

sale of devices which fail to comply with the regulations duly promulgated by the Commission under the authority of section 302.

Subsection 302(c) provides three exceptions. The first is for carriers which merely transport interfering devices without trading in them. The second exception relates to the manufacture, sale, and so forth, of devices which are intended solely for export.

The final exception involves the use of devices by agencies of the Government. Under section 305 of the Communications Act, the Commission has no regulatory jurisdiction over stations owned and operated by the United States. The proposed subsection 302(c) recognizes this exemption from the Commission's jurisdiction. It provides, however, that such devices shall be developed or procured by the Government under standards or specifications designed to achieve the common objective of reducing interference to radio reception, taking into account the unique needs of national defense and security.

The various Government agencies are fully aware of the need for suppressing objectionable interference and, in many cases, the standards adopted by individual agencies are more stringent than those which the Commission would impose. In light of these considerations, it was considered appropriate to except from the operation of this legislation devices used by the U.S. Government or its agencies, leaving it to the agencies to cooperate in achieving acceptable levels of radiation. The Director of Telecommunications Management has assured us of his cooperation in this respect.

In addition, there is language to clarify that the provisions are not applicable to the electric utility industry insofar as an electric utility undertakes to assemble a power system from component parts or to assemble any of the component parts for its own use. This does not, however, alter any existing authority of the Commission under section 301 of the Communications Act, or the authority granted under the legislation to proceed against the user of equipment causing interference to radio communications.

The Commission has established technical standards applicable to the use of various radiation devices. This legislation is not designed to result in the promulgation of stricter technical standards. We have adequate authority at present to adopt stricter technical standards whenever we find that the public interest requires such action with respect to the use of radiation devices. In many cases, our existing technical standards would simply be made applicable at the manufacturing level. In those few cases where we would implement this authority with new or additional technical standards, the Commission would be dealing with devices recognized to be serious sources of interference; and the standards to be specified would be developed with the same close cooperation that we have heretofore received from industry.

As an example of the way we would proceed under any new authority given the Commission under this legislation, I would cite our method of implementing the all-channel TV receiver law (Public Law 87-259, 87th Cong., 76 Stat. 150). As in that case, we would contemplate holding a series of industry meetings, in order to discuss informally such matters as appropriate new standards and change-over periods. As in the case of the all-channel receiver regulations, our efforts would be to achieve a satisfactory consensus consistent with the aims of the proposed legislation.