

THE LEGISLATIVE HISTORY OF EDUCATIONAL TELEVISION
FACILITIES PROPOSALS IN THE UNITED STATES CONGRESS . .
A RHETORICAL-CRITICAL STUDY

Thesis for the Degree of Ph. D.
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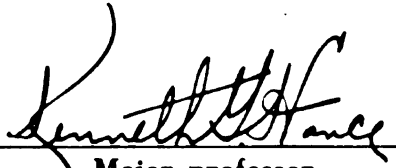
THE LEGISLATIVE HISTORY OF EDUCATIONAL
TELEVISION FACILITIES PROPOSALS
IN THE UNITED STATES CONGRESS --
A RHETORICAL-CRITICAL STUDY

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JOHN F. PRICE

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ABSTRACT

THE LEGISLATIVE HISTORY OF EDUCATIONAL TELEVISION FACILITIES PROPOSALS IN THE UNITED STATES CONGRESS-- A RHETORICAL-CRITICAL STUDY

by John F. Price

The purpose of this study was to analyze the history of educational television as it was the subject of Congressional discourse which led to the enactment of Public Law 87-447, The Educational Television Facilities Act of 1962. The period covered (1950-1962) embraces the first decade of the educational television movement in the United States; the primary focus, however, is on the five-year period between 1957 and 1962, when specific educational television legislation was before Congress.

The study attempted to describe, interpret, and analyze interrelated issues and developments in four areas affecting the national educational television movement in general, and the Congressional concern with it: (1) the general affairs of the nation, with particular emphasis on the American educational scene; (2) the activities and concerns of the television broadcasting industry; (3) the educational television movement itself, and the issues which

its progress generated; and (4) the investigation, discussion, debate, and other legislative activity in Congress as they related to educational television.

The rhetorical-critical aspects of the study focused on the "public" discourse as it developed in Congress through committee hearings, colloquies, and floor debate in both the Senate and the House of Representatives, and included the identification and description of the issues, lines of thought surrounding the issues, and the "climate" of fact and opinion within which the discourse took place.

The results of this investigation indicate that the attitude of Congress toward educational television was, throughout the entire period, consonant with the attitude of Congress toward the development of natural resources in the public interest. Congressional discussion regarding the development of television for broad educational purposes preceded the 1952 action by the Federal Communications Commission, which reserved specific television channels for noncommercial educational use, and continued during the following decade. This Congressional discourse related throughout, for the most part, to activities within the educational television movement itself and to the educational issues confronting the nation.

Of particular concern to Congress was the slow growth in the number of educational television broadcasting facilities; and, five years after the noncommercial channels had been reserved, it was realized that reservation alone was

not sufficient to guarantee the activation of enough channels to assure the development of a nation-wide educational television service.

Legislation reflecting this concern was, therefore, proposed to assist the respective States in establishing noncommercial educational television stations. Bills were introduced in Congress in the Eighty-Fifth, Eighty-Sixth, and Eighty-Seventh Congresses. In the Senate the same proposal was passed each time with little opposition; but in the House of Representatives, of the sixteen bills introduced (embodying essentially the same principle as the Senate proposals, but differing widely in details), only one reached the House floor, where it was debated and passed in March, 1962. The differences between the Senate and House legislation were resolved in conference and P.L. 87-447 was enacted.

The issues involved were discussed by Congress in eight public hearings in Washington, ten field hearings, four floor debates, and on other occasions. The topics of the discussion included both "external" materials (i.e. materials derived from events and issues extant in the nation at large) and "internal" materials (considerations originating within and having as their foci the concerns of Congress itself). The former category included the dimensions of the educational "crisis," the efficacy of television in meeting education's needs, and the urgent need to develop noncommercial television as a national resource; the

latter included budgetary considerations, the Federal Government's role in the area of television with respect to States' Rights and interstate commerce, and particulars of language, administration, and intent of the specific bills discussed.

In general, the proponents of the legislation argued in terms of "external" considerations and the opponents in terms of "internal." The House of Representatives showed much greater concern than the Senate for "internal" details. The final Act was evolved out of a nexus of legislative compromises, recognized national needs, changes in the political complexion of the Federal Government, and strong Congressional leadership in both Houses.

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PREFACE

In 1952, the Federal Communications Commission ended a four-year "freeze" on television broadcasting development in the United States, and announced a plan for the orderly growth of a nation-wide television service, with the release of its "Sixth Report and Order." Included among the more than two-thousand television frequency channel allocations of the directive's Table of Assignments were 242 channels which were reserved for the exclusive "noncommercial" use of educational television broadcasters.

Educators and educational groups were urged to make plans for the utilization of the reserved channels with all due speed, and to develop a national television service for education and public enlightenment. The educational television movement received, therefore, very early in its lifetime, the sanction of the Federal Government and its protection in an area which was otherwise a sometimes fiercely competitive commercial sphere--the television frequency spectrum.

Ten years later, on May 1, 1962, President John F. Kennedy signed into law The Educational Television Facilities Act of 1962, legislation by which the Federal Government established a program of direct financial assistance to

the States to aid them in establishing educational television stations throughout the nation.

The events of the decade between the "Sixth Report and Order" and the enactment of The Educational Television Facilities Act comprise an important chapter in the history of educational television in the United States--perhaps one of the most significant chapters of what will probably be a long history--and the changes which occurred in the attitude of the Federal Government from the beginning to the end of the period (as epitomized by the two Federal actions) are among the most interesting and significant aspects of that history.

The 1952 action of the Federal Communications Commission was a recognition by the Federal Government that the television frequency spectrum was a vital natural resource, a portion of which should be reserved and developed for the broad purposes of the public welfare. The 1962 inauguration of a Federal assistance program for the educational television movement reflected the extension of that attitude along much more progressive lines: namely, that the Federal Government had an obligation beyond the mere reservation of television channels for education; it had the additional obligation to support, through direct, tangible aid, the establishment of a nation-wide noncommercial educational television service.

The study of how that attitude evolved in the collective mind of Congress throughout educational television's first decade is the subject of this investigation. The focus of the study is on the speaking which occurred in both Houses of Congress, in a variety of situations, throughout that period. The object herein is to analyze the Congressional discourse on educational television, to determine (1) the issues which were discussed and (2) the ways in which they were developed, supported, and resolved, in helping to shape the Congressional attitude toward educational television manifested by The Educational Television Facilities Act.

CHAPTER I

AN OVERVIEW OF THE STUDY

The Problem

A Rationale and Definition

Educational television, a subject which Congress discussed from time to time over the course of more than a decade, was not generally considered to be a matter of "vital" national importance, even during the period when educational television legislative proposals were most prominent in the National Legislature. Except for a relatively few educators, broadcasters, critics, and "amateur" service groups, who chose to champion the cause of educational television, it did not appear that the nation as a whole was very much concerned with such legislation during the decade of the fifties and early sixties. "ETV" was not a "page one" issue in the public press.

Consequently, the Congressional discussion of educational television cannot be likened to the debates on The League of Nations, or on neutrality legislation, or on the Selective Service Act, or on certain statehood bills (to cite only a few of the "recognized" national issues which have been studied recently by Speech students). Educational

television legislation was "seemingly" a relatively minor concern of Congress.

And yet, the central question concerning the role of the Federal Government in the development of educational television was kept alive for more than ten years, under three Administrations and six Congresses, before a determination was finalized. The conditions, influences, proposals, and subsequent developments relating to that question are the focal points of this study.

This study may be defined as an investigation of one facet of the educational television movement during a crucial decade in its development, namely, the concern of Congress with educational television facilities legislation. It may be further classified as an "historical-rhetorical-critical" investigation, by virtue of the emphasis throughout on the oral discourse--the speaking in Congress--which occurred with reference to educational television. As an historical undertaking its focus is on an area of educational television development which has been given little attention by other chroniclers of the movement. As rhetorical criticism it continues the study of the role and influence of Speech in American legislative assemblies, the emphasis in this case being on speaking in the United States Congress, during a contemporary period, relative to an issue of national significance.

Justification as a Rhetorical Study

The expression of free men through the spoken word is one of the fundamental principles on which the American form of democracy rests. As the late Alben W. Barkley once noted:

The Congress remains the one great forum for the debate of legislation and for the working out of the democratic process among the nations of the world. It will be a sad day in the history of this country if the United States Senate--or, for that matter, the House of Representatives--ceases to be the forum where men express their opinions and advocate whatever appeals to their judgment and their conscience in the process of making our Nation a greater example of democracy and self-government.¹

The study of those principles and practices, by which the democratic process operates, should always be a worthwhile endeavor of those who are concerned for the democratic form of government; and since the national Congress, the central structure of American democratic government, conducts much of its public business through the medium of speech, it would seem that a study of Congressional speaking should be a legitimate and worthwhile undertaking.

Justification of the Scope

It is the opinion of some scholars that the rhetorical critic should be concerned primarily with the ultimate

¹In a speech to the Senate, January 3, 1949, U.S., Congressional Record, 81st Cong., 1st Sess., 1949, XC, Part I, p. 4.

purposes of speech--the effects sought by the speaker or speakers--within the democratic sphere.¹

The nature and effect of any speech are determined by various factors, which together comprise the total speech situation. Among these may be listed the social setting, the physical setting, the speaker, the audience (determined by various systems of classification), the issues discussed, the structure of the speech--including the various forms of support, and lines of argument--the style of language with which it is phrased, the delivery, and finally the immediate and ultimate response made to the speech by the audience (or an "ultimate" audience). In short, the speech situation may include a multitude of variables, all of which may have some influence in producing an "effect" in a speech situation.

While all of these elements may be considered to lie within the legitimate province of the rhetorical critic, some practical limits--which are discussed below as they relate to this study--must usually be set. Rhetorical critics, it has been noted,

. . . however discerning cannot embrace a study of the universe, of the total pattern of learning, in the evaluation of a speech. They must rely chiefly upon assumptions, hypotheses, and fixed points of reference derived from principal areas of inquiry; and then they must examine available and germane facts in the light of these conceptions.²

¹See Lester Thonssen and A. Craig Baird, Speech Criticism (New York: The Ronald Press Co., 1948), 467-76, passim.

²Ibid., p. 10.

This "common-sense" philosophy of limitation is particularly appropriate when the scope of investigation is larger than a single speech situation. The need for certain limitations is apparent in the present study--the speaking in Congress, relative to an issue which was before that body for more than a decade. It is appropriate to discuss, therefore, the "principal areas of inquiry" which pertain to such a study, to determine which, in the present case, are relevant and/or practicable.

Physical Settings and Audience

The physical settings of the speeches and remarks would seem to be of little significance to this study. They are, first of all, common factors, remaining relatively constant from the beginning of talks to the end--the halls of Congress do not change materially, nor do the Congressional committee rooms. Second, the immediate intended audiences are, likewise, more or less similar audiences, if not substantially the same audiences in the respective settings, whether the discourse took place in the chambers of Congress, or in the relatively less formal sessions of committee hearings--namely, the Members of Congress, acting as representatives rather than individuals.

There is, of course, by the implication of a printed public record of Congressional proceedings, a much wider intended audience for all such discourse. But as far as the subject of educational television was concerned, the national

public seemed to evince little interest, and is, therefore, not being considered here. It is recognized in other cases, however, that public opinion--the activity by forces within the broader public--is often both an effect and a cause of some Congressional discourse.¹

The Speakers

Those individual Members of Congress who spoke regarding educational television legislation while the matter was pending before the Congress will be recognized according to their influence and roles. It must be understood, however, that their remarks are not necessarily true indications of an individual's belief or disbelief in educational television, and may stem from other considerations.

The Congressman who speaks among his peers in the Congress may be expressing views determined by his political commitments, his seniority and committee status within the Congressional hierarchy, or the climate of opinion of the State or region which he represents, rather than his personal convictions or what he believes to be in the national interest. It would, therefore, be difficult to attempt to assess the interrelated factors of personality, integrity, political commitment, expediency, idealism, practicality, and so on, which might have influenced the

¹ In this regard see the corroborating views of Earl Cain, "Is Senate Debate Significant," Today's Speech, III (April, 1955), No. 2, pp. 10-12; and James Bryce, The American Commonwealth, 3rd, II, (New York: Macmillan & Co., 1895, pp. 247-54.

course of the discussion of educational television in the Congress.

The positions taken and statements made by certain individuals do, however, "stand out," in the record of educational television proceedings in Congress, and biographical references will be made to them as they seem to be pertinent to the study.

Textual Accuracy

Two considerations must be recognized in a study which deals with the critical analysis of speeches and other remarks in Congress: first, the authenticity of the texts of speeches on the floor and in the committees of Congress, and second, the degree to which these reports truly reflect oral discourse.

It has been well established that the "official" organ, The Congressional Record, in which the proceedings of Congress are reported in detail, does not (in spite of appearances) necessarily provide a verbatim transcript of each daily session of Congress.¹ The situation has been a

¹See, in this regard, the following:

Waldo W. Braden, "The Senate Debate on the League of Nations," Southern Speech Journal, XXV (1960), pp. 273-81.

