delete the period and add the following proviso:

"Provided, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: And Provided further, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request."

The Commission has considered this amendment and would support its inclusion in S. 920 or similar legislation which may be enacted. It is our understanding that pursuant thereto the FCC, upon receipt of a request for authorization of an operation by an alien amateur, would ask the Central Intelligence Agency and the Departments of Defense, Justice, and State to supply it with any information in their possession which bears on the particular request. While the Commission would not, of course, ignore information coming to it from other sources, its obligation in the security area would be limited to a check with the named agencies and making the finding that, with respect to national security, no information or recommendations before the Commission necessitate denial of the request.

The above-named agencies are those which are at this time considered to be the agencies referred to in the proposed amendment as "appropriate agencies of Government." Additionally, the Commission will be guided by the views of the named agencies, or by information coming to it from other sources, as to whether additional agencies should be contacted as circumstances warrant.

The Commission in acting on such requests will, of course, respect the confidential nature and sources of specific security information coming to its attention.

This letter has been coordinated with and concurred in by the Departments of Defense, Justice, and State, and the Central Intelligence Agency. The Bureau of the Budget has advised that there is no objection to the presentation of this report to the Congress from the standpoint of the administration's program.

This letter was adopted by the Commission September 11, 1963.

By direction of the Commission:

E. WILLIAM HENRY, *Chairman.*

DEPARTMENT OF STATE,
Washington, February 11, 1964.

Hon. OREN HARRIS,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.*

DEAR MR. CHAIRMAN: This is in response to your request for the Department's comments on H.R. 7309, 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 U.S. amateurs on a reciprocal basis.

It is our understanding that two related bills are also pending in your committee, S. 920 and H.R. 9035, which are identical. Each of these bills embodies amendments to the language of H.R. 7309 proposed as a result of discussions among interested U.S. Government agencies, including the Department of State. The Department is, therefore, prepared to support either S. 920 or H.R. 9035 in preference to H.R. 7309.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary
(For the Secretary of State).

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY GENERAL,
Washington, D.C., November 4, 1963.

HON. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice on the bill (H.R. 7309) to amend sections 303 and 310 of the Communications Act of 1934, as amended, to permit the Federal Communications Commission to authorize the operation of amateur radio stations in the United States by certain aliens.

H.R. 7309 is a companion bill to S. 920, which passed the Senate with amendments on October 16 and is presently pending with this committee.

In reporting to you on H.R. 9684 of the 87th Congress, a bill of similar purpose, this Department indicated that apart from security considerations the subject of this legislation is not a matter for which the Department of Justice has primary responsibility, for which reason we made no recommendation as to its enactment.

H.R. 7309 is subject to the same security considerations. However, in reporting S. 920, the Senate Committee on Commerce amended that measure to meet the reservations stated by this Department and others with respect to security considerations. As amended by the committee and as passed by the Senate, S. 920 appears adequately to provide for the safeguarding of the national security.

Accordingly, the Department of Justice raises no objection to the enactment of this legislation, amended to conform with S. 920 as presently with the committee.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE SECRETARY,
Washington, August 28, 1963.

HON. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H.R. 7309, 88th Congress, 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 oper-

ate 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 U.S. amateurs on a reciprocal basis. The Secretary of Defense has delegated to the Department of the Air Force the responsibility for expressing the views of the Department of Defense.

The purpose of H.R. 7309 is as stated in its title. Specifically it would provide that the Federal Communications Commission, if it found that the public interest, convenience, or necessity would be served, could authorize alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there was in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis.

Section 303(1) of the Communications Act of 1934, as amended (47 U.S.C. 303(1)), authorizes the Federal Communications Commission (FCC) to license as radio operators "such citizens of the United States as the Commission finds qualified." Section 310(a) of the same act prohibits the Commission from granting a radio station license to, among others, "any alien or representative of any alien." These prohibitions against alien ownership and operation of radio stations have been carried over from the original Radio Act of 1927 (44 Stat. 1162) for the protection and security of the United States and its military and civilian radio communication. Only two exceptions are permitted. The first is covered by a convention between the United States and Canada (TIAS No. 2508) concerning the operation of certain radio equipment, including amateur radio stations, by citizens of either country while in the other country. The second is contained in section 303(1) and 310(a) of the Communications Act and concerns certain alien pilots flying aircraft in the United States.

In the past, the United States and its representatives have frequently been embarrassed because we have denied citizens of other countries the right to operate radios in this country and have, at the same time, sought to secure for our citizens amateur rights in foreign countries. The United States would appear in a more favorable light if we were to permit amateurs of other countries to operate radio stations here under the same safeguards that other governments apply to foreigners who operate amateur radios. It is believed that a bill which would permit reciprocal licensing of radio amateurs and, at the same time, provide adequate safeguards for the national security, would be of net benefit to the United States. Our status in the community of nations requires such a course of action unless there are powerful reasons to the contrary.

Accordingly, the Department of Defense supports the enactment of H.R. 7309.

The following technical change is recommended to the bill:

Delete the words "if it finds that the public interest, convenience or necessity may be served," from the title of the bill. This requirements does not appear in the text of the bill.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely,

JOSEPH S. IMIRIE,

Assistant Secretary of the Air Force.

The CHAIRMAN. They would amend the Federal Communications Act with regard to the issuance of authorizations to amateur radio operators.

The legislation would authorize the Federal Communications Commission, should it find the public interest, convenience, and necessity may be served, to issue authorizations. This is quite different from the issuance of a license. It would be authorizations to 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 the U.S. amateurs on a reciprocal basis. It is a rather simple problem and it is of

interest to relatively few people, and that accounts for the fact that we do not have a better attendance this morning.

The legislation is of importance to the membership of the American Radio Relay League. I am told that it includes about 100,000 United States and Canadian amateurs in its membership. It is expected that many countries would grant the U.S. amateur radio operators located in these countries the privilege to operate their amateur stations if the United States would grant similar authority to the citizens of these countries residing in the United States.

Let me make it clear that all of these 100,000 members do not necessarily operate stations. As a matter of fact, it might surprise some people to learn that I myself am an amateur, too. I was made an honorary amateur radio operator not too long ago when I was in Geneva. I have a certificate. I have a button. However, I don't expect to be operating an amateur radio station.

