

radio station allowed the discussion of a public question it must afford, if requested, an opportunity to present the other side.

I think it was the view of the committee that if any subject was to be presented to the public by any of the limited number of stations, the other side should have the right to use the same forum; and if such privilege were not to be granted, then there should be no such forum whatever. * * *

Mr. President, to perpetuate in the hands of a comparatively few interests the opportunity of reaching the public by radio and allowing them alone to determine what the public shall and shall not hear is a tremendously dangerous course for Congress to pursue. * * * Are we to consent to the building up of a great publicity vehicle and allow it to be controlled by a few men, and empower those few men to determine what the public shall hear?

It may be urged that we do that with the newspapers. Yes, that is true; but anyone is at liberty to start a newspaper and reply. Not so with a broadcasting station. However, there are only about 500 who are allowed the privilege of conducting broadcasting stations, and there are not as many broadcasting stations as there are fingers on one of my hands—not more than that—that have the privilege of covering the entire United States. * * *

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The Senator from Washington has left in the bill a provision respecting candidates. It is important, but it has not anything like the importance of the provision he has stricken out—the discussion of public questions.⁴⁴

Senator Dill, the sponsor of the radio bill and the proponent of the amendment to delete the reference to discussions of public questions, replied as follows:

Mr. DILL. I sympathize with a great deal of what the Senator is saying, but I want to remind the Senator of the danger of having the words "public questions" in the bill.

That is such a general term that there is probably no question of any interest whatsoever that could be discussed but that the other side of it could demand time; and thus a radio station would be placed in the position that the Senator from Iowa mentions about candidates, namely, that they would have to give all their time to that kind of discussion, or no public question could be discussed.

As I say, I sympathize with the Senator's position; but the opposition to that was so strong in the minds of many that it seemed to me wise not to put it in the bill at this time, but to await developments, and get this organization to functioning, and the bill can be amended in the future.

I just wanted to leave that idea with the Senator as to my reasons for taking the view I do.⁴⁵

As stated above, the amendment was adopted.⁴⁶ The amended bill passed the Senate, and conferees were appointed.⁴⁷

Summary of Senate action

The substitute version of H.R. 9971 which was reported by the Senate Interstate Commerce Committee enlarged the House version of the bill by incorporating two prohibitions against discrimination in the area of political broadcasting: (a) with respect to candidates, and (b) with respect to "any question affecting the public." As related above, the latter prohibition was eliminated by Senator Dill's amendment on the floor of the Senate.

C. HOUSE-SENATE CONFERENCE

In conference, the radio bill was rewritten to read as follows; this is the wording enacted as section 18 of the Radio Act of 1927:

If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities

⁴⁴ 67 Cong. Rec. 12503-04 (1926).

⁴⁵ *Ibid.*

⁴⁶ *Id.*, p. 12505.

⁴⁷ *Id.*, p. 12618.