Earl R. Cain, "Is Senate Debate Significant?" Today's Speech, III (April, 1955), p. 10ff.

Giraud Chester, "Contemporary Senate Debate," Quarterly Journal of Speech, XXXI (1945), pp. 407-11.

R.L. Duffus, "Putting the Congressional Record to Bed," New York Times Magazine, March 19, 1933, Sec. VI, p. 19.

matter of concern both within and outside Congress for some time. Numerous exchanges have taken place, on the floors of Congress and in the press, in attempts to alter (or at least publicly acknowledge) the fact that The Record is changed, edited, and extended prior to publication as a matter of routine privilege and tradition by most Members of Congress.¹

John R. Fitzpatrick, "Congressional Debating," Quarterly Journal of Speech, XXVII (1941), pp. 251-55.

Elizabeth Gregory McPherson, "Reporting the Debates of Congress," Quarterly Journal of Speech, XXVIII (1942), pp. 141-48.

Richard L. Neuberger (U.S.S.), "The Congressional Record is Not a Record," New York Times Magazine, April 20, 1958, Sec. VI, pp. 14ff.

Zon Robinson, "Are Speeches in Congress Reported Accurately?" Quarterly Journal of Speech, XXVIII (1942), pp. 8-12.

Jerry Voorhis, "Effective Speaking in Congress," Ibid., XXXIV (1948), pp. 462-63.

"Words as Spoken" (editorial) New York Times, March 6, 1928, p. 26:3.

The writer was privileged to observe at first hand the preparation and editing of the verbatim transcript of Senate proceedings, prior to the publication of the Record and can also attest to the conclusions reached by the above.

¹In addition to the footnote references cited immediately above, see the following recent observations:

A colloquy in the Senate, July 16, 1957, Congressional Record, CIII, Part 9, 85th Cong., 1st Sess., pp. 11799-802.

Remarks in the Senate by Senator R. Neuberger, on the introduction of a bill to reform Senate reporting procedures (S.Res.193, 85th Congress), August 22, 1957, Ibid., Part 12, pp. 15565-66.

A colloquy in the House of Representatives relative to the "Integrity of the Congressional Forum," April 16, 1958, Ibid., CIV, Part 5, pp. 6594-97.

There are recognizable limitations, therefore, to the value of the Record as a source of transcripts, and there are problems inherent in drawing inferences from the statement of the Record with respect to other factors of the speaking situation, such as characteristics of delivery, or the audience, or the effects.

The reports of Congressional committee hearings, on the other hand, contain, usually, the verbatim transcripts of the proceedings as they actually took place, and are only slightly edited for grammatical purposes prior to their publication. But not all committee meetings are public, and not all public meetings are reported in published hearing records. And, even in the records, much of what appears as testimony or evidence is introduced into the hearing as printed or visual material rather than oral statement. An attempt has been made in this study to separate those materials which are insertions in the record from those which appear as verbatim transcribed oral testimony.¹

The printed records of public committee hearings comprise the sources of most of the "raw material" of this

Remarks in the Senate by Senator Allott, relative to the Neuberger resolution (above) and the latter's New York Times article, April 21, 1958, Ibid., pp. 6816-18.

¹Various "cues" contained in the record provide a basis for arriving at these distinctions: the labeling of "exhibits," "statements submitted for the record," and "communications," and a reduced type-face, on the one hand, and internal cues expressed in the dialogue and flow of direct testimony and questioning, on the other.

study, for while Congressional committees play a major role in the development of any piece of legislation, they played a particularly important one in the matter of educational television legislation. The amount of committee discussion on educational television exceeded that on the floor of Congress by better than ten to one. The issues were explored in eight public hearings (during four Congresses), additional executive sessions, and a joint conference committee meeting.¹

Delivery

This study is not concerned with the delivery of speeches and other oral discourse on educational television in the Congress as such. The consideration of factors of delivery creates many problems which are difficult to remedy except under conditions where observations can be controlled.

¹The hearings having greatest relevance were held during the following Congresses:

- 82nd, 1st Session: S. Res. 127 (May 31, 1951);
- 83rd, 1st Session: Senate Hearings on Educational Television (April 16 and 21, 1953);
- 84th, 2d Session: S.3095 (May 19, 20, 21 and June 15, 16, 17, 18, and 22, 1954);
- 85th, 2d Session: S.2119 (April 24, 25, 1958), S.2119, H.R.13297, H.R. 12177 (July 15, 16, 1958);
- 86th, 1st Session: S.12 (January 27, 28, 1959), H.R. 32, H.R.1981, H.R.3723, H.R.4248, H.R.4572, H.R.2926, H.R.3043, and S.12 (May 12, 13, and again November 3, 12, 14, 16, December 1, 3, 4, 7, and 8, 1959);
- 87th, 1st Session: S.205 (March 1, 2, 1961), H.R.132, H.R.5099, H.R.5536, H.R.5602, H.R.645, H.R.965,

Since Congressional discourse of all types (except on special occasions, such as Presidential addresses to Congress, or public hearings on specific issues which merit national public attention) is recorded only by stenographic transcription, direct observation is the only way to authenticate aspects of delivery. The electronic news media are not usually permitted to record Congressional proceedings, and they could not record all relevant aspects of delivery in any case because of their technical limitations.¹ Therefore, the characteristics of delivery of past Congressional discourse cannot be described or evaluated except through the use of secondary sources.

Turning to another aspect of delivery, that of the degree of spontaneity displayed by the respective speakers--along the "manuscripted-impromptu" continuum--it is similarly not possible to obtain sufficient reliable information by which to develop a thorough investigation of this facet of

H.R. 2910, and S. 205 (March 20, 21, 22, 23, May 17, 18, 1961).

Hearings before the House Rules Committee were held May 12, 1960 and February 26, 1962.

A joint Conference Committee met and resolved differences between the two Houses on April 12, 1962.

¹In the case of radio, obviously, no visual aspects of delivery could be recorded, except through commentary by a narrator; television, on the other hand, has the choice of being either non-selective, to the point of meaninglessness, or editorially selective, at the whim of the director, or cameraman, or both. Either medium, of and by itself, is a "reproducer," not an "evaluator;" and both media, therefore, are dependent on and influenced by the critical faculties of the "operator."

delivery as it might relate to the Congressional discourse on educational television.

First of all, for the same reasons noted above, it is difficult to determine the manner by which speeches were presented (with respect to this particular characteristic) except through secondary sources. And second, as Thompson and Linkugel, for instance, have noted, there is apt to be no consistency in the Senate (or in the House) regarding a particular method of delivering speeches (along the manuscript-impromptu continuum); at various times and for various purposes, they point out, Senators use combinations of notes, manuscript, memory, or spur-of-the-moment impulse, in expressing themselves on particular issues before that body.¹

Style

Style (in the traditional rhetorical concept of "language") is not treated in this study as a "principal area of inquiry," but is discussed here and there in the framework of specific speeches and particular instances.

The types of speaking, as well as the time-span covered by this study, would make consideration of style a very difficult undertaking since most of the Congressional discussion of educational television took place in committees, where dialogue, rather than public address, is the more common mode of expression.

¹Philip K. Thompkins and Wilmer A. Linkugel, "Speech in the Senate," Today's Speech, VII (February, 1959), p. 31.

In addition, some evidence indicates that the "style of floor speaking" in general (including style and other factors such as delivery) does not affect voting behavior in most Congressional debate, or, as one critic has put it:

neither the manner or delivery nor the eloquence of the language nor the quality of the speaker's voice nor many of the other factors that make for victory in oratorical contests and even in political campaigns make any very great contribution to the effectiveness of a Congressional speech.¹

Even on the floor, however, where speaking is more formal, and style is therefore more evident, it has been noted that the style which once typified Congressional address is no longer prevalent. Charles Beard has pointed out that oratory of the "grand style"

is no longer appropriate to or useful in the discussion of the complicated questions of our day
...²

These observations seem to justify the position taken here, that the most meaningful treatment of style (and other factors of the speech situation as well) can be developed by considering them as supplemental to the expression of ideas and lines of thought within a Congressional referent.

¹Voorhis, Quarterly Journal of Speech, XXXIV (1948), p. 463. See also David S. Broder, "Great Speeches Aren't Necessarily Good Politics," New York Times Magazine, March 29, 1964, pp. 7ff, passim.

²Charles A. Beard, "In Defense of Congress," American Mercury, LV (1942), p. 530.

Invention

Three very significant aspects of Speech which are of great importance to this study may be classified under the general classification heading of Invention: The issues, or central themes, which emerged during Congressional discourse on educational television legislation; the lines of thought and/or argument developed within the discussion; and the supporting materials--including the structure of materials within a speech referent--by which the respective positions were evolved and maintained. These three interdependent factors do comprise a "principal area of inquiry," with which sections of this study will be concerned. Their significance is as follows:

Issues

The issues are of paramount importance in this investigation because they reveal several other variables, whose influence was felt in one quarter or another of the public or private sector during the period under study. Locating and identifying, classifying, and interpreting the issues which concerned Congress, with respect to educational television, will lead to a recognition of the currents of public opinion and private interest (as well as Congressional sensitivity to these) as the discussion ebbed, eddied, and flowed during the period. It is with reference to the issues, principally, that other objects of investigation--speakers, events, and attendant social circumstances among

them--have their relative significance.

Lines of Thought

Following from, and closely related to, the issues which may be perceived are the lines of thought, and in some cases arguments, which were developed both in favor or and in opposition to the Federal Government's support of educational television. An analysis of these factors of the discourse will reveal not only (1) information about the prevalent attitudes of the Congress with respect to the educational television movement, at various times, and what Members of the Congress perceived to be the most significant issues at stake, but also (2) something of the strategy of the Congressional debate which took place to effect legislation in the area.

Supporting Materials

Finally, and again closely related to both of the preceding, supporting materials are considered to be important--those facts, opinions, and other testimonials from diverse sources which were interjected into the continuing discourse. The analysis of these again, will not only reflect what the Congressional speakers themselves deemed to be important to their consideration of the subject, but also (and in a broader sense) reveal much about the climate of opinion in a circle of immediate concern with educational television and television in education. To some extent these

may also indicate, by inference, the outcome of legislative deliberations.

Social Setting

The social setting--or "climate of opinion" is of equal significance to the above area.

In treating a specific speech, under specific conditions, at a particular moment in time--"freezing," as it were, the attendant forces which impinged upon that speech act it may be sufficient to consider the "climate," or social setting, within which the speech occurred as a "constant," or of a certain fixed magnitude. But the social setting within which a movement occurs (such as the educational television movement) is most appropriately characterized by the changes which are constantly taking place.

Conditions and events in the world at large, especially in the areas most closely related to the topic under investigation--such as education, for instance, and the broad aspects of telecommunications--did exert specific influences on the Congressional activity. It is especially important to note the changes in the social and political "climate" which may have had an influence on the specific outcome of the discourse. Specifically, this study is concerned with the changes in four interrelated areas: the educational scene in general, as it was influenced by external events and technological developments; the development

of television on the American scene; the specific growth and the development of the educational television movement; and the political and social concerns of the Congress.

Summary

This study can be justified as rhetorical research, therefore, since it deals analytically with some aspects of a discontinuous, but recurrent, discourse in the Congress of the United States, relating to educational television legislation. The following "areas of principal concern," are components of this discourse:

1. The principal issues directly related to the subject of educational television legislation during the time encompassed by the study.
2. The positions established and lines of thought developed during the course of Congressional consideration of the subject.
3. The supporting materials used to substantiate those positions.
4. The social setting and "climate" within which the discourse took place, and specifically in the areas relevant to the central topic under study.

Justification by Methodology

This study can also be justified by the means used to treat the various speech elements and factors discussed

above. These fall into three phases of rhetorical criticism:¹

1. Description--the narration of events as they occurred, issues as they arose, attitudes as they were expressed, and persuasive appeals as they were developed throughout the period under investigation.
2. Interpretation--the attempt to relate issues, positions, and supports on the one hand, and events, attitudes, and the changing "climate," on the other, to one another, within the nexus of relevant factors.
3. Analysis--the attempt to explain the causal or associational relationships which appear to have existed between the variables.

Justification by Previous Rhetorical Studies

There have been a number of studies in the field of Speech which have dealt with Congressional speaking relative to a particular issue. There have also been many other rhetorical studies which have dealt with speaking in the Congress in a general way. In addition, there have been a few studies which have included Congressional speaking within

¹A more complete discussion of the relationships of these areas of research to the Historical-Critical speech study may be found in Kenneth G. Hance, "The Historical-Critical Type of Research: A Re-examination," Central States Speech Journal, XIII, No. 3 (Spring, 1962), p. 169.

the larger framework of public discussion on a national issue. And there have been a great many rhetorical-biographical studies concerned with individuals who were, or are, legislators. The speaking in the Congress of those individuals is, of course, a part, and in some cases the whole focus, of those studies.