Mr. LONG. Don't you think you ought to excuse yourself from conducting this hearing, Mr. Chairman?

The CHAIRMAN. No; I don't think there is a conflict of interest here, not a wide one, anyway. However, it was quite an interesting experience, and I might say for the information of my colleagues it was quite a treat to observe the international operation of the amateur radio facilities that they had at the ITU in Geneva.

Anyway, the principal consideration involved here is the security problem and the members of the committee will probably want to ask some questions of Commissioner Hyde on that aspect.

Senator Goldwater, the sponsor of the Senate bill, has discussed this with me on several occasions. He wanted to be here as a witness. Unfortunately, he is out of the city for some purpose—exactly what purpose I do not know—so he could not be here with us. He has sent a letter in which he is not only expressing his further interest, but urging that the bill be approved, and without objection the letter will be included in the record at this point.

(The statement referred to follows:)

U.S. SENATE,

Washington, D.C., February 20, 1964.

HON. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Today your committee will hold hearings on legislation to provide reciprocity for radio amateurs between the United States and other countries. You have before you the bill which I sponsored, S. 920, and a like bill introduced in the House of Representatives by Congressman Cederberg, H.R. 7309.

I had very much wanted to appear before your committee and answer any questions on this legislation you might have, but this is not possible. However, I understand that Mr. Herbert Hoover, Jr., president of the American Radio Relay League, and other league officers will be before your committee, and I am sure they will be able to provide the committee with a complete background on this legislation.

I won't repeat here my remarks in support of this legislation made before the Subcommittee on Commerce of the Senate Commerce Committee as the hearing and report of the committee are readily available. I do wish to bring to your attention, though, the considerable study which Senator Pastore, his able committee counsel, Mr. Nicholas Zapple, and the various staff members of the interested Government agencies gave to this legislation.

The result was an improved bill, one which was favorably reported by the Senate Commerce Committee and passed by the Senate without objection. I am, of course, very hopeful that you and your committee will likewise be satisfied with this measure after giving it your own careful appraisal.

Thank you for allowing me the opportunity to make this brief statement and for your interest in expediting consideration of this legislation.

Sincerely,

BARRY GOLDWATER.

The CHAIRMAN. Our first witness this morning is the sponsor of H.R. 7309, our colleague from Michigan, the Honorable Elford A. Cederberg. Mr. Cederberg, we will be glad to hear you at this time.

**STATEMENT OF HON. ELFORD A. CEDERBERG, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MICHIGAN**

MR. CEDERBERG. Mr. Chairman and members of the committee, as a cosponsor of this legislation I want to express my appreciation as well as the appreciation of amateur radio operators in the 10th Congressional District of Michigan, which I represent, for your scheduling this hearing on these bills about which they are so enthusiastically concerned.

I first became interested in this subject in the fall of 1961 when one of the ham operators in my district came to me and expressed the interest of his fellow operators in a revision of the Communications Act to enable American servicemen to carry on their hobby while on duty in foreign lands. This, of course, would require a change in the law making possible bilateral agreements for operation of amateur radio stations.

After making inquiries with the Department of State and the Federal Communications Commission I learned of some of the problems involved and of the limitations imposed by our own laws. In the 2d session of the 87th Congress I introduced H.R. 9684 proposing an amendment to the Communications Act of 1934 and in the 1st session of the 88th Congress I introduced a similar bill identified as H.R. 7309.

I have conferred with Senator Goldwater, who with other Senators, introduced S. 920, which was passed by the Senate last fall. I realize our earlier bills failed to meet some of the security objections raised by agencies responsible for the protection of our national security interests. However, in my opinion S. 920, as passed by the Senate, meets these objections.

I approve of the wording of the bill which "authorizes" the operation of amateur radio stations here by aliens instead of licensing them.

I did not realize the great interest in the possibilities a reciprocal arrangement holds until I began receiving mail from around the country from these so-called ham operators.

Today we have American citizens all over the world representing the United States in an official or semiofficial capacity in connection with programs Congress has authorized. We likewise have our military forces stationed in many countries. Our churches have their missionary groups in practically all countries of the world. When these people go from our shores we should have a continuing interest in them.

I have come to realize what communication means to many of them—a group of Americans abroad communicating by amateur radio

in their own language with other Americans. We might say this is a selfish approach—and so it is.

There is more than just entertainment through conversations between these amateur operators. Since I became interested in this legislation I have learned of the frequent humanitarian service given by these fine amateur operators.

One of these operators in the Washington area has had a number of unique experiences which could substantiate our support for legislation of the type sought here today. I refer to Mr. E. M. Peterson, who is Director of Youth Activities in the surrounding seven-State conference of the Seventh-day Adventist Church. He is an enthusiastic ham operator. Referring to the humanitarian side of this hobby, I was interested particularly in one of several unusual experiences of Mr. Peterson. At the time of the earthquake in Iran a few years ago, all normal channels of communication between that country and the outside world were cut off. Fortunately, American amateur radio operators were able to use their sets in Iran and one of these was an American missionary. He began sending out emergency calls. His call was picked up by a ship in the Mediterranean Sea. The ship's radio operator began calling any ham radio station in America. Mr. Peterson was the first in the Washington area to pick up the call and establish a communication link. The result was that very shortly blankets, clothing, and other supplies were sent on their way to Iran by the missionary's church headquarters.

This hobby of an amateur radio operator in nearby Maryland is credited with saving the life of a child in South America, I am told. An amateur in South America—I do not know whether he was an American or a native, began trying to contact fellow hams in the United States, saying a child there would die unless it received a particular drug, not available in South America. This occurred on a weekend. The local amateur picked up the call and contacted the National Institutes of Health. He was advised only one pharmaceutical company manufactured the drug and that was a Midwest company. Our local ham went on the air to contact hams in the city where it was manufactured. The message went through and the Midwest ham contacted the vice president of the pharmaceutical company, who obtained further details, opened his establishment on Sunday and arranged for a shipment of the drug to South America by the next plane.

