

Dissenting Statement of Commissioner James H. Quello

In re: Application for Review and for Acceptance of Application
for Section 325(b) Authority filed by SIN, Inc.

In 1950, the Commission stated:

The standard of public interest, convenience and necessity must be interpreted and applied within the context of the entire Communications Act. [Citations omitted.] In Section 310 of the Act the Congress has indicated that in its judgment the public interest, convenience and necessity requires that United States broadcasting be under the control of citizens only. Where a program is produced in the United States and broadcast over foreign stations that can be regularly received in the United States the practical effect is the same as though the program had been broadcast over a United States station. There is thus no basis for applying a different standard of the public interest to the above operation than to any other broadcast operation. Accordingly, we are of the opinion that it was the intention of Congress that permits required by Section 325(b) of the Act be granted only to persons meeting the citizenship requirements set forth in Section 310.

Informal Applications for Authority to Use Apparatus for Production of Programs to be Transmitted to Foreign Radio Stations,
12 RR 1618, 1619 (1950).

I am not persuaded that the Commission was incorrect in this longstanding interpretation of Sections 325(b) and 325(c) of the Communications Act. Accordingly, I dissent.