Analysis of Graduate Studies of Congressional Speech

A review of theses and dissertations, completed or in progress, as reported or abstracted in the Knower, Dow, and Auer indices of Speech Monographs, reveals that out of thirty-five studies dealing with Congressional speaking in one phase or another (excluding those rhetorical-biographical studies which have a legislator as their subject of inquiry), twenty-four deal with Congressional speaking within the framework of a specific issue before the National Congress. Nine are concerned with specific characteristics, or "modes," of speaking in the Congress, but without reference to a particular subject under discussion.¹

A review of the available abstracts of the twenty-four studies which focused on a particular issue, reveals the following:

1. At least ten of these studies included biographical materials relative to some speakers.

¹The studies referred to are listed in detail under particularized headings in the Appendix.

2. Fourteen or more emphasized the historical setting, or context, of the Congressional discourse.
3. About twenty studies laid a heavy emphasis on the description, analysis, and interpretation of debate, or argumentative techniques, used in the Congress.
4. At least six studies (but probably not many more) attempted to evaluate the significance of Congressional discourse relative to legislative procedure, public opinion, and/or national welfare.
5. Perhaps as few as four studies attempted to show a continuity, development, or evolution, of argumentative techniques, or issues, throughout a period of Congressional discourse on a single issue.
6. Three studies dealt with Congressional hearings.
7. Eighteen studies dealt with speaking on the floor of Congress.
8. Three studies considered speaking in the House of Representatives (or its committees) only.
9. Twelve studies considered speaking in the Senate (or its committees) only.
10. Nine studies included speaking relative to an issue in both the House of Representatives and the Senate (and/or the committees of both).

Conclusion

It may be concluded, on the basis of the previous analysis, that:

1. Congressional speaking relative to an issue affecting the national welfare (even if not of publicly recognized significance) is an accepted area of graduate study in departments of Speech throughout the country. It seems, furthermore, that this type of speaking, as an area of study, has greater acceptance than Congressional speaking disengaged from particular topics (twenty-four studies in the former category, compared with nine in the latter).
2. More than half the studies reviewed dealt with the social or historical context within which the Congressional discourse took place, indicating that Congressional speaking does not occur in a legislative vacuum--it has relevance and significance within a framework of larger national scope.

The fact that so few studies (six) have attempted to define the actual influence of Congressional discourse on legislative outcome may stand as mute testimony to the complexity of the legislative process. It may be difficult, if not altogether impossible, to determine which elements--committee hearings, caucuses,

lobbying, floor speaking, paired-voting, patronage, and the like--play what roles in the outcome of legislative concerns.¹

3. Nearly all of the studies dealt with (1) the analysis of argument, and (2) the relationships between Congressional speaking and the issues at hand. This would seem to indicate that description, interpretation, and analysis, as applied to Congressional speaking, are acceptable, perhaps even desirable, elements of rhetorical studies in this area.
4. The fact that only a few studies (four) covered any extended period of time may indicate that more studies of that type are needed, to add to the body of available research relative to Congressional speaking. Only a few studies covered an issue over several years; most were concerned with one series of debates, or one particular session of Congress, or one legislative proposal.

¹Several published articles corroborate this point of view. See especially, Cain, Today's Speech, III, No. 2 (April, 1955), pp. 11, 26; Chester, Quarterly Journal of Speech, XXXI (1945), p. 410; Thompkins and Linkugel, Today's Speech, VII, No. 1 (February, 1959), p. 30; and Voorhis, Quarterly Journal of Speech, XXXIV (1948), p. 463.

5. The Senate, and particularly the speaking on the floor of the Senate (that is, excluding committee hearings), has received most of the attention of Speech students to date. This seems to indicate that there exists a gap in the body of Speech research with respect to both committee hearings and speaking in the House of Representatives.¹

This study, therefore--which includes the description, interpretation, and analysis of Congressional speaking in committees and on the floors of the House of Representatives and the Senate, concerning an issue of National welfare, and over an extended period of time--can be justified by the precedents which may be found in previous graduate Speech research programs.

Justification as History

The "raw material," as it were, from which this study grew, came from many sources. Most of it is fragmentary and limited in its view. Some of the published

¹It has been pointed out by Cain, however, that the Senate is "easier to study," for one thing, and that the basic principles and practices which are evident in Senate speech are similarly evident in the House. This view may, or may not, be a warranted assumption. In any case, the House of Representatives has been overlooked in most Speech research to date. See Earl R. Cain, "A Method for Rhetorical Analysis of Congressional Debate," Western Speech, XVIII (1954), p. 91; also "Is Senate Debate Significant," Today's Speech, III, No. 2 (April, 1955), p. 10; and "Why Analyze Congressional Debate?" Speaker, XXXVII (May, 1955), p. 11.

materials are now out of print, and hence no longer readily available to students of Broadcasting and Speech. Other materials, including unpublished manuscripts, uncatalogued pamphlets, correspondence, and information developed from meetings with individuals who participated in the educational television movement during the period under study, will become increasingly difficult to obtain as time goes on. There is justification, therefore, for bringing together some of the many elements which are a part of the legislative history of the educational television movement in the United States, which this study purports to do.

There are several treatments of the history of educational television to which the writer is more than a little indebted,¹ but few of these deal with the activities of the Congress and its concern with educational television.

¹Among the more prominent are the following:

Franklin Dunham, Ronald R. Lowdermilk and Gertrude G. Broderick, Television in Education, (Washington: U.S. Department of Health, Education and Welfare, 1957), Bulletin No. 21.

The Ford Foundation, A Ten Year Report of the Fund for Adult Education (New York: privately published by the Foundation, 1962).

_____, Teaching by Television, (New York: May, 1959 and January, 1961).

Harold E. Hill, The NAEB: A History (Urbana: National Association of Educational Broadcasters, 1954), mimeographed.

Richard B. Hull, "A Note on the History Behind ETV," in Educational Television, The Next Ten Years (Stanford, Institute for Communications Research, 1962), 334-45.

_____, "The History Behind ETV," NAEB Journal, XVII (1958), 3-6ff.

There is, therefore, a need for a history of educational television which emphasizes the role of the Federal Congress in the movement.

Precedent Studies in Broadcasting

Not many studies have been concerned with Congressional broadcasting legislation activity in the same sense with which this study is concerned--that is, the analysis of issues in a continuing movement. Most broadcasting studies in the Speech discipline which have been concerned with Congress or the government have centered on the broadcasting speaking of an individual Member of Congress, or on administrative procedures of a regulatory agency, such as the FCC.

Among those studies conducted at the Master's or Doctoral level which have treated broadcasting from an historical-critical standpoint, the majority have dealt with specific broadcasting installations and innovations, such as stations, or program developments.¹ It does not appear that

John Walker Powell, Channels of Learning (Washington: Public Affairs Press, 1962).

Donald G. Tarbet, Television and Our Schools (New York: Ronald Press Co., 1961).

Harold E. Wigren, "ETV: The Story Up to Now," NAEB Journal, XVIII (1959), pp. 3-6ff.

Anthony W. Zaitz, "The History of Educational Television: 1932-1958" (unpublished Ph.D. dissertation, Department of Speech, University of Wisconsin, 1960).

¹See the Appendix for a list of specific studies of these types.

there has been any significant research attempt in the specific area which this study encompasses.

The Design

Suggested Hypotheses¹

To aid in the study and analysis of the role of Congress and its concern with educational television during the first decade of the movement, certain hypotheses have been formulated. These provide referents by which, it is hoped, information developed will have greater significance than might be the case with a random analysis. The hypotheses of this study are:

1. The issues in the Congressional discussion and debate regarding educational television tended to follow, rather than lead, the issues concerning educational television which developed outside Congress (i.e. in the press and in public opinion).
2. Congressional discussion and debate on the subject of educational television tended to rely heavily on "external" materials (i.e. materials developed or prepared and presented to the Congress by agencies or individuals outside the Congressional ranks), rather than "internal" materials (those developed within Congress itself).

¹The term "hypothesis" as used in this and subsequent sections is taken to mean "a preliminary guess at the truth, based on limited evidence or even on mere suspicion. . . ." (See Edwin L. Clarke, The Art of Straight Thinking [New York: D. Appleton & Co., 1929], p. 210.

3. The issues which were developed in committee sessions of the Congress tended to set the limits of the floor discussions which followed.
4. In the floor discussions and debates on educational television legislation, the principal spokesmen on the respective bills (representing both sides of the question) tended to be members of the committees which previously handled the bills.
5. The House of Representatives contributed little to the discussion of the issues pertaining to educational television which had not previously been generated in the Senate.
6. The fact that educational television facilities legislation was being discussed in the Congress served as a deterrent to the development of educational television facilities throughout the country during those periods when such legislative proposals were prominent.
7. The Congressional discourse--that is, the speaking which took place in the Congress--had relatively little influence on the outcome of the legislation at stake. That is to say, private influence played a greater part in bringing about the passage of enabling legislation than public discussion.

Scope and Limitations

Subject and Time

This study has one area of Federal legislative concern as its frame of reference: the proposed enactment of appropriate measures designed to help establish educational television facilities throughout the nation. "Educational television" includes those closed- or open-circuit installations owned, operated, and utilized by, and for the exclusive purposes of, educational organizations and institutions, and television programs of an educational nature.

From a chronological standpoint, this study embraces a period of slightly more than ten years--extending from 1951 into 1962--culminating in the enactment of the Educational Television Facilities Act of 1962 (P.L. 87-447), an act permitting the Federal Government to aid the States in establishing educational television facilities.

Area of Emphasis

This study is primarily concerned with the principal public issues developed through oral discourse during the official meetings of Congress and its committees. Such discourse includes speeches and debate in the respective chambers of Congress and in committee hearings, as reported in official Congressional documents. Less emphasis will be directed toward private discussion, executive sessions, political meetings, and the like, because (1) the chief concern of the study is on the "public" issues,

and (2) because there is a lack of documentary or authoritative evidence to support statements which might be made about these meetings.

Resources and Materials

The public records of Congress (i.e. The Congressional Record, and the official, published transcripts of Congressional hearings) constitute the main sources used to establish what was said in Congress relative to educational television. Textual accuracy is not of paramount concern here, inasmuch as the emphasis is on the issues generally rather than the words specifically. It is assumed, on the evidence presented by other researchers, that the above sources are reasonably accurate accounts of the actual discourse, barring the reservations made in certain instances.¹ Besides, the public record is all that is available of a substantive nature regarding Congress's discussions of educational television. In the absence of the public record, it would be virtually impossible to obtain specific and detailed information on the actual proceedings.

¹Cain, for instance, notes that the Record is pretty much a representative transcript of what really happens on the floor of Congress (Cain, Western Speech, XVIII, 1954, p. 95). Even Neuberger concedes that, by and large, the Record reflects the intent, if not the verbatim expression, of the respective speakers on the floor (Neuberger, New York Times Magazine, April 20, 1958, p. 14).

It has also been observed by the writer that the published hearings of Congressional committees are as near to verbatim transcripts (excepting grammatical corrections and punctuation) as it is possible to reproduce. See also Robinson, Quarterly Journal of Speech, XXVIII (1942), pp. 9-10.

An attempt has been made to exercise some degree of control over the quantity of material, and to establish its validity relative to the issues of the discussion. Hence, only those materials which were spoken for the record have been considered as oral discourse. This includes speeches, oral exchanges in discussion, questions, cross-examination of witnesses, and statements for the record which were delivered orally.

Materials which have been excluded from consideration (even though they may appear in the narrative in another context) include such items as "extension of remarks" in the Record, articles, charts, letters, reprints of testimony, and other materials which, while they appear as part of the public record on educational television cannot be classified as part of the oral discourse.

It is difficult in any case to determine the influence of those ideas which were presented orally. The Record gives very little indication of the audience present on the floor of Congress during a colloquy or a speech, and committee hearings are often conducted before a very few Members of the designated committee (and even this audience changes--minute by minute in some instances). It is impossible, to determine, furthermore, with any degree of certainty, how much of the Record is read by any one Member of Congress on any specific day, or how much of the committee transcript is read by any Member not present at the actual hearing.

It will be assumed for the purposes of this study that oral presentation carries greater weight with the actual hearers of a statement than a later reading of the written transcript by those who did not hear it. It will also be assumed that the transcript of oral questioning and rebuttal, has a greater impact on the reader of such a document than "statements for the record" and miscellaneous materials submitted as supplementary information.

The Speakers

While this study is primarily concerned with Congress (and therefore, the Members of Congress who spoke on the educational television issues command the greatest attention), other individuals also appeared as spokesmen of particular views during the discussion. Generally, they were witnesses before the committees of Congress itself, and as such they are treated within the framework of the legislative referent. It is not possible, however, to overlook completely the activities of other, non-Congressional agencies (such as the Government agencies of the Administration--the Federal Communications Commission, and the Department of Health, Education, and Welfare, for instance) and educational television groups, industry organizations, and private citizens, who indirectly influenced the developments taking place in Congress. Materials stemming from these sources have been considered where appropriate.