The kind of good will cited in just these two instances is of a nature we cannot purchase with any kind of a foreign aid program. I am sure the radio logs of hundreds of amateur radio operators in this country reveal many and perhaps even more thrilling accounts of humanitarian service.

I understand approximately 31 countries extend American nationals amateur radio privileges when they are within their borders yet our laws do not permit a reciprocal arrangement when nationals of those countries are within our borders.

I realize our national security is of No. 1 importance but I believe we can enact a law protecting security and at the same time make possible a reciprocal arrangement for amateur radio operators. I hope your committee will favorably report such a bill.

The CHAIRMAN. Are there any questions? If not, we thank you for your appearance and testimony, Mr. Cederberg.

Mr. CEDERBERG. Thank you, Mr. Chairman.

The CHAIRMAN. We have with us Commissioner Rosel H. Hyde, who has probably seen more of the amateur radio activities as it has grown up than any other member of the Commission because of the various positions that he has held with the Commission that would permit him to observe this field closely. I think it is most appropriate that the Commission did suggest that Commissioner Hyde come here on behalf of the Commission.

Commissioner Hyde, we would be glad to hear you on this matter. I had not anticipated we would take much time on this bill today because it is not controversial, as I understand. I must say, though, sometimes I look upon these noncontroversial bills before this committee with some trembling and fear because they always seem to develop into sharp controversies before we get through. If time permits, Commissioner, I have a couple of other bills that I do not want to characterize as unimportant, because they are important, but they are matters that should not require much discussion.

However, we always like to make a record. I may ask you about them in order to expedite our own program within this committee. Both of them have passed the other body and have been referred to this committee, and they are S. 1005 and S. 1193. So after we get through with this one I may want to ask you about these other two bills if you are in position to testify on them.

We are glad to have you back with us and you may proceed.

STATEMENT OF HON. ROSEL H. HYDE, COMMISSIONER, FEDERAL COMMUNICATIONS COMMISSION

Mr. HYDE. Thank you, Chairman Harris. Mr. Chairman and members of the committee, I have the statement of the Commission regarding S. 920 and H.R. 9035. My statement is brief and I believe, sir, that it might conserve time if I presented the exact text rather than undertaking summary.

This bill would amend section 303 of the Communications Act of 1934 (dealing with operators) and section 310 (dealing with station licenses) to provide that the 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 U.S. amateurs on a reciprocal basis.

It also provides that other provisions of the Communications Act and the Administrative Procedure Act will not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization.

The bill further provides that whenever the Commission receives an application from an alien for such authorization, the Commission shall notify the appropriate agencies of the Government of such fact, and the agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with national security. The Commission may then grant the requested authorization unless it shall determine that information received from such agencies necessitates denial of the request.

While this is not a part of the Commission's legislative program, should the Congress decide that such legislation is desirable, we would have no objection to enactment of the bill.

Such legislation constitutes a departure from the general policy embodied in sections 303(1) and 310(a) of the Communications Act against granting radio station licenses or radio operator licenses to aliens.

At the present time, there are only two exceptions to this policy. The first was contained in a convention between the United States and Canada, effective May 15, 1952 (TIAS No. 2508) which permits citizens of either country who are station licensees to operate certain radio equipment, including amateur radio stations, while in the other country.

The second exception results from amendments to sections 303(1) and 310(a), adopted in 1958 (Public Law 85-817), which permit the licensing of certain alien pilots flying aircraft in the United States.

The Commission believes the procedures proposed in the bill for handling security clearances before granting permits to an alien amateur are appropriate. Under the proposed procedure the Commission, upon receipt of a request for authorization of an operation by an alien amateur, would ask the Central Intelligence Agency and the Departments of Defense, Justice, and State to supply it with any information in their possession bearing upon the particular request.

While the Commission would not, of course, ignore information coming to it from other sources, its obligation in the security area would be limited to a check of the named agencies and making the finding that, with respect to national security, no information or recommendations before the Commission necessitate denial of the request.

The above-named agencies are those which are at this time considered to be the agencies referred to in the proposed bill as "appropriate agencies of Government." Additionally, the Commission would be guided by the views of the named agencies, or by information coming to it from other sources, as to whether requests should be made upon additional agencies as circumstances warrant.

In acting on such requests, the Commission would, of course, respect the confidential nature and sources of specific security information coming to its attention.

In connection with the responsibility for security arrangements which must be maintained if this bill is enacted, we would point out that a similar problem arose when Congress was considering the amendments to sections 303(1) and 310(a) to permit the licensing of certain alien pilots flying aircraft in the United States (Public Law 85-817, 85th Cong., 2d sess., 1958, 72 Stat. 981).

In that instance, the problem of security arrangements was resolved by placing the responsibility for appropriate security-screening procedures in the Federal Aviation Agency which had the responsibility of issuing airmen certificates to the alien pilots who would subsequently apply to the Commission for licenses to operate aircraft radio stations (105 Congressional Record 16414 (daily edition); S. Rept. No. 2338, 85th Cong., 2d sess., p. 3 (1958)).

Under the bill the Commission would have the authority to deny an application summarily. Also, the Commission would have authority to modify, suspend, or revoke the permit of an alien amateur sum-

marily or under such procedures as it may prescribe. The alien amateur involved would not have the right of appeal under section 402 of the Communications Act or under the Administrative Procedure Act.

It is expected that, in the negotiation of bilateral agreements, the State Department will consult with the Federal Communications Commission, which is normal procedure in matters in which we have a specific communications interest.

That completes the statement that the Commission authorized me to present. I should be pleased to undertake to respond to any questions.

The CHAIRMAN. Thank you, Commissioner. There is a difference between issuing an authorization and issuing a permit. Is that not true?

Mr. HYDE. Yes. As a matter of fact, this would operate very much like a registration system, but subject to certain security checks that wouldn't operate with a conventional registration system. It would operate to recognize the license of the alien's government on a reciprocal basis rather than to issue a new license as such.

The CHAIRMAN. These would be bilateral agreements?

Mr. HYDE. This would always be on a reciprocal basis, subject to bilateral agreement between this country and the country of the alien concerned.

The CHAIRMAN. Not under a treaty arrangement?

