

Mr. Chairman, in bringing this legislation to the floor of the House, I would like it clearly understood that the committee was almost unanimous in rejecting proposals to repeal section 315 outright. The legislation reported by our committee and the action of the other body on substantially similar legislation amount to a reaffirmation of the principle of equal time; and it is my sincere hope that broadcasters as well as the Commission will make diligent efforts to observe this provision of law the way Congress intends it to be observed.

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As I see it, both proposals exempt appearances of candidates on newscasts (including news interviews) and on-the-spot coverage of news events. That is the crucial thing in this legislation—to overrule the *Lar Daly* decision and to make it clear that important news events involving the appearance of a candidate may be covered on-the-spot without giving the right of equal time to other candidates.

The ensuing discussion on the floor of the House indicates the great majority of the Members thought of the proposed legislation solely as a measure relating to appearance by political candidates. The House voted down an amendment which would have expanded section 315(a) by requiring equal opportunities for opposing “representatives of any political or legislative philosophy” as well as for opposing candidates.⁹²

D. CONFERENCE COMMITTEE REPORT AND DEBATES

The present language of the statute was recommended by the Conference Committee.⁹³ The House and Senate versions of the amendment differed in several technical respects which have no special relevance to the Fairness Doctrine. The Senate bill, however, contained what has been described above as the Proxmire amendment. This language read as follows:

* * * but nothing in this sentence shall be construed as changing the basic intent of Congress with respect to the provisions of this Act, which recognize that television and radio frequencies are in the public domain, that the license to operate in such frequencies requires operation in the public interest, and that in newscasts, news interviews, news documentaries, on-the-spot coverage of news events, all sides of public controversies shall be given as fair an opportunity to be heard as is practically possible.

The House substitute contained no similar language. The conference report states:

With certain modifications this language has been included in the conference substitute as a sentence reading as follows:

“Nothing in the foregoing sentence shall be construed as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this Act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance.”

The conferees feel that there is nothing in this language which is inconsistent with the House substitute. It is a restatement of the basic policy of the “standard of fairness” which is imposed on broadcasters under the Communication Act of 1934.⁹⁴

There are significant differences in the language of the Proxmire amendment and the revised language which is presently part of Section 315(a). The former refers to the “basic intent of Congress” whereas the present statutory language refers to “the obligations imposed

⁹² *Id.*, pp. 16245-6.

⁹³ H. Rept. No. 1069, 86th Cong., 1st sess. (1959).

⁹⁴ *Id.*, pp. 4-5.