Historical Background and "Climate"

The historical aspects of the educational television movement outside Congress have been treated only in broad general terms. This study is not to be considered a history of the movement itself, but rather a history and analysis of one facet of it. Naturally, certain developments, modes of thought, and forceful contributions by outstanding personalities influenced the activities of Congress. These are referred to as it is deemed necessary, and fall into the following categories:

1. Developments within the educational television movement itself such as the establishment of educational television stations and closed-circuit installations, and the general growth of television as a medium for education and enrichment.
2. Issues relating to the educational television movement, including the opinions and attitudes of educators and other groups toward the development of educational television. Included in this category are such topics as the best means of financing educational television; the degrees and agencies of control over educational television operations; and the "legitimacy" of reserved television channels for educational purposes (as opposed to educational services by other television outlets).

3. Issues concerning the television industry generally, including the continuing discussions about frequency allocations; various financial bases of operation; the public reception of various television services and types of programs; and the responsibilities of broadcasters.
4. Issues affecting the broad scope of education in the United States, including the challenges to the educational system posed by technological change, an expanding school population, and the "Cold War" competition with the Soviet powers in education and technology.
5. General public issues of national concern to the Congress and the public at large during the period under study.

Methodology

The method by which this study was conducted resembles that suggested by earlier rhetorical-critical studies in Speech, but does not follow any one of them exactly. This is due more to the particular character of the topic, and the emphasis of the design, rather than to any deliberate attempt to develop new methodology for the criticism of Congressional rhetoric.

The steps by which the research was conducted may best be summarized as follows:

1. A general and comprehensive review of the literature was undertaken, to discover the significant developments which took place in the area of television generally, and specifically in the educational television movement during the "post-freeze" decade. An attempt was made to relate these developments to the various climates of opinion and larger national issues developing simultaneously.
2. A dossier was assembled, which included all available public records of Congressional activity with respect to educational television. The information obtained from these printed sources was supplemented, verified, or clarified, by correspondence and interviews with persons who had direct, personal knowledge of the Congressional activity concerning the educational television discussions. Much of this work was done on a field trip to Washington, D.C., in May, 1963, where those persons who were closest to the issues could be found.
3. The materials were analyzed to isolate the "principal" issues which attended the Congressional discourse on educational television.
4. The issues were related to the historical and social framework in which they occurred. An

attempt was made to determine the origin of the issues and to identify the respective sources of various points of view on those issues which subsequently became a part of the Congressional dialogue.

5. Finally, an attempt was made to relate the Congressional discourse on educational television to the relevant "external" and "internal" issues. The oral argument on educational television legislative proposals was analyzed in an attempt to isolate the significant lines of thought or influence, and to explain and evaluate these in terms of their importance and relevance to other developments, opinions, or policies, both within and without Congress.

Organization of the Report

The remainder of this report is divided into chapters, all but the last of which deal with a chronological period. Chapters three through seven are divided into sections dealing respectively with (1) a survey of the general "climate" and television developments of the period, (2) the issues and developments of the period specifically relating to educational television, (3) an analysis of the Congressional activity and discourse, with respect to educational television legislation and legislation affecting educational television during the period, and (4) an interpretative summary of the period.

The chapters and the periods they cover are as follows:

Chapter Two is devoted to an historical overview of educational television developments, and Federal activities in that area through 1950. The period covered includes early educational television developments and the earliest attempts by the Congress to recognize educational television legislatively.

Chapter Three is devoted to a discussion of the events of 1951 and 1952 which led to the reservation of specific channels for educational television, and the activities of the Eighty-Second Congress affecting the movement.

Chapter Four covers that period between the "Sixth Report and Order" of 1952, and 1957, when the first legislative attempt was made to provide funds for educational television facilities construction.

Chapter Five deals with the educational television issue during the period embraced by the Eighty-Fifth Congress (1957-1958).

Chapter Six treats the events and developments which occurred during the period of the Eighty-Sixth Congress (1959-1960).

Chapter Seven is concerned with the educational television developments occurring during the Eighty-Seventh Congress, concluding with the final passage and enactment of Public Law 87-447 (1961- May 1, 1962).

Chapter Eight contains a summary of highlights of the study and conclusions derived from it.

CHAPTER II

THE BACKGROUND OF EDUCATIONAL TELEVISION

Introduction

This chapter contains a general and comprehensive background on the history and development of educational broadcasting, and especially educational television, from its beginnings to the point at which educational television per se achieved significance--the point at which an educational television "movement" can be recognized as an organized, active force oriented toward a positive outcome. The period covered by this chapter spans the twenty-year period embracing the beginnings of television programming through 1950.

The Early Period of Television--1930-1935

Educational Broadcasters

The history of educational television is almost as long as the history of television itself; and the history of television is as long as, or longer than that of radio.¹

¹As early as 1880 a system of transmission of light images to a distant point was proposed, and by 1893 a mechanical, disc-scanning system which incorporated broadcast impulses had been developed by the Austrian physicist Nipkow. It was not until the early 1930's that interest in the

The first educational programming probably took place at the State University of Iowa, where, between 1932 and 1939, more than 400 programs, including lectures on art and science, public service programs, and entertainment, were broadcast through the facilities of the University's experimental station W9XK.¹

But the motivation behind these early television experiments at Iowa, as at other universities, was less for the programming service to viewers (what there were of them) than for research purposes and investigation of the transmission and propagation of television signals. In this regard the early development of television in education paralleled the early development of radio broadcasting by educational interests. As one of the leading engineer-designers of early broadcasting outlets observed later,

mechanical scanning device pioneered by Nipkow declined in favor of electronic systems of transmission and reproduction of light images by means of cathode-ray tubes.

An interesting, non-technical discussion of these and other points may be found in a speech by Allen B. DuMont, "Educational Television," A Television Policy for Education, ed. Carroll V. Newsom (Washington: American Council on Education, 1952), pp. 13-25.

¹"On one occasion, an oral hygiene demonstration showed the proper technique for brushing one's teeth. A dramatic arts student . . . produced a TV drama . . . as his master's thesis." William Kenneth Cumming, This Is Educational Television (Ann Arbor: Educational Television and Radio Center, 1954), p. 1.

The pioneer in educational broadcasting was the engineer and not the specialist in education or the educational administrators. . . . Leading educators . . . never¹ looked upon their stations as major activities.

Only a small, hard core of educational broadcasters and educators who saw broadcasting as an "instrument of general culture providing an alternative national program service . . . and as a systematized and sometimes total tool of formal education," survived the virtual decimation of educationally operated radio stations in the 1920's and early 1930's.² Out of their numbers were developed, first, the Association of College and University Broadcasters (which was succeeded by the National Association of Educational Broadcasters -- NAEB) and, soon after, the International Institute for Education by Radio (later the Institute for Education by Radio and Television -- IERT), the spearhead groups which kept alive education's hopes for the utilization of the broadcast media for educational and cultural purposes. These were truly the "founding fathers" of the educational television movement in the United States.³

¹C.M. Jansky, quoted by Richard B. Hull, "A Note on the History Behind ETV," Educational Television: The Next Ten Years (Stanford: Stanford University Institute for Communication Research, 1962), p. 338.

²Ibid.

³

The ACBUS was founded in 1926, at a meeting called by then Secretary of Commerce Herbert Hoover (Ibid., p. 337). See also Harold Hill, The NAEB: A History (Urbana, National Association of Educational Broadcasters, 1956), passim.

The annual Institute for Education by Radio (and later also Television) was begun at Ohio State University

Commercial Developments

Commercial broadcasters were less reluctant than educational administrators to overlook the programming potentials of television in the early 1930's. The development of the Zworykin cathode-ray television receiver tube late in the twenties spurred the commercial networks to vigorous experimental efforts in television broadcasting.¹

The established commercial radio broadcasters were acutely sensitive, moreover, even in those early days, to allegations that they might be abrogating their public service responsibilities through "overcommercialization." A movement by the NCER (National Committee on Education by Radio, a citizens' group formed through the efforts of the ACBUS) to press Congress for the reservation of certain radio frequencies for educational purposes was met by a resourceful and articulate commercial broadcasting industry.

Some educational programs of the highest quality were presented as a service of the networks to the schools,

in 1930 under the sponsorship of Dr. W.W. Charters, Director of Educational Research at the institution. (Hull, "A Note on the History Behind ETV," p. 338). See history of this event chronicled in the series of volumes reporting the annual proceedings at those meetings: Education on the Air (33 vols.; Columbus: Institute for Education by Radio and Television, annually).

¹The National Broadcasting Company (NBC) opened its experimental television station W2XBS in July of 1930, and The Columbia Broadcasting System (CBS) was on the air with an experimental television station (W2XAB) a year later, both stations operating through transmitters located in New York City ("The Highlights and Sidelights of Radio-TV's Past 25 Years," Broadcasting, October 15, 1956, p. 168).

while, at the same time, the industry denied that educational interests had any real need for reserved frequencies.¹

Congressional Concern

The Senate, in 1932, adopted a resolution (S. Res. 129) introduced by Senator Couzens at the instigation of the NCER to investigate radio advertising and to "study the feasibility of government operation of broadcasting along European lines."² The Federal Radio Commission reported six months later that its investigation showed that

any plan . . . to eliminate the use of radio facilities for commercial advertising purposes, will if adopted, destroy the present system of broadcasting.³

But the movement for the reservation of specific radio frequencies for educational purposes continued and gained sufficient Congressional support to make it a significant issue in the debate on the Communications Act of 1934.

Opponents of the proposal were inspired by the realization that the only way to make such reservations would be to take back assignments already made to commercial operators, since there were no desirable unused assignments to be had.⁴

¹Broadcasting reported, on January 1, 1932, the results of a program survey indicating that stations licensed to educational institutions devoted eight per cent of their time to "educational" programs, whereas commercial broadcasters were at that time devoting ten per cent of their time to "educational" programming. Ibid., p. 170.

²Ibid., p. 170. See also U.S., Congressional Record, 72nd Cong., 1st Sess., 1932, LXXV, Part 2, pp. 1412, 1759, 1760.

³Broadcasting, October 15, 1956, p. 172.

⁴Sydney W. Head, Broadcasting in America (Boston: Houghton-Mifflin Co., 1956), p. 401.

Some segments of the industry felt that reservation of up to twenty-five per cent of the radio frequency spectrum for educational purposes (a figure proposed in some quarters) would wreak havoc on the commercial broadcasting industry. More than that, it would establish a precedent which would undoubtedly have far-reaching effects on the commercial development of television, which was then in the final stages of laboratory experimentation.¹

With the fate of the Communications Act hanging in the balance, a compromise was arranged: educational reservations were not included as a part of the Act, but a paragraph -- Sec. 307 (c) -- was inserted which stipulated that the Federal Communications Commission, instituted under the provisions of the Act, should

study the proposal that Congress by statute allocate fixed percentages of radio broadcasting facilities to particular types or kinds of non-profit activities, and shall report to Congress, not later than February 1, 1935, its recommendations together with the reasons for the same.²

That report, filed by the FCC on January 22-23, 1935, might well be considered a benchmark in the history of educational broadcasting in America, for it sealed the door against reserved frequencies for educational broadcasting for thirteen years. In part the report noted:

¹Ibid.

²U.S., Communications Act of 1934, Sec. 307 (c).

It would appear that the interests of the nonprofit organizations may be better served by the use of the existing facilities, thus giving them access to costly and efficient equipment and to established audiences. Cooperation in good faith by the broadcasters is required. Such cooperation should, therefore, be under the direction and supervision of the Commission. It is our firm intention to assist the nonprofit organizations to obtain the fullest opportunities for expression.¹

And so, in 1935, commercial broadcasting interests were left in clear possession of the broadcasting field. Mindful of their victory, and of their public service responsibilities, they provided, generally, a well-balanced schedule of programming fare, including (especially at the network level) some truly outstanding educational programs and services to education.²

Gradually, however, commercial pressure and industry competition forced organized radio to terminate much of its educational programming; and educational broadcasting was largely left to the "hard core" of mid-west state university broadcasters, such as WHA (University of Wisconsin), WKAR (Michigan State College), and WOI (State University of Iowa).

¹U.S. Federal Communications Commission, Report to Congress Re: Sec. 307 (c), Communications Act of 1934, 76th Cong. 1st Sess., January, 1935, as quoted in Llewellyn White, The American Radio (Chicago: University of Chicago Press, 1947), p. 158; U.S. Congressional Record, 76th Cong., 1st Sess., Vol. LXXIX, Part 1, pp. 761, 859.

²For instance, "The Chicago Round Table of the Air," "The American Town Meeting of the Air," and Blevins Davis's "Great Plays" series, to cite only three out of many.

Development and Change - 1935-1945

Television Emerges

By 1935, television was being seriously considered in some areas as the broadcasting medium of the future.¹ The FCC first recognized television as a broadcasting service in 1937.² The public got its first good look at the new service in 1939.³

A "Second Chance" for Educational Broadcasting

In a development which paralleled television research, Dr. Lee W. DeForest invented and patented the system of frequency modulation broadcasting -- FM, as it came to be known.