Mr. HYDE. It could be under a treaty arrangement, but in the case of a treaty we, of course, would not need legislation. The one arrangement we do have for this reciprocal recognition of amateur licensees is in respect to Canada and this is carried out under a formal, ratified, and proclaimed treaty.

The CHAIRMAN. Suppose it would develop that you needed to cancel the operation. What would be the outcome?

Mr. HYDE. Under the legislation proposed here, the Commission could issue a notice of cancellation without affording any of the usual elements of due process that a citizen is entitled to.

The CHAIRMAN. In other words, the Commission could cancel it with a certain number of days' notice?

Mr. HYDE. As I understand it, we could cancel it immediately, but we might, in the interest of comity, provide an appropriate hearing to handle this quickly and efficiently.

The CHAIRMAN. But, depending upon the circumstances, the Commission would have authority to cancel the authorization?

Mr. HYDE. Depending upon the circumstances, the Commission would have authority to cancel it forthwith; right.

The CHAIRMAN. Any questions, Mr. Devine?

Mr. DEVINE. Mr. Chairman, thank you. How much of a demand has there been for this, Mr. Hyde, and from what sources?

Mr. HYDE. There hasn't been a substantial demand. We have had a few instances brought to our attention. Of course, we are not operators. We are merely the licensing authority and you would get better information as to the interest in this type of thing, I believe, from the representatives of the amateur organizations. A few have come to our attention.

Mr. DEVINE. Maybe "demand" was a poor selection of words. How many requests? Is there a great volume of requests?

Mr. HYDE. No; there has not been a great volume of requests to us, but we have had this experience under our arrangement with Canada. We have had, oh, 450 requests in a year's time.

On the other hand, we have had approximately 1,300 of our amateurs go into Canada and exercise the privilege of communicating back from there to our country. We expect that if this measure would be approved and, of course, subject to bilateral agreement, there would be 400 or 500 a year from countries other than Canada.

Mr. DEVINE. Have you had any information from the Justice Department or other intelligence agency relative to any security problems involved in this?

Mr. HYDE. Yes; the matter of handling the security problem has been discussed with Justice, Defense, and CIA. It came up in connection with the consideration of the bill before the Senate and a considerable amount of attention was given to the problem. We were able to advise the Senate committee in September 1963 that the procedures for security had been coordinated with the Departments of Defense, Justice, State, and Central Intelligence Agency.

Mr. DEVINE. You say it has been coordinated with them?

Mr. HYDE. By that I mean that they have agreed to the approach which is presented in the bill now.

Mr. DEVINE. At least they have no objection.

Mr. HYDE. They have no objections.

Mr. DEVINE. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Friedel?

Mr. FRIEDEL. Thank you, Mr. Chairman. On page 3 of your statement you say:

Under the proposed procedure the Commission, upon receipt of a request for authorization of an operation by an alien amateur, would ask the Central Intelligence Agency and the Departments of Defense, Justice, and State * * *.

Don't you think the FBI would have some information?

Mr. HYDE. I believe Justice would include the FBI, sir.

Mr. FRIEDEL. I see. Thank you.

The CHAIRMAN. Any further questions?

Mr. BROTZMAN. May I ask a question?

The CHAIRMAN. Yes, Mr. Brotzman.

Mr. BROTZMAN. Mr. Hyde, I listened to questions by the gentleman from Ohio and if I understood your response to his questions there is little demand for this bill. Could you elaborate on that a little?

Mr. HYDE. I did not mean to indicate that there is little interest. I meant to indicate that very few requests have come to FCC. I presume the reason for that is that the act is very specific in denying us authority to issue permits or licenses to aliens. The act is very strict by letter and I think that would discourage any request to us.

Mr. BROTZMAN. Can you enlighten me as to why the previous act was so clear on this matter of policy in denying that to you?

Mr. HYDE. This goes back to the original Radio Act of 1927. I believe that the considerations were security and also the act does deal with the use of radiofrequencies as part of the public domain, and the Congress then, and I do not disagree with this at all, was very jealous of the privileges of using it and accordingly made very strict provisions against its exploitation by aliens. I presume you are familiar with the fact that in none of the broadcast services, none of the radio

services, may there be more than a 20-percent interest in alien hands. No director or officer of a licensee may be an alien.

Mr. BROTZMAN. Now let me ask you this question: What has changed that would make this law seem to be needed, or recommended, or suggested now? What has changed since then?

Mr. HYDE. I would suggest that in radio, as in other areas, we are becoming more involved in worldwide, intercountry matters than earlier. I think it is a part of this increased facility of transportation, and I was about to say communication. That seems to be begging the question.

Let me mention in this connection that we are in a somewhat awkward position now with the strictures against operations by aliens in that we cannot afford to nationals of another country the same kind of privileges that we often have in other countries. There are some 31 countries where an American amateur can set up and operate, countries which do not have reciprocal privileges with respect to our country, and there have been situations where this has been somewhat embarrassing.

Mr. BROTZMAN. You alluded in your statement to the security checks.

Mr. HYDE. Right.

Mr. BROTZMAN. Will you refer to the bill for a moment?

Mr. HYDE. Yes.

Mr. BROTZMAN. What is provided? What is the proviso there that has the approval of the Department of Justice and CIA, and those other agencies with whom you have conferred?

Mr. HYDE. If we may refer to page 3, it is section 2, and we might go down to line 16—

Provided, That when an application for authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further*, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request.

Those are the specific provisions which I would give in answer to your request, but I also consider these other provisions of the bill giving the Commission the right to cancel a license without procedures other than notice as a security protection.

The CHAIRMAN. You were reading from S. 920; were you not?

Mr. HYDE. I was, sir; the Congressman asked me to cite the particular provisions which had been the subject of discussion with the other agencies.

The CHAIRMAN. We have the three bills. We just wanted to be sure we are referring to the right bill. You read from S. 920.

Mr. HYDE. I read from S. 920.

Mr. BROTZMAN. I don't see a similar provision in the Cederberg bill.

Mr. HYDE. That is right, sir. The reason why I addressed my comment to S. 920 was that in connection with the bill of Mr. Cederberg's and the one under consideration here the problem of security came up and the provisions which are now found in S. 920 were, you might say, coordinated with the other agencies of the Government, and it is

my understanding that Mr. Cederberg is satisfied with this method of handling the question.

I believe this is the only change between the bill of Mr. Cederberg and S. 920.

Mr. FRIEDEL. Will you yield?

Mr. BROTZMAN. I haven't had a chance to compare them line by line, but that is what I was trying to understand.

Mr. HYDE. This is the only significant difference.

Mr. BROTZMAN. I yield to the gentleman.

Mr. FRIEDEL. I understand that H.R. 9035 has the same provision on page 3, the bill introduced by Congressman Brown of California; is that correct?

Mr. HYDE. In general it is the same. It is identical.

Mr. FRIEDEL. Have you had any difficulty with the foreign pilots in any way?

Mr. HYDE. We have had no difficulty with respect to the pilots or the reciprocal recognition of amateurs in the case of our relations with Canada. This is the only place that we have such an arrangement. There have been no untoward incidents whatever.

Mr. BROTZMAN. In order to administer this law, what do you anticipate will be needed in the way of personnel?

Mr. HYDE. We believe that we can handle this without any increase in our staff or budget. The volume expected is minuscule as compared to the total volume of licensing that we do in safety and special and regular services. No additional outlay is expected to be needed.

Mr. BROTZMAN. One more question. Do you think this is a great improvement over permitting treaties to be effected and their relationship to be continued that way?

Mr. HYDE. I know of the feeling about using executive agreements in some situations instead of formal treaties. We believe in the legislation proposed here, with the safeguards in it, that this matter could be handled very satisfactorily under the executive-agreement approach and if it could be handled that way it could be done very expeditiously, as occasions required it.

I believe there would be no untoward results coming from it. This is a very specialized field. It is one where an agreement would be made only where it was clear that no substantial difficulties are going to come up.

As I mentioned before, if the experience proved unsatisfactory, the operation could be discontinued immediately by a simple order of the Commission.

Mr. BROTZMAN. Thank you, Mr. Hyde. That is all, Mr. Chairman.

The CHAIRMAN. I think we might get the record clear. S. 920, which has been passed by the Senate and sponsored by Senator Goldwater, and H.R. 9035, which was introduced in the House by our colleague, Mr. Brown of California, are identical.

Mr. HYDE. They are identical.

The CHAIRMAN. The bill, H.R. 7309, introduced by our colleague from Michigan, Mr. Cederberg, in the House, is the same bill I believe that Senator Goldwater originally introduced in the Senate.

Mr. HYDE. I think it is the same and, also, I believe it is the same as Congressman Brown's except for the provisions with respect to security.

The CHAIRMAN. Yes; but I am trying to get the record straight on what the situation is that we have before us. Because of the security questions which were raised during the consideration by the other body of Senator Goldwater's bill, Senator Pastore and others worked out this additional language to make it abundantly clear that the security question would not be a problem.

Mr. HYDE. You have stated the situation exactly as we understand it.

The CHAIRMAN. I thought that the committee ought to have the benefit of how this was developed and what we have before us here for our consideration. One other thing. This is not a proposal which is primarily being sponsored or recommended by the Commission itself.

Mr. HYDE. That is correct; it was not a part of our legislative program.

The CHAIRMAN. That is right; however, the Commission does recommend it?

Mr. HYDE. Yes; my statement which was approved in the Commission yesterday simply indicates an acceptance of it. I indicated to the Commission that I personally would favor the bill and I found no disagreement with that at all.

The CHAIRMAN. Yes; it also has the approval of the Department of State, the Department of Justice, and the Department of Defense?

Mr. HYDE. Yes; it is my understanding that they do give general approval. In the case of the Department of Defense I think there was a more affirmative interest than in the others.

I believe Defense gave affirmative support to it. The other agencies—

The CHAIRMAN. Offered no objection.

Mr. HYDE (continuing). Offered no objection.

The CHAIRMAN. Are there any other questions of Commissioner Hyde? It not, are you in a big hurry?

Mr. HYDE. No, sir; I am at your service.

The CHAIRMAN. The next and final witness we have on this subject is the Honorable Herbert Hoover, Jr. As I understand, you are president of the American Radio Relay League, Inc.

STATEMENT OF HERBERT HOOVER, JR., PRESIDENT, AMERICAN RADIO RELAY LEAGUE, INC., NEWINGTON, CONN., ACCOMPANIED BY JOHN HUNTOON, LEAGUE'S SECRETARY AND GENERAL MANAGER; AND ROBERT M. BOOTH, JR., LEAGUE'S GENERAL COUNSEL

Mr. HOOVER. Yes, sir.

The CHAIRMAN. Perhaps you had better identify yourself or your organization a little more clearly for the record, Mr. Hoover, and on behalf of the committee I want to extend to you a cordial welcome here today. We are pleased to have your testimony.

Mr. HOOVER. Thank you, Mr. Chairman, and members of the committee. We are most appreciative of the opportunity to appear before you today. I have a very brief statement which I think might answer some of the questions in advance and if I might read it I would be appreciative, Mr. Chairman.

The CHAIRMAN. You may proceed. I think probably you might want to identify for the record those that are accompanying you today.

Mr. HOOVER. Mr. John Huntoon, the general manager of the American Radio Relay League, and Mr. Robert Booth, its general counsel.

The CHAIRMAN. Very well.

Mr. HOOVER. My name is Herbert Hoover, Jr., and I reside in Pasadena, Calif. I am the president of the American Radio Relay League, a nonprofit organization whose headquarters are at Newington, Conn., and which has approximately 100,000 members in the United States and Canada. Our membership comes almost entirely from among the more than 250,000 amateur radio operators who are licensed by the United States and Canadian Governments. The league was founded some 50 years ago by the late Hiram Percy Maxim.

It is also my privilege to be president of the International Amateur Radio Union, an organization made up of the 60 national societies who represent radio amateurs in most of the other countries of the world.

In private life, I am a consulting engineer. I have held an amateur radio license for the past 45 years and my call is W6ZH. From 1953 to 1957 I served in the Department of State, most of the period as the Under Secretary.