Educational broadcasters were not long in recognizing the potentials of the FM service as a "second chance" for non-commercial educational radio, and the NAEB led the

¹In Great Britain, the British Broadcasting Corporation began the first regularly scheduled television program service in 1935, preceding American efforts by four years. See Gordon Ross, Television Jubilee (London: British Broadcasting Corp., 1961), a colorful history of 25 years of BBC television. See especially Ch. 1., pp. 13-32.

²Broadcasting, October 15, 1956, p. 186.

³President Franklin D. Roosevelt opened the 1939 World's Fair in New York--an event which was broadcast "live" by NBC to inaugurate its regular, commercial television service. Ibid., p. 190.

movement to have a limited portion of the broadcast spectrum reserved for such a purpose.¹

The outbreak of World War II temporarily halted the further development of educational broadcasting facilities. However, NAEB's relationship with the FCC continued; and when, in 1943, that agency proceeded to discuss potential developments for the post-war period, the NAEB proposed, in addition to frequency reservations for educational FM broadcasting, spectrum space for microwave relay systems to connect educational transmitters and an across-the-board reservation of two television frequency channels for educational purposes.²

After hearings and some further staff study, the FCC announced, in 1945, a new broadcasting allocations plan, which allocated twenty channels in the FM frequency band for noncommercial, educational broadcasting (FM); but no reservations of television frequencies were made at that time.

Educational interests were encouraged to "get into FM," and many of them did. The movement was led by the NAEB and the same, large, mid-west state universities which

¹Five UHF channels were reserved for the educational development of FM by the FCC in 1938. John Walker Powell, Channels of Learning (Washington: Public Affairs Press, 1962), p. 33. See also Charles A. Siepmann, Radio's Second Chance (Boston: Little, Brown & Co., 1946).

²Powell, p. 33.

had hitherto comprised the backbone of educational broadcasting in America. By 1948 the number of educational stations on the air (both AM and FM) had grown to fifty, located in thirty-one states.¹

Congressional Interest in Educational Broadcasting

In the meantime, educational broadcasting and the principles on which it was based were getting indirect assistance from some members of Congress and other influential persons. Typical of the concern voiced by these individuals was the proposal of Representative Emanuel Celler, in a letter to then FCC Chairman Paul Walker, that the FCC should scrutinize more closely the practices of the commercial broadcasting industry, in terms of the balance between commercial programs and sustaining, entertainment, and educational programs, and reassess the public service responsibilities of broadcasters in general. Representative Celler recommended specifically that the FCC designate certain blocks of time, on a daily basis, preferably in the "prime" evening hours, when broadcasters should be required to present "sustaining" programs of an "educational, cultural, and forensic nature."²

¹Richard B. Hull, "The History Behind ETV," NAEB Journal, XVII (February, 1958), p. 5.

²Broadcasting, August 13, 1945, p. 24.

An Alternate System

At about the same time, but from a different quarter, a proposal was advanced to provide an "alternative" broadcasting system through the medium of "subscription radio."¹ The chief proponent of the plan, as well as a potential entrepreneur, was William Benton, publisher of the Encyclopedia Britannica, later Assistant Secretary of State, and still later United States Senator from Connecticut. The Benton proposal was dropped before it reached the stage of trial operation, but the similarity between his subscription-radio concept of 1945 and a subscription-television proposal introduced in the Senate by Benton in 1951 is striking.

Both of these proposals, while not directed exclusively toward educational broadcasting systems, nevertheless attempted to provide an alternative means of establishing the financial base of broadcasting operations. Benton contended that, if broadcasting could be supported by subscriptions, rather than by commercial advertising revenues, it would enable educational and other non-profit institutions to operate stations on funds derived from the services rendered directly to the listener-viewer; such a plan would, he thought, free educational interests (among others) from having to rely on commercial revenues to support educational

¹Broadcasting, September 24, 1945, pp. 20, 81.

programs. That was the dream, at least, of the supporters of both the Benton proposals. And, of course, most commercial broadcasters resisted them vigorously.¹

The Post-War Boom -- 1945-1949

The FCC Activity

The end of the war brought with it a resurgent interest in the educational potentials of all mass media--especially of broadcasting--and at the same time a "mushroom" growth in the number of commercial television, FM, and AM stations.

Late in 1945 the FCC announced tentative allocation proposals providing for more than 1500 FM stations, and more than fifty were on the air by the year's end.² Six television stations were licensed and operating commercially; several others were operating on an experimental basis. Color television was being developed in the laboratory and in limited experimental demonstrations. And the FCC, mindful of increasing pressure from the public, and particularly from Congress, was in the midst of a general reevaluation of the public service responsibilities incumbent on all broadcasters.³

¹Ibid., May - December, 1951, passim. Infra, Chap. III, pp. 103-116, passim.

²Broadcasting, October 15, 1956, pp. 210, 130.

³The famous "Blue Book"--Public Service Responsibilities of Broadcast Licensees--was released by the FCC in March of 1946, bringing the rejoinder from the NAB that the "basic freedoms of radio are at stake." See Broadcasting, October 15, 1956, p. 210.

Congressional Interest

Congress began to take a renewed interest in the broadcasting situation in April of 1948. The Senate Commerce Committee, which, with its counterpart committee of the House of Representatives, oversees the operations of the FCC, held hearings on a bill (S.2231 80th Congress) sponsored by Senator Edwin Johnson (a longtime supporter of commercial broadcasting interests, and especially local radio interests), which aimed at controlling what the Senator alleged were the "clear-channel monopolies." The testimony developed in the hearings was such that the Acting Chairman, Senator Charles W. Tobey, felt that the best interests of all parties would be served if a broader investigation were undertaken. Accordingly, he called for new hearings to investigate broadcast allocations, regulation, and patent ownership in all broadcasting media, including FM and television.¹

Spurred on by Congressional pressures, and by its own increasing awareness of mounting problems confronting the growth of American broadcasting, the FCC held its own hearings soon after, beginning in June, 1948.² That phase of the investigation which dealt with the television allocations problem began on September 20, 1948, and on September 30, the Commission issued a "freeze" order, in effect

¹Ibid., p. 218.

²U.S., Federal Communications Commission, "Notice of Proposed Rule Making" (FCC 48-1569), May 6, 1948, et seq.

halting the further development of television broadcasting (while permitting those stations already underway to continue) until problems of tropospheric propagation and co-channel interference could be worked out.¹ The freeze was to continue in effect until April, 1952, in spite of almost continuous pressure from industry sources and the Congress to mitigate the situation and bring on a "thaw."

Education and Television

As the end of the War brought thousands of veterans back to college campuses for training under the "G.I. Bill" (P.L. 79-16), and as the flood of "war babies" began to reach the school ages, educators toyed with a variety of innovations in educational "methods," hopeful that they could avoid being engulfed by the tidal wave of enrollments which threatened the existing educational facilities and resources. There were some tentative efforts in television by educational institutions, but many of these were largely "public relations" ventures of a general, informative nature, very often instigated by commercial television broadcasters or networks as part of their responsibility for public enlightenment and interest.²

¹Order U.S. Federal Communications Commission, Report and (FCC 48-2182), September 30, 1948.

²White reports that as of mid 1946 there were "a score of noncommercial applicants" -- universities and other institutions experimenting with educational television (White, p. 107). Probably the most significant of these programs, and one which, in some ways set a standard emulated

In 1948, the NAEB, having a membership of ninety-five educational institutions, which operated fifty-one educational radio stations in thirty-one states, began to focus its attention more specifically on the educational potentials of television.¹ Its representations before the FCC were the beginnings of direct, overt attempts by educational interests to obtain reserved channel allocations in both the FM and television portions of the broadcast spectrum. In the spring hearings of 1948, before the FCC, the NAEB advocated (1) liberalizing the licensing requirements for FM broadcasting by educational interests and (2) the reservation of specific channels in the television spectrum for future use by educational interests.² But neither the FCC nor educators generally seemed to be very much interested in the educational potential of television. The NAEB Newsletter of July 31, 1948 noted that

astonishingly few educators appear to be interested in television operation, considering the fact that once the television channels are filled there is likely to be no second chance. The significant factor here is cost of installation and operation which is prohibitive for most . . .³

by many of its successors was the "Johns Hopkins Science Review," produced through the facilities of a Baltimore commercial television station, in 1948, and later broadcast by the DuMont network (Cumming, pp. 10-11).

¹Hull, NAEB Journal (February, 1958), p. 5.

²Zaitz, p. 16.

³Cited in Zaitz, Ibid.

FCC Chairman Wayne Coy attempted to stir up the educators to some kind of concerted action in making use of the existing reserved FM channels, and he also urged them to "get aboard the TV bandwagon" and to turn out in force to request the FCC to set aside channels for educational television.¹ But progress was slow.

The ETV "Movement"

The year 1949 has been recognized as the year when the educational television movement began in earnest.² Two major developments coupled with the prevailing conditions seem to give credence to this contention: The FCC's "Notice of Further Proposed Rule Making" (FCC 49-948) which proposed a tentative television allocation plan for the entire nation (but which excluded reserved channels for education); the first Allerton House Seminar, at which leading educators from the United States and foreign nations contemplated the philosophy and strategy of securing educational television outlets; and the prevailing educational climate in which increased enrollments and consequent shortages of educational resources began to reach a stage of crisis.

¹Ibid., p. 20.

²Hull, Educational Television, pp. 339-40; Powell, p. 35.

The "Notice of Further Proposed Rule Making"

Early in 1949, Senator Edwin C. Johnson, Chairman of the Senate Interstate and Foreign Commerce Committee, reintroduced his bill (S.491, 81st Cong.) to limit the power of broadcasting stations (a continuation of his proposed program to restrict the "monopoly" of the clear-channel operators). In speaking on the bill, Senator Johnson castigated the FCC, calling it a "deplorable quasi-judicial and quasi-legislative agency of our Government."¹

The act of criticism itself is not particularly significant--the FCC had been under almost constant criticism by various Members of Congress since its very inception--but the nature of the charges, and the manner and detail of their presentation by the most powerful member of the Senate committee to which the FCC was beholden, place this particular attack on the Commission in a class by itself. Johnson was particularly concerned with bringing about an early disposition of the pending proposals for a nationwide reallocation of television channels on an equitable and competitive basis. His final statement included a plea for an end to the "freeze":

¹U.S., Congressional Record, 81st Cong., 1st Sess., 1949, XCV, Part 4, p. 4781.

In the final analysis the Commission has one overriding duty--to push the development of the art. It has data and skilled engineering advice in its own files which say that color is¹ ready, that the higher frequencies can be used.

It may be that Senator Johnson's diatribe had no particular influence on the subsequent action by the FCC. But it is more probable that Johnson's outburst--which had a good reception in the Senate and in the press--precipitated the "Notice of Further Proposed Rule Making" somewhat sooner than might otherwise have been the case. Here was the powerful chairman of the powerful Interstate and Foreign Commerce Committee issuing what was, in no uncertain terms, an ultimatum--get moving on a television allocation plan, or else . . . !

It would be interesting to speculate on what might have been included in the subsequent FCC "Notice" had Senator Johnson mentioned the educational potential of television or specifically included educational programs within the concept of public service responsibilities. But he did not mention education, or even imply that any such aspect of broadcasting existed.

The "Notice of Further Proposed Rule Making" of July 11, 1949, satisfied most of the conditions called for by the Senator (it opened up the UHF band, it provided for color transmission, it provided widespread coverage throughout rural as well as urban areas), but it did not include a

¹Ibid., p. 4790.

single reference to the needs of education for either specific channel allocations or reserved frequencies within the broadcasting spectrum.¹

It was the very omission of a reference to educational broadcasting in this "Notice", however, which, in a way, made the further development of the educational television movement possible at the legislative-administrative level. For, in a notable lone dissent, FCC Commissioner Frieda Hennock drew attention to the inadequacy of the proposed table of allocations to meet the needs of educational broadcasters, both present and future.² Hennock's statement, in Hull's phrase, issued "a plea for ETV reservations, thereby providing the legal and moral basis for the education protests and petititons which followed."³

In her dissenting opinion Commissioner Hennock noted, in part, that the decision to exclude educational interests from the development of television nationally was "premature," and that there was an urgent need for the development of non-commercial educational television stations in addition to a nationwide system of competitive commercial stations. She proposed--or rather reiterated the proposal voiced by the NAEB earlier--that spectrum space in the UHF band (470-890 mc)

¹U.S., Federal Communications Commission, "Notice of Further Proposed Rule Making" (FCC 49-948), July 11, 1949; U.S., Federal Register, XIV (July 19, 1949, pp. 4483-4495.

²Ibid., p. 4485; Powell, p. 22.