As the national association of amateur radio operators, the league wishes to record with your committee its support of S. 920 and companion bills introduced in the House. It is my understanding that the bill has been cleared by all of the executive agencies concerned. The purpose of this bill is to permit the United States to enter into reciprocal agreements whereby our amateurs can receive authority to operate in selected foreign countries in return for granting their amateurs a similar privilege here.

Such action is now prohibited by the Communications Act of 1934, which allows only U.S. citizens to operate within our boundaries. The sole exception is Canada, with whom we have had a most successful reciprocal arrangement over the past 12 years, the arrangement having been the result of a 1952 treaty. Indeed, the amendment now under consideration is patterned on the Canadian arrangement.

Amateur radio has extensive international aspects. This service is specifically provided for by international agreements, the most recent of which was the 1959 Geneva Conference of the International Telecommunications Union, as amended by the 1963 Geneva Space Communications Conference.

One of the bases and purposes of the amateur service, as specified in regulations of the Federal Communications Commission, is "continuation and extension of the amateur's unique ability to enhance international good will." Under this concept, U.S. amateur radio operators, by the thousands, daily make contacts with amateurs in foreign countries, the perfect example of an effective people-to-people program in continuous operation.

A few countries, purely as a unilateral courtesy, occasionally issue amateur licenses to visiting or resident American citizens and such privileges have been very much appreciated by our amateurs abroad. While relatively rare, operation of American stations at remote mis-

sionary or medical outposts, or by personnel or educational, professional or diplomatic assignments have been especially welcome.

Hardly a day goes by but word is received of some new humanitarian or good-will service they have performed. Since they have been able to enjoy their scientific avocation to the fullest while overseas, these Americans have returned with undoubtedly a better impression of the host country than otherwise would have been the case.

Such arrangements are not reciprocal, however, foreign amateurs visiting the United States are denied the privileges of amateur communications because of the present restrictions in the Communication Act of 1934. This has been the source of irritation and ill will over a period of many years.

The telecommunications officials of several countries, particularly in Latin America, have informally expressed the view on many occasions that the U.S. refusal to enter into a reciprocal amateur agreement such as now exists with Canada labels them as second-class citizens.

A good example is Mexico. This is a most friendly country and it already allows a few U.S. citizens to operate their amateur stations within its border. But our Mexican friends cannot comprehend why, in view of our protestations of good neighborliness, we will not extend the same privileges to them. The citizens of Mexico who would like the privilege of operating here are for the most part substantial, responsible people who have considerable influence in their Government and their home communities. They are individuals who may be on the diplomatic staff in Washington, New York, or elsewhere; or they are professional men, publicists, educators, or students temporarily residing in this country.

The fact that we will not grant Mexican citizens such privileges in the United States is well known in Mexico, and it is difficult for them to understand. It is doubly difficult when they are told that the reason we will not do so is because of our concern for our national security and to prevent espionage. The fact that we give full reciprocal privileges to Canadians gives rise to suspicions and recriminations. The Mexicans are proud people and they do not like to be discriminated against. I cannot blame them. The same attitude is expressed in many other Latin American countries, as well as elsewhere in the free world.

It is interesting to note that we already have bilateral agreements with some 18 nations, mostly in Latin America, permitting our radio amateurs to exchange noncommercial third-party messages with amateurs licensed in their territories. In view of this free flow of information back and forth, it seems only logical to them—and to us—that when our amateurs are visiting in their countries, or theirs in ours, operation should be permitted under temporary and reasonable restrictions.

Our Department of State has negotiated the message-handling agreements through regular diplomatic channels and they have received full concurrence from all other agencies of our Government.

I believe the Department is fully competent to negotiate reciprocal operating agreements with these and other friendly countries if authorized to do so.

The league is aware that national security is a factor which must be considered in connection with the proposed amendment. We believe, however, that a practical examination of the proposed procedures will remove, to all intents and purposes, this concern.

The present proposal does not in any way alter the real problem of national security. Whatever security problem there may be in the radio spectrum exists already, and has for many years. It would not be compounded by adoption of the present proposal. If a person wished to engage in espionage, it is most doubtful he would (1) obtain a permit for an amateur station from our Federal authorities, with all the detailed procedures involved, (2) use call letters which immediately identify his citizenship, and (3) operate in the amateur bands where the suspicions of thousands of amateurs might be aroused.

If a foreign agent wished to engage in subversive communications, he may buy transmitting and receiving equipment on the open market, from an unlimited number of sources, without any need for identification. He may operate such equipment at any spot of his choice in the frequency spectrum. He runs the risk of immediate detection, of course, because of the efficient surveillance and monitoring system operated by our Government, a program in which the amateur body cooperates by helping to police its own frequency assignments.

To the best of my knowledge, no espionage or other subversive communication has ever taken place in the amateur bands. But the license itself is no deterrent, and it seems absurd to envision a subversive agent calling attention to himself by the process of application for an official amateur authorization.

The benefits of the proposed legislation will be much greater to the United States and to U.S. amateurs than to amateurs of other countries, as indicated by the following figures: During the year ending March 31, 1963, 1,272 U.S. amateurs obtained authorizations to operate in Canada.

During fiscal year 1963, ending June 30, 1963, only 453 Canadian amateurs obtained authorizations to operate in the United States. Based upon the relative number of amateurs in various countries and far more extensive travel by U.S. citizens, I expect many more authorizations will be issued to U.S. amateurs than the United States will issue to foreign amateurs.

In brief, we believe that by enactment of this legislation amateur radio will become an even greater and more positive force for international understanding and goodwill without creating any additional hazards to our national security.

We hope your committee will look with favor upon the proposed legislation. If I could answer any question, Mr. Chairman, I would be delighted to do so.

The CHAIRMAN. Thank you, Mr. Hoover.

Mr. Friedel, any questions?

Mr. FRIEDEL. In other words, this would be limited to the nations of the free world?

Mr. HOOVER. Yes, sir. As I understand this, and I believe that this would be quite parallel to the present agreements we have for exchange of amateur communications between countries the United States would be in a position of choosing those countries with whom it wishes to negotiate a bilateral agreement, executive agreement, and

I assume, as in the case of the other agreements which have been executive agreements which have been concluded, these would be cancellable on 24 hours notice by either country and if at any time we feel that our relations with that country or the amateurs in that country our executive department would be free to cancel it immediately.