³Hull, NAEB Journal (February, 1958), p. 27.

be reserved for these kinds of stations, in accordance with the precedent established for educational FM broadcasting outlets.¹

The FCC set a late summer deadline for the filing of petitions relative to the "Notice," with hearings scheduled for August 29. The NAEB filed a petition with the FCC asking for permanent reservations for educational stations in the UHF band, a position supported soon after by co-filings from the Association of Land Grant Colleges and Universities, the Association of State University Presidents, and the National University Extension Association. In addition, the United States Office of Education, joined by the National Education Association, filed its own petition with the FCC for the reservation of VHF as well as UHF channels.²

As the hearing date approached, the FCC announced a system of priorities, by which the color controversy was to be discussed first, to be followed by general hearings on the educational television proposals, "polycasting," strato-vision (a development by Westinghouse which was later to have a tremendous impact on educational television through the Midwest Program on Airborne Television Instruction--MPATI), and mobile, broad-band, point-to-point transmission.³ Broadcasting ventured the opinion that the hearings would

¹New York Times, May 27, 1949, p. 44:1; Federal Register, XIV (July 19, 1949), pp. 4483-4995; Supra, p. 46.

²Hull, "A Note on the History Behind ETV," Educational Television, p. 341.

³Broadcasting, July 18, 1949, p. 45.

last six weeks to two months, and that the lifting of the television "freeze" would follow soon after.¹ Actually, the hearings were recessed in November, resumed in February of 1950, and continued sporadically through 1950 and into 1951.²

The Mobilization of Educational Forces

In June and July of 1949, a positive movement in educational broadcasting began to stir, sparked, according to several of the men actually involved, by the first group of Allerton House Seminars, held at the University of Illinois. Thirty prominent educators and educational broadcasters from Canada, Great Britain, and the United States met and evolved the outline of a functional plan for a nationwide system of educational broadcasting facilities, which later provided the basic concept of a national educational television network and a programming center.³

The State of Television Development

The year 1949 closed with the FCC hearings bogged down, and it seemed unlikely that an early Commission decision on the future of television development in the United

¹ Ibid., September 19, 1949, p. 4.

² A summary of these proceedings and additional reference to specific sources of issue and testimony may be found in the FCC, "Sixth Report and Order," Federal Register, XVII, No. 87 (May 2, 1952), Part II, pp. 3095-4100.

³ Hull, Educational Television, p. 340.

States would be forthcoming. The state of the "art," however, was far from frozen by this circumstance.

Ninety-eight television stations were operating at the year's end, and other significant developments had been taking place. In New York City some 4000 students had watched sessions of the United Nations General Assembly by way of closed-circuit television--the precursor of a later popular application of educational television. The American Telephone and Telegraph Company had extended its microwave and coaxial-cable networking facilities as far west as St. Louis, Chicago, and Milwaukee, thereby linking the mid-west with the major network hub of New York City. Some experiments with large-screen "theatre-vision" were underway, as theatre owners attempted to meet the emerging competition for audiences posed by television. And doctors were reacting enthusiastically to medical-convention demonstrations of color television, the forerunner of what would be a major development in the use of television in medical education in the United States.¹

"The End of the Beginning"--1950

The Educational "Facts of Life"²

The year 1950 brought an end to the decade of American education which, in the opinion of the New York Times'

¹Encyclopedia Britannica: Book of the Year, 1950,
pp. 664-66, passim.

from General education developments are here derived
from Encyclopedia Britannica: Book of the Year, 1951,
pp. 238-244, passim.

education editor,

bore two historic stamps: the G.I. Bill of Rights, which stretched the country's college aspirations beyond all the conventional limitations, and the beginning of a vast citizen movement in support of the schools.¹

As elementary school enrollments soared above 32.9 million pupils (an increase of 920,000 over the previous year), the result of the "war-baby" explosion of the early- and mid-forties, school administrators found themselves almost literally "with their backs to the wall." An increase of 15.9% over the 1949 number of teacher graduates was still not enough to offset the tremendous growth in elementary school enrollment, and there remained a shortage of more than 90,000 teachers.

College and high school enrollments, however, were not yet affected by the burgeoning school population at the lower grades. In spite of the fact that teachers' salary levels were extremely low (well below the purchasing power of pre-World War II levels), there was an abundance of high school teaching applicants (nearly 85,000) and relatively few vacancies (an estimated 30,000).

The colleges were in the midst of a frustrating "bind" which saw a rapid decrease in enrollments as the wave of World War II veterans attending college under the provisions of the "G.I. Bill" began to graduate (the number of veterans declined about seven per cent from the previous year). At

¹Fred M. Hechinger, "Education in Review," New York Times, August 9, 1959, Sec. IV, p. 9:1.

the same time, college operating costs were rising; and there was deep concern over the further drain on college student populations brought on by the twin threats of potential universal-military-training legislation and the outbreak of the Korean conflict. Colleges, which had exhausted virtually every resource in order to handle the returning-veteran "explosion," were now faced with the necessity of retrenching for a limited time until the flood of students now entering the lower grades should reach college age.

Another far-reaching development which began to mushroom by 1950 was the adult education movement, embracing an unprecedented thirty million participants, concentrated principally in metropolitan and urban areas.

Faced with grim shortages of personnel and funds, the American Association of School Administrators met early in 1950 for their annual convention at Atlantic City, where they discussed television as it might apply to the needs of education. This was the first time a "national" educational group representing "grass roots" policy and practice had seriously considered the medium.

At that meeting, the educators were told by Charles A. Siepmann that television was "likely to be geared to the lowest common denominator of public taste," and should, consequently, be ignored by teachers as an aid to education. He was opposed in this view at that meeting (and as the year progressed a consensus began to emerge likewise opposing his position) by Dr. William H. Lemmel, Superintendent of the

Baltimore (Md.) public schools, who took the "affirmative" position that "television offered educational possibilities in direct teaching."¹ This exchange was one of the first in a long controversy within the educational camp concerning the merits of television for educational purposes.

The question soon developed into an issue over whether television per se was or was not a significant social force to be reckoned with by educators as well as by commercial operators. And as more and more evidence was accumulated in support of the position that television was significant, some educators became more outspoken in their denunciation of the medium for educational uses.²

At about the same time, the results of two relatively "minor" research ventures were announced and received considerable attention in educational and industry circles. A survey conducted by students at the Burdick Junior High School (Stamford, Connecticut) as a class project revealed

¹ Benjamin Fine, reviewing the 76th Annual Convention of the American Association of School Administrators, February 28, 1950 (New York Times, March 1, 1950, p. 25:4). Siepmann subsequently changed his views, became an advocate of, and exerted a strong influence on, the ETV movement. See Charles A. Siepmann, Television and our School Crisis (New York: Dodd-Mead & Co., 1958); see also, "The Case for TV in Education," New York Times Magazine, June 2, 1957, pp 13ff.

² For instance, Dr. Daniel L. Marsh, President of Boston University, in a baccalaureate sermon, called attention to the intellectual perversion of television, saying it would lead to a nation of morons.

I deplore the intrusion of lazy short-cuts which fool a student into thinking he is learning something when he is not. I refer particularly to television. The habit of reading is a sine qua non of intelligence and television will make impossible the formation of such a habit on the part of young people. (New York Times, June 5, 1950, p. 26:7).

that students whose families owned a television set watched television an average of twenty-seven hours per week. A "shocked" parent-teacher committee promptly announced plans to initiate a further study to determine "how television may be used in school," and the president of the Television Broadcasting Association of New York City told his membership, "The survey is an indication that television can be used to enhance education rather than deter it."¹

The second study was conducted by officials of the Abraham Clark High School (Roselle, New Jersey). The study purported to indicate, by means of comparisons between a number of student viewing habits and school work, the effect of television viewing on the grades of students in the six upper classes. The general conclusion was that television viewing had a deleterious effect on school grades, varying in direct proportion to the amount of time spent per week viewing and inversely to the age and grade level of the students--the grades of younger students suffered more from a preoccupation with television than those of older ones.²

The New York Times, in commenting editorially on the two studies, succinctly stated the case for the pro-television-in-education bloc:

The statistics . . . make it abundantly clear that television represents a new problem for the world of education, but their implications obviously extend far beyond the classroom itself. Any medium

¹New York Times, March 7, 1950, p. 29:2.

²Ibid.

which can command such a high proportion of a child's waking hours no longer can be regarded merely as a novel form of entertainment. It is a social force with enormous potentialities for good or bad, and the course which television follows in the future quite properly should be the concern of the community as a whole.

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The teacher can explore the very great possibilities of using television directly in the field of education An awareness of the influence of television and of what it is putting on the air should be displayed by any school system alert to today's needs. The broadcaster . . . must recognize his continuing responsibility not only to cater to mass entertainment tastes but also to fill the more specialized needs of his audience, one of which is the educational program.¹

As the year 1950 continued, the conflict of opinion between the advocates and opponents of television in education developed as follows: the advocates saw in television an opportunity to give students "a sense of participation in current events that would otherwise be impossible," particularly "immediate" events, such as political conventions or United Nations sessions; the opponents argued that the costs involved in using television in education were excessive, and that other visual aids, such as motion pictures, had greater advantages for the teacher. The New York Times observed, however, that

Despite objections, . . . the feeling is widespread that television offers great advantages for the future of education and that it will become an increasingly important tool for schools and colleges.²

¹New York Times, March 19, 1950, Sec. IV, p. 8:2.

²Ibid., August 20, 1950, Sec. IV, p. 9:1.

The Status of Educational Broadcasting

Lest there be a misunderstanding of the significant issues at this point, it must be reiterated that broadcasting and education were not total strangers in 1950. Broadcasters had always paid "lip-service" (at the very least, and in many cases they had made some quite significant contributions) to educational interests, all as a condition of their licensed responsibilities. In March it was reported that at that time there were eighteen colleges and more than twenty-five school systems broadcasting "educational " programs over existing commercial television stations.¹ Many of these, of course, could be classified as "educational" only to the extent that the producing agency (school or college) was a recognized educational institution. In addition, programs featuring distinguished experts in various fields, or programs of a general public-interest nature, might also be classified as "educational" by telecasters. There were also at this time some quasi-educational programs broadcast by commercial operators in cooperation with local school systems or universities which more closely fit the general description of educational television as it emerged by the end of 1950.²

¹Ibid., March 12, 1950, p. 11:3.

²One of the most outstanding of these was the series of programs produced by the Philadelphia public schools. These programs, designed for in-school viewing, were intended as supplements to the curriculum of the schools, as well as public relations vehicles. Philadelphia became in

Specific developments in the acquisition and use of television broadcasting facilities by educational institutions began when WOI-TV (Ames, Iowa), owned and operated by Iowa State College, began regular operations on February 21, 1950.¹ A construction permit had been obtained from the FCC in 1947, prior to the "freeze" on television licenses. WOI-TV operated as the only station in the state of Iowa until 1952, and the only station operated by an educational institution until 1953.² WOI-TV also established the precedent of an educational institution operating commercial television facilities.

At about the same time, Syracuse University inaugurated a cooperative arrangement with a local commercial television station, whereby the university programmed up to four hours per week using that station's transmitter facilities, the

1951 a pioneer, to some extent, in what was later to be known as "instructional television." For details, see New York Times, May 4, 1950, p. 22:2, December 20, p. 49:1 and January 8, 1951, p. 20:1. See also Cumming, pp. 32-33, and Tarbet, pp. 2,3.

¹It was the one-hundredth television station to be licensed by the FCC, and the first such station to be licensed to an educational institution. Since there were at that time no provisions for licensing non-commercial educational television stations, the station began, and has continued to operate, as a commercial station, offering its viewers network programs as well as educational fare. For details, see Cumming, pp. 37-38, and Powell, p. 44.

²Not to be confused with non-commercial operation on a "non-reserved" channel. See Tarbet, pp. 3-4.

broadcasts originated in the completely equipped university-owned studios.¹

As interest in television spread, other plans began to develop in educational institutions, until in August, 1950, it was estimated by the Office of Education that at least forty-five colleges and universities, twenty-one school systems, and five medical schools were preparing or presenting television series through existing commercial facilities. Moreover, the report went on, more than 250 such institutions were "definitely interested."²

The Educational Television Movement

Even among the proponents of educational television there were wide differences of opinion as to the course to be followed in the matter of obtaining Federal assistance. Several national educational groups were preparing to file separate petitions with the FCC asking for the reservation of frequencies or specific channels in the VHF spectrum,

¹The arrangement was conceived as a training device in an intensive graduate curriculum, and included both educational and commercial programs (New York Times, May 21, 1950, Sec. II, p. 9:2). See also Cumming, pp. 20-24, passim.

²Typical of these developments were proposed series originating with the University of Michigan, the University of Texas, and the University of Miami. There were occasional programs prepared by Harvard, Cornell, Johns Hopkins, Northwestern, The University of Chicago, Purdue, Boston University, and others (New York Times, August 20, 1950, Sec. IV, p. 9:1). See also, Cumming, Chapter II, pp. 9-35, passim.

the UHF spectrum, or both, to be operated by a variety of means, and with diverse goals and purposes. Some groups were holding out for non-commercial educational television, some for non-profit operation, and some for both. Hull observes that diversity, in this sense, created a problem:

These differences were sharp enough, if publicly voiced, to split any common educational effort in the pending FCC hearings.¹

Industry Opposition

Moreover, since the educational television movement was slow in gaining momentum toward very definite goals, some segments of the commercial broadcasting industry began to take the initiative in a "kind of structured opposition" against the educators.

The issues were no longer hypothetical ones. Exploitation of the UHF band in an indefinite television future was one thing. Actual and immediate designation of commercially valuable VHF channels for educational use was quite another²

The industry took steps along a broad front to emphasize the existing virtues of commercial broadcasting and to minimize the contributions which non-commercial educational broadcasters might make on their own. It was reiterated by broadcasters that the industry was sensitive to the educational needs of the public, and that these needs were being met through existing broadcasters' facilities;

¹Hull, NAEB Journal (February, 1958), p. 28.

²Hull, Educational Television, p. 341.

that educational broadcasters had abrogated their responsibilities and their opportunities in the early days of radio broadcasting, and would probably do likewise with television; that, after all, television was not essentially an educational medium but an entertainment medium, and neither commercial nor educational broadcasters could control the educational potential of the medium save as the viewers themselves indicated their preferences in programming; and finally, that television was an expensive enterprise and an exacting art, and not something that any school system or college could "take up" and expect to operate with any degree of success as a matter of course.¹ The industry arguments reached a climax with the filing of petitions by the National Association of Radio and Television Broadcasters' Television Board, the Allen B. DuMont Laboratories, Inc., and others, relative to the FCC's investigation of the total television picture (FCC Docket 8736 et al).

Formation of the JCET

Franklin H. Dunham, Chief of the U.S. Office of Education's Educational Television and Radio Branch (and one of the most vocal advocates of the educational television movement until his death in 1960) recognized the need for a concerted and unambiguous effort on the part of

¹See, regarding these contentions, New York Times, May 4, 1950, p. 22:2; and Harvey J. Levin, "The Logic of Educational Television," Public Opinion Quarterly, XX (1956), pp. 675-90.

educational interests seeking to be heard by the FCC. In October of 1950 he called a meeting of educational representatives, hosted jointly by the Office of Education and the NAEB, in an attempt to reconcile the differences existing among potential educational television applicants.

This meeting was truly a milestone in the history of the educational television movement, for there resulted not only a unified concept of educational television among the educational representatives present, but also the formation of an ad hoc Joint Committee on Educational Television (JCET), to present the case for educational television before the FCC.

The ad hoc committee, subsequently formalized under the auspices of the American Council on Education, later known as the Joint Council on Educational Television (now called the Joint Council on Educational Broadcasting--JCEB), was to become the principal motivating force and instrument in the drive by educational interests to secure reserved channels and to activate them.¹

Education's United Front

The very day on which the educators convened their meeting at the Office of Education (October 16, 1950) the

¹The history of the accomplishments of the JCET is chronicled in its own periodic releases from 1951 to the present. For its relationship with the Fund for Adult Education see: Fund for Adult Education, A Ten-Year Report: 1951-1961 (published by the Ford Foundation, 1962), pp. 14-25; and Powell, Chapter 6, pp. 41-52 et seq., passim.

FCC opened that phase of its continued hearings on various television matters relating to the proposals of July 11, 1949 (FCC 49-948: "Notice of Further Proposed Rule Making"¹), and began to receive the testimony of the interested parties who had filed comments relative to the general issues--including educational reservations.²

By mid-November the JCET had announced that it would seek channel reservations for educational purposes, and it won the right to represent the educational interests. Brigadier General Telford Taylor (formerly an FCC counsel and the American chief prosecutor at the Nuremberg War Crimes trials) began to present JCET's case for educational television reservations on November 27, 1950. A stream of the nation's distinguished educators, beginning with Earl J. McGrath, U.S. Commissioner of Education, appeared as witness in hearings before the FCC en banc which lasted intermittently until January 31, 1951.³

In all, seventy-six witnesses testified, all but three of them appearing, either individually or at the behest of the JCET, in support of the principle of reservation

¹Supra, chap ii, pp. 57-58.

²Powell, p. 45. A summary of this phase of the hearing is to be found in U.S. Federal Communications Commission, "Sixth Report and Order" (FCC Dockets 8736, et. al.), April 11, 1952, Federal Register, XVII (May 2, 1952), pp. 3905, 3908-909.

³A report of the highlights of testimony may be found in New York Times, November 21, 1950, p. 46:2; November 26, Sec. II, p. 11:1; November 28, p. 33:1; November 29, p. 35:8; November 30, p. 52:4; January 24, 1951, p. 29:8; January 25, p. 27:8; January 26, p. 25:8; and January 27, p. 15:1.

of television channels for the exclusive use of non-commercial educational stations. The parade of impressive witnesses

included Senators and Representatives, university presidents, deans, and professors, state and city superintendents of schools, and representatives of educational, library, labor and parent associations. The marshaling of these witnesses was accomplished by nationwide publicity, Washington press conferences--and a severe inflation of the JCET's budget.¹

Two specific proposals were advanced by the JCET in the course of the hearings: (1) that at least one channel be reserved in the VHF spectrum "in each metropolitan or educational center and twenty per cent of the UHF channels when they were put to use," and (2) that in areas where all channels were presently occupied (such as in New York City) the licensees of those stations be required to devote a specified portion of their broadcasting time to non-commercial educational television programs.²

¹Powell, p. 48.

²New York Times, November 21, 1950, p. 46:2. Another proposal, which had been unanimously approved by the JCET membership, was not presented to the FCC: That both "non-profit" as well as "non-commercial" reservations be made. That proposal, thoroughly debated by the membership, was dropped because of the opinions of the JCET counsel, Telford Taylor, and Federal Communications Commissioner Frieda B. Hennock, that most outspoken of any member of the Commission on behalf of educational television, both of whom thought "that any 'non-profit' concept would 'muddy' education's appeal before the Commission and complicate educational television's future relations with business, industry, labor, and philanthropic foundations." (Hull, Educational Television, p. 341, 342.) See also: Joint Council on Educational Television, Four Years of Progress in Educational Television, p. 22; Powell, pp. 48-51, passim. A summary of the significant arguments, as viewed by the FCC, may be found in the

Following these educational representations, the FCC, in announcing a new set of proposed allocations in March, 1951, reserved 209 channels for educational applicants.¹

Congress and the ETV Movement

While the FCC hearings were in progress, at almost the exact time when the educators first began to testify, Senator John W. Bricker (Ohio) introduced a bill (S.J. Res. 208, 82nd Cong., 2nd Sess., Nov. 29, 1950).

To direct the Federal Communications Commission to make a study of the problems of allocating television frequencies for use by educational institutions for the purpose of non-profit educational programming.²

In a press release of the same date, Senator Bricker called for at least one frequency in each state to be reserved for educational, non-profit broadcasting, and an overall investigation of the entire television allocation question by Congress. It was his further contention that every educational institution should have its own television facility.³

FCC's "Third Notice of Further Proposed Rule Making," Federal Register, XVI, (April 7, 1951), Appendix A, part vi, pp. 3079-3080.

¹Federal Communications Commission, "Third Notice of Further Proposed Rule Making," (FCC 51-244), Federal Register, XVI, (April 7, 1951), pp. 3072-3090.

²U.S., Congressional Record, XCVI, Part 12 (1950), p. 15943.

³New York Times, November 30, 1950, p. 52:4.

While Bricker's bill, which was referred to the Senate Commerce Committee, died without a hearing, the introduction of the bill is significant, for it marks the first time when a Member of Congress specifically introduced legislation pertaining to educational television. Senator Bricker's influence in subsequent Congressional activity relative to television generally, and educational television specifically, may be said to have begun with this relative inconsequential piece of proposed legislation.

The Television Year--1950 in Retrospect

The growth of television broadcasting increased at a snail's pace in 1950, due largely to the "freeze" on new licenses--only nine stations went on the air, bringing the total up to 107 stations located in fifty-eight areas. The popularity of television showed no signs of abating, however, the number of receivers produced during the year being more than double that of the previous year, and the American Telephone and Telegraph Company's microwave relay and coaxial cable networking facilities continuing to expand.¹

At the year's end, commercial broadcasters were bending every effort to build an acceptable image of themselves in the eyes of the public and of the FCC, especially

¹At the year's end the network extended from Boston south to Jacksonville, Florida, and west from the East coast to Minneapolis, Omaha, Kansas City, Missouri, and Memphis, Tennessee (Encyclopedia Britannica: Book of the Year, 1951, pp. 667-68).

with regard to educational television. Major networks and manufacturers (such as RCA and DuMont) announced cooperative educational ventures with school systems and institutions of higher education.¹

With the FCC hearings recessed for the holidays, and the educational television movement "gathering steam," educators continued to rally support and witnesses for the continuation of hearings in January, 1951.²

Issues Remaining At Large

The year 1950 came to a close with the educational television "question" still very much unanswered, and a host of issues of various magnitudes swirling about the vortex of an emerging television service of national scope. The most prevalent questions seem to have been the following:

1. Was television really a social force of any serious dimensions, and, if so, was it intrinsically oriented toward the good or evil of society?

¹New York Times, November 23, 1950, p. 37:7; and November 29, p. 50:3. The television Broadcasters Association, of New York City, considered the idea of initiating "educational" programs on the teaching of first aid and the training of air-raid wardens, as well as promoting the sale of defense bonds, as part of its contribution to the Korean emergency, acknowledging at least tacitly, the potential educational value of the medium. (New York Times, December 9, 1950, p. 19:1).

²One such testimonial was the precedent-shattering "monitoring" report on New York Television by Dallas W. Smythe and Donald Horton. See New York Times, January 11, 1951, p. 27:3; January 24, p. 29:8; and January 25, p. 27:8.

2. Did television have any inherent value as an educational tool, and, if so, had educational interests an inherent right to a portion of this "natural resource?"
3. What action could, or should, be taken to protect the continuously growing school population from a decline in the quality of education?
4. With whom did the responsibility for public interest, public service, and public enlightenment broadcasting lie, and what could or should be done to improve it?

Fairly conclusive answers to some of these questions, particularly the first two, were formulated with astonishing clarity in the next few months; the answers to others drifted elusively, always out of the reach of administrators, planners, and lawmakers, for a decade.

With the end of 1950, three decades of technological development and a chapter in the history of American broadcasting came to a close. The chapter of a new decade would find increased emphasis on social, legal, and philosophical developments in the efforts of America to make the best use of what technology had created.

CHAPTER III
EDUCATIONAL TELEVISION AND THE
EIGHTY-SECOND CONGRESS: 1951

Introduction

This chapter deals with the continued development of the educational television movement and the first major Congressional interest in the problems and potentials of television's relationship with education. A brief chronology of events is followed by an analysis of Congressional legislative activities (primarily those centered in the Senate), and the issues which were engendered by the first attempts at educational television facilities legislation.

The period covered by this chapter is the year 1951, and specifically the first session of the Eighty-Second Congress.

The National "Climate" - 1951

The Year in Brief

The year 1951 was, in many respects, the most auspicious year to date in the development of educational television and in the recognition of television as an educational medium. It was a year which saw progress being made in the use of television for instructional purposes, both open- and

closed-circuit, in a variety of school systems, universities, and related institutions. It was a year which saw more training programs in television production being offered for credit at colleges and universities, with an "educational" rather than commercial emphasis. It was a year which saw increased interest in the educational potentials of television by state legislatures and by school boards, some of which began to make specific plans for the operation of educational television stations.

In 1951 a truce was negotiated in the Korean conflict, and thus began the return to the campuses of the nation those students who had been called into military service for that emergency. Of greater immediate concern, however, were the growing enrollments in the elementary grades, which, combined with an increasing shortage of teachers and teacher-trainees, added to the "crisis" in American education. Educators at all levels began to search for new media and new methods of alleviating the shortages of space and personnel and of improving the quality of education.

The year 1951 saw the completion of the coast-to-coast microwave and coaxial-cable linkage which permitted live "nationwide" television for the first time. This, together with a host of technological and programming developments, increased the importance and the influence of television on the American public. The year 1951 brought to the nation's television screens the most spectacular live

documentaries to date--the Kefauver crime investigation committee hearings, and the signing of the peace treaty with Japan.

Finally, 1951 saw the organized activities of educational television interests merged and focused into a strong, national program, complete with financial support from some of the nation's largest philanthropic organizations, including fund-raising, publicity, legislative liaison, and technical agencies among its components. It was a year which saw the FCC reverse its previous position with regard to educational reservations for television channels, and which saw concerted and militant opposition to that change taken by the commercial broadcasters of the nation. And it was a year which saw the Congress of the United States enter the lists on the side of educational television for the first time with a definite purpose and specific objectives in mind.

Television and Education

The Beginnings of Instructional Television (ITV)

In the closing days of 1950, the management of New York City television station WPIX offered the City Board of Education time and facilities on a regular daily basis for instructional television programming.¹ The offer was accepted; and by the end of 1951 the New York City Board of

¹New York Times, December 9, 1950, 19:1.