Mr. FRIEDEL. Thank you.

Mr. HEMPHILL. Would you yield to me at that point?

Mr. FRIEDEL. Yes.

Mr. HEMPHILL. You say would be free to cancel. What would be the effect of the cancellation?

Mr. HOOVER. I would presume, sir, that such a cancellation would only be in the event that diplomatic relations became strained with that country.

In other words, if a country were to change, as Cuba had been a friendly country up until the time we got into difficulties with them, we would at that time be perfectly free to cancel that agreement with the Cubans and any outstanding authorizations to Cuban amateurs in this country would be automatically terminated as of that moment.

Mr. HEMPHILL. And they would no longer be allowed to communicate as amateurs from that moment?

Mr. HOOVER. That is correct, sir; as I understand it.

Mr. HEMPHILL. Thank you. Thank you.

Mr. FRIEDEL. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Schenck?

Mr. SCHENCK. Thank you, Mr. Chairman. First, Mr. Hoover, I would like to express my personal appreciation to you for this very fine statement and all your deep and helpful personal interest in this entire matter. I would also like to express for myself, and I am sure all the other members of the committee, our very best personal regards to your illustrious father and our hope for his continued good health and happiness.

Mr. HOOVER. Thank you very much, sir.

Mr. SCHENCK. I have only one question, Mr. Hoover. Do any of these stations operate on mobile units?

Mr. HOOVER. Yes. That is permitted under our rules and regulations of the Federal Communications Commission.

The CHAIRMAN. Will the gentleman yield?

Mr. SCHENCK. Yes.

The CHAIRMAN. You even operate them from airplanes; don't you?

Mr. HOOVER. Yes, sir. It is, of course, necessary to notify the Commission where operations are going to be carried on in accordance with their rules and regulations in certain cases.

Mr. SCHENCK. Then there is no particular problem or surveillance from the standpoint of necessary and required security because they happen to be in mobile units rather than fixed units?

Mr. HOOVER. None that I am aware of at all, sir; no.

Mr. SCHENCK. That is all I have.

The CHAIRMAN. Any other questions by any members of the committee?

I think just this one other question. Was not this legislation, originally at least, sponsored and supported by the amateur people through the association that you just mentioned?

Mr. HOOVER. Yes, sir. It has been sponsored over a period of several years by the American Radio Relay League, Mr. Chairman.

The CHAIRMAN. And I might say to our colleagues that while I was in Geneva as a delegate to the International Telecommunications Conference—I don't know whether our colleague, Mr. Sibal, went out and observed the amateur radio facility operations or not—

Mr. SIBAL. Yes, I did, Mr. Chairman.

The CHAIRMAN. The people there interested in communications, of course worldwide communications, seemed to know a lot more about this legislation than I did, even though it had been referred to this committee of which I have the honor of being chairman. They expressed great concern in it, and they felt that it was important insofar to amateur radio operators throughout the world. Because of the facilities that I saw and the interest manifested by so many of the people at the ITU I became interested enough to inquire about this legislation when we got back.

Senator Goldwater called and talked to me about it and gave me a rundown on how this started and how long they have tried to get this authorization. That is the way it was brought to my attention.

Mr. Hoover, we want to join Mr. Schenck in extending to your father our best wishes for continued good health and happiness. We want to thank you for your appearance here and for your interest and your testimony in making the record on this matter.

Mr. HOOVER. Thank you very much, Mr. Chairman. I appreciate it very greatly.

The CHAIRMAN. I wonder if your Mr. Huntoon or Mr. Booth have any further comments?

Mr. HOOVER. I don't believe so. No, Mr. Chairman; but if there are any questions that you members of the committee would like to ask them they are available of course for any answers.

The CHAIRMAN. Thank you very much.

Mr. HOOVER. Thank you.

Mr. KORNEGAY. Mr. Chairman, there is one question. It probably has been answered this morning, but I don't recall hearing it. Reference has been made to the fact that the prohibition against granting licenses as contained in the Communications Act of 1934, but that there is a reciprocal agreement between the United States and Canada, and I just wanted to get some statement from somebody about how that came about.

Is that the result of a treaty or a reciprocal executive agreement?

The CHAIRMAN. Commissioner Hyde spoke to that a moment ago when he was testifying. The Commissioner may again, if you would like, answer Mr. Kornegay's question, and of course Mr. Hoover just explained it too in his statement. Maybe you can clarify it a little more.

FURTHER STATEMENT OF HON. ROSEL H. HYDE, COMMISSIONER, FEDERAL COMMUNICATIONS COMMISSION

Mr. HYDE. The reciprocal arrangement with Canada is the subject of a formal treaty. This was necessary not only because of amateur interest, but because of certain aviation services we required reciprocal

rights in order to handle the air traffic. It is the subject of a formal treaty.

Mr. KORNEGAY. That is all, Mr. Chairman.

(The following material was submitted for the record:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 6, 1964.

HON. OREN HARRIS,
Chairman, Interstate and Foreign Commerce Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: You have before your committee a bill, H.R. 7309, which permits the authorization for alien amateur radio operators to operate their stations in the United States, if there is a reciprocal agreement between the United States and the alien's government.

I believe we should promote the interchange of ideas between persons in the United States and those in foreign countries. If this bill would help encourage this type of communication, I am interested in its passage and hope that you may schedule hearings on this measure at an early date.

Respectfully,

BURT L. TALCOTT,
U.S. Congressman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 19, 1964.

HON. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I am enclosing a copy of a statement by Mr. Raymond E. Meyers that I would appreciate your including in the record during the hearings on H.R. 9035 on Thursday, February 20, 1964.

Your assistance in this matter will be greatly appreciated. I regret that I will be unable to attend the hearings personally.

Sincerely,

GEORGE E. BROWN, Jr.,
Member of Congress.

STATEMENT OF RAYMOND E. MEYERS, DIRECTOR, SOUTHWEST DIVISION,
AMERICAN RADIO RELAY LEAGUE

My name is Raymond E. Meyers, lieutenant commander, U.S. Navy, retired, of San Gabriel, Calif., director of the American Radio Relay League and regional vice president of the Armed Forces Communications Association, Inc., both dedicated to the improvement of the art and strengthening our national security; Vice Chairman of the Amateur Section of the Federal Communications Commission's National Industry Advisory Committee; Chairman of FCC's 11th Radio District's Cooperative Interference Committee; sponsor and coordinator of the International Handicapped Amateurs' Radio Net; a communications consultant by vocation, and an amateur radio operator for some 50 years with the present call letters of W6MLZ.

I shall attempt to give you what is considered as pertinent information and facts, which may have some bearing on the proposed legislation.

In 1959, at the request of the State Department's Government-Industry Committee, it was my pleasure to accept an appointment as Chairman of the Amateur Committee for the State Department sponsored ninth plenary assembly of the International Consultative Committee on Radio (CCIR) which was held in the city of Los Angeles, Calif., during the month of April in that year.

Our Government, appreciating the fact that amateur radio, almost as old as radio itself, and having been highly instrumental in popularizing and advancing the radio art, believed that these pioneers should be represented at this most important assembly.

Past annual reports to Congress by our Federal Communications Commission certainly bear out the fact that the amateur, by experimentation and dedication, has been helpful for the development of radio and TV broadcasting, radar, data reduction techniques, and many applications of two-way radio as used by our Armed Forces, public safety, and many other mobile radio services licensed by the Commission.

With the assistance of some 50 or more amateur radio clubs in Arizona and California, a special events amateur radio station was established to which the FCC assigned the call letters K6USA. Congress assisted in making the project a success by taking joint action on a resolution, Senate Joint Resolution 47, resulting in Public Law 86-8, approved April 3, 1959. This legislation permitted amateurs of some 97 foreign nations to operate the station during their stay in the United States, on proof that each held a current amateur license issued by his government. There were no questions of security. All of those who operated the station were very appreciative of this Government's courtesy.

The plenary assembly was officially opened from the White House by means of amateur radio circuits, and President Eisenhower honored the American amateur fraternity by personally signing our QSL cards which were mailed to some 10,000 operators around the world that had been contacted by station K6USA. I might say a QSL card is the acknowledgement of our contact.

During 30 days of operation, foreign amateurs operated the six transmitters installed at the Hotel Biltmore, many keeping schedules with their homeland. Personal traffic was handled with three countries that had made special agreements with our State Department permitting amateur third-party traffic when it was realized our amateur circuits were more direct and faster than some commercial circuits. Altogether 11 nations used our amateur radio facilities.

When the operation was concluded, thanks to our understanding Congress that made it possible for foreign amateurs to operate station K6USA, some 1,500 delegates left Los Angeles for home with a better understanding of our great democracy, and what we stand for in our effort to promote better worldwide good relations.

So impressed were many of them that a number approached me to pay their respects and to thank the several hundred male and female American amateurs that had helped keep the station on the air 24 hours a day, asking what they could do on their return home that would better cement relations with the United States. It was suggested that restrictions prohibiting third-party communications by amateurs be lifted and that our servicemen, diplomatic personnel, missionaries, businessmen, and tourists be permitted to operate amateur radio stations in their country.

It might be of interest to know that subsequent to the CCIR conference, our State Department has signed agreements with Mexico, Honduras, Venezuela, Haiti, Bolivia, Paraguay, and El Salvador, making a total of 17 of the member nations of the Organization of American States that now permit, and welcome, the handling of amateur messages to and from residents or visitors in those countries. These are the only countries that could accept or handle messages for our Peace Corps personnel at present.

In addition, a limited number of countries have now extended special operating privileges to a limited number of our American amateurs including Ambassadors Armin H. Meyer, in Lebanon, and William Porter, in Algeria, as well as Mr. Gerald C. Gross, Secretary General of the International Telecommunications Union in Geneva.

I might add here, too, although it is not in my written statement, the Vatican also has an amateur radio station, and they have invited the American amateurs visiting the Vatican to make use of the station.

Congress has already passed legislation which permits foreign airline pilots and foreign embassies to operate radio within our boundaries. To date, no provisions have been made to authorize amateur radio operation to the ambassadors of the airways, with but one exception—Canada.

Every time an American amateur goes on the air and contacts a foreign amateur, he is probably telling something about his job, home life, education, his car, or our right to elect the President, Members of Congress, or State and local officials. One thing we avoid discussing is the subject of reciprocal amateur operation other than to say "some day this may be possible."

Although a number of foreign nations, or possessions, extend the hand of welcome to the American amateur, we have no reciprocal agreements except for the one exception previously mentioned.

Some of our amateurs have made personal contact with every known nation in the world that permits operation of amateur radio. Many of the more fortunate have visited the homes of foreign amateurs throughout the five continents. Invariably, especially in those countries that permit American amateurs to use their equipment, the question will arise: "Why does the United States accept our hospitality and yet deny our few visitors to your country the thrill of operation in your country?"

Most foreign amateurs are either of professional background or influential in government. We need these people as our friends. For example, my call book shows that of nine amateur licenses outstanding in Saudi Arabia, one has been issued to an American serviceman, six to as many ruling princes of the country, and one to a resident of one of the royal palaces.

We amateurs hope that this committee will see fit to assist in this people-to-people program, the Peace Corps, and CARE, as well as such public-spirited enterprises as Project Hope, by considering the many American amateurs overseas who are somewhat embarrassed by not being able to explain why this country, the greatest nation on earth, does not reciprocate and extend the hand of welcome to a few amateurs of friendly nations who may visit our shores. One amateur in West Germany, in chatting about reciprocal operating agreements, commented: "You folks in America should read Acts 20: 30 of the Bible which reads: 'It is more blessed to give than to receive.'" And I had no answer to that.

As a member of our Armed Forces, with some 34 years service, a veteran of both World Wars, as well as a member of a number of expeditions—and I haven't put it in the record, but I do mean some landings with the military forces and three civilian enterprises of a scientific nature, and having personally met or communicated with many amateurs throughout the globe, it is my humble opinion that we can do much to better cement good worldwide relations by granting reciprocal operating privileges to our fellow amateurs of these nations friendly to the United States without any danger to our national security.

(Whereupon, at 11:05 a.m., Thursday, February 20, 1964, the committee proceeded with other business.)