Education was presenting a daily program called "The Living Blackboard," geared to high-school-level courses and principally intended for "shut-in" students and adults who otherwise would be denied formal high school instruction.¹

This development was typical of a number of situations across the Nation in which educational organizations and institutions "teamed up," as it were, with commercial broadcasters to present direct instruction through the video medium, and a new term emerged: Instructional Television--ITV.

In Minneapolis, Minnesota, a janitors' strike closed all the schools in the city and brought about the start of a daily instructional television program, broadcast through the facilities of a commercial station to the "locked-out" school children. Nearly twenty per cent of all television sets in the area were tuned to the impromptu instructional series, and the results were said to be "very satisfactory."²

In Memphis, Tennessee, a blizzard caused the large, county school system to close its doors, but regular lessons were broadcast through the facilities of a commercial television outlet to the largest "class" in Memphis school history.³

¹Ibid., January 17, 1951, 34:4; July 5, 27:2, October 10, 31:1; October 16, 33:6; October 26, 34:3.

²Ibid., January, 26, 1951, 32:2.

³Ibid., February 11, 1951, Sec. II, 11:1.

Both the Army and the Navy reported success in the use of television for instructional purposes. The Navy broadcast instruction to reservists assembled at regular meeting places throughout the New York metropolitan area, and experimented with variations in format and procedure to find the most effective instructional television mode.¹ The Army, using a different approach to televised instruction, reported considerable success with closed-circuit instruction in its Signal Corps training school at Fort Monmouth, New Jersey, particularly in magnifying small parts and pieces of electronic equipment.²

In Philadelphia, after several years of quasi-educational public relations broadcasting, the Board of Education applied to the FCC, on behalf of eighty-four educational institutions in the metropolitan and suburban area, for an exclusive television channel for "teaching."³

Meanwhile, the New York State Board of Regents, whose responsibility extends to all phases of public and private education at all levels in the State, completed a study of television developments and filed a plan with the FCC for the establishment of a state-wide network of "state-operated" educational television stations, at a proposed

¹Ibid., February 18, 1951, Pt. II, 9:3.

²Ibid., August 19, 1951, 37:1.

³Ibid., May 8, 1951, 40:8.

cost of \$3.3 million plus \$2.5 million annual operating costs. An announcement included the statement that

It is as important for the educational system to have television channels as schoolhouses. . . . The television channels are the most valuable natural resource the people possess today.¹

The significance of the Regents' proposal, and the challenge posed by the costs involved, was recognized by the Times' critic, who wrote:

[The Board of Regents' action is an] instance of real leadership which, it must be hoped, will be followed by similar bodies in many other states.

.

[If the Regents' plan fails, commercial broadcasters will regard it as] prima facie evidence that the Hooper rating is the accepted standard of contemporary culture.²

In Cleveland, Ohio, Western Reserve University, in cooperation with a commercial television broadcaster, presented the first college-level, TV home-study courses to carry full university credit in the nation--in psychology and comparative literature.³

The New Jersey Television Council of Higher Education, representing twenty colleges and several consulting agencies, began an experimental series of programs through a commercial television outlet, in an effort to explore the

¹Ibid., May 8, 1951, 1:1; see also, May 26, 21:1.

²Jack Gould, "Regents' Proposal Raises ETV Issue," Ibid., May 13, 1951, Sec. II, 9:1.

³Ibid., July 22, 1951, Sec. IV, 9:4.

potentials of various modes of televised instruction.¹

The University of Southern California began construction of the first complete television studio facilities on a western college campus, at a cost exceeding \$100,000, and announced plans to launch experimental educational television programs early in 1952.²

Finally, the medical school at the University of Kansas began to use closed-circuit color television as an integral part of its teaching procedure.³

Training and Program Development

Colleges and universities recognized the need for trained television personnel and cooperated with commercial broadcasters to set up curricula and workshops in television production, many of them carrying college credit.⁴

These selected developments illustrate the emergent awareness of the educational potentials of television by some institutions and groups who were in a position to take positive action during 1951.⁵

¹Ibid., October 14, 1951, Sec. II, 11:2.

²Ibid., October 28, 1951, Sec. IV, 9:3.

³Encyclopedia Britannica: Book of the Year, 1952, p. 238.

⁴Reports of some of those may be found in the pages of The New York Times as follows: NBC and Barnard College (January 22, 1951, 23:8); several commercial broadcasters and Johns Hopkins University (February 15, 37:3); Brooklyn College's two-year degree program in television (July 1, 34:4).

⁵A more complete review of the entire range of educational television developments preceding and following 1951 may be found in the files of the Joint Council on Educational Broadcasting, 1619 Massachusetts Ave., N.W. Washington 6, D.C.

Some significant developments also occurred in educational programming by commercial broadcasters during 1951. The Alfred P. Sloane Foundation granted an \$87,500 subsidy to NBC for a network television series of educational programs at the adult level on the "American Way of Life"--the first such "national" educational venture.¹

Shortly thereafter, the American Council on Education (ACE) named a committee to lay plans for an educational television program exchange service among colleges, universities, and other institutions equipped to produce and record television programs.² This development was the first step toward the later establishment of a national clearinghouse and resources development agency, the National Educational Television and Radio Center (NETRC).

But by far the largest effort made in educational programming in 1951 was that of the Ford Foundation to develop three phases of educational broadcasting. A grant of \$300,000 was awarded to the NAEB for five series of radio programs on international affairs and democratic institutions. At the same time \$260,000 was given to WOI-TV, the Nation's only "educational" television station, to experiment with educational programming and technical reproduction, in anticipation of later educational program exchange systems.³

¹New York Times, May 13, 1951, Sec. II, 9:1.

²Ibid., June 28, 1951, 34:8.

³Fund for Adult Education, A Ten Year Report: 1951-1961 (New York: The Ford Foundation, 1962), pp. 18-19.

The largest grant of all was an award of \$1.2 million to establish a television workshop to produce educational and cultural programs which would be available for sponsorship and distribution by commercial networks and stations. The move was intended as an effort to break the commercial "log jam" which had hitherto excluded "cultural" television programs from the "prime" evening hours, but some observers thought that the Foundation's plan would "undermine" education's then-current pleas for reserved educational television outlets.¹

The Formation of ETV Attitudes

The climate in which the educational television movement was developing during this period was affected by an increasing number of investigations and reflections into the future role of television in education. Assertions, speculations, and even warnings were heard from many points within and without the ranks of organized education.

In Connecticut, for instance, a governor's fact-finding commission called for a sweeping modernization of the State's educational system and an expansion of facilities, including the "operation of a state-wide television station for school purposes," and went on record with the statement:

¹The "Omnibus" series was the result of this workshop venture. See New York Times, May 5, 1951, 19:2; August 19, Sec. II, 9:1; September 30, Sec. IV, 8:5; and Powell, pp. 55-64, passim, and p. 69.

We see television as a powerful aid for small group higher education in the home, with or without credit as the individual case may dictate.¹

Telford Taylor, writing as a spokesman for five national educational organizations, noted that while television was undoubtedly of importance within the classrooms,

it is equally clear and far more significant that education is a vital necessity for television. It offers the best and perhaps the only hope that American television can fulfill at least part of its potentiality and responsibility and avoid the dreary routine and utter lack of distinction to which American radio has long since succumbed.²

Mayor David L. Lawrence, of Pittsburgh, as President of the Conference of Mayors, endorsed the policy of reserving television channels for education, and spoke out against commercial monopoly and exploitation of television. If channels were not reserved for education, he warned, they would be "forever lost to education."³

The NAEB, with the support of educational groups and the American Medical Association, organized a "Public Interest Committee" of educational leaders to make the public aware of the need for an adequate number of television outlets for educational purposes.⁴

¹New York Times, January 8, 1951, 19:8, 23:5.

²Telford Taylor, "Finding a Place for Education on TV," New York Times Magazine, January 28, 1951, Sec. VI, p.9.

³New York Times, April 26, 1951, 43:2.

⁴Ibid., April 29, 1951, Sec. IV, 9:2.

The Southern California Association for Better Radio and Television, a viewer protest group, obtained enough national recognition to enable it to expand its scope of operations, changing its name (and function) to the National Association for Better Radio and Television (NAFBRAT).¹

Finally, a series of articles assaying the influence of television on American life, compiled by The New York Times staff, reported the opinion of many educators throughout the country that television was "a new tool of learning that has vast potentialities for shaping democracy's future," and their assertion that television channels ought to be regarded as a "natural resource to which education has a priority."²

Educators seemed to be undecided, however, as to the best way of developing television for education. Some, like Dr. J.C. Warner, President of Carnegie Institute of Technology, worried about educational resources:

Without a national program to utilize the facilities of many educational institutions and organizations, confusion of purpose and unnecessary duplication could deal this important medium a telling blow.

Others, like Dr. Raymond B. Allen, President of the University of Washington, worried about techniques:

¹ Ibid., August 9, 1951, Sec. II, 9:6.

² Jack Gould, "Video is Assayed in Cultural Value," Ibid., June 30, 1951, 19:1.

How educational television can earn and hold audience in competition with commercial programs is a challenging problem that must be solved. Subject matter alone will not do it. Techniques for presenting educational programs in an interesting manner must be developed.

Most educators seemed to recognize the financial obstacles to any widespread national use of television in education; and several methods of financing were proposed, including government subsidy.

[Norman N. Royall, Jr., Dean, College of Liberal Arts, University of Kansas City (Mo.):] Ninety per cent of television is educationally worthless entertainment or advertising. This result is inevitable from the system of financing by advertising. Government or private subsidy to purchase time on regular stations for educational programs or to construct educational stations in many areas is probably the only solution, but probably will not be achieved. My conclusion is that positive educational value will be trivial for years or indefinitely.

[Dr. Francis H. Horn, Chairman, Department of Education, Johns Hopkins University:] Television's future must be guided by those within the industry in close cooperation with educators.

[Dr. Clifford Kirkpatrick, Chairman, Department of Sociology, Indiana University:] The expensiveness of television as a medium of mass education is a bar to expression of the views of minorities.

[Dean Ford P. Hall, Director of Adult Education, Indiana University:] The cost of preparing live television programs is likely to stagger college officials who are not accustomed to operating on the financial scale needed to present good educational television.¹

[Telford Taylor, Counsel for the JCET: The economic base of educational television should stem from the taxpayer's dollar] through state or municipal educational authorities, without raising the fear of

¹Ibid.

Government control of programming. Private endowment through the great universities and foundations is the other major potential source of funds.¹

The "Crisis" in Education²

Behind the statements of these distinguished spokesmen loomed the harsh statistics pointing to the fact that American education was "in a bad way." An increase of 420,000 students over the 1950 enrollment figure (most of them in the elementary grades) brought the total school population of 1951 to more than 33.1 million in spite of a 7.8 per cent decline in the number of college students. A decrease in enrollments in teacher training colleges of 10.9 per cent nationally was potentially much more serious than the increased school population. Even more alarming was the 15.9 per cent decrease in the number of freshmen entering teacher training colleges. Only 32,000 elementary school teachers entered the teaching service, less than half the 80,000 needed; and the future outlook seemed even more grim.

A survey of the national school systems called attention to the "second-rate" quality of most rural schools, which did not adequately prepare up to sixty per cent of the non-college-bound high school students, thereby fostering delinquency and encouraging "dropouts."

¹Telford Taylor, "Finding a Place . . .," New York Times Magazine, January 28, 1951, Sec. VI, p. 15.

²Information in this section is developed from Encyclopedia Britannica: Book of the Year, 1952, pp. 236-240.

In the light of these revelations and their implications for the future, it should not be wondered that educators looked toward any educational innovations which seemed to have the potential for relieving some of their problems--and television seemed to be one of them.

National Television Developments

A number of technical and programming developments took place during 1951 which increased the significance of later developments in the educational television movement.

Broadcasting Technology and Programming

In January, the Zenith Radio Corporation, under a 1950 authorization by the FCC, began a ninety-day experimental program service to three hundred Chicago area homes which was known as "Phonevision." It was one of several "subscription-television" services proposed as alternatives to "free" or advertising-supported, commercial television broadcasting which then dominated the American scene.¹

The American Telephone and Telegraph Company extended its \$40 million microwave-relay and coaxial-cable network

¹Broadcasting's derogation for all "fee television" was "Pig-squeal Video," a phrase which connotes the industry's attitude toward all subscription-television plans down to the present. Other proposed subscriber services, or "pay-as-you-see" television included Skiatron Corporation's "Subscriber Vision," theatre television, and innumerable community-cable antenna systems in "fringe reception" areas throughout the country. See Broadcasting, September 10, 1951, p. 90; October 15, 1956, pp. 236, 238; and Encyclopedia Britannica: Book of the Year, 1952, pp. 672-73.

system over the Rocky Mountains to the west coast, linking New York with San Francisco and fifty-two cities in between, for the first time in American television history.¹

The introduction of color television seemed imminent, and the sale of regular receivers declined slightly as viewers awaited the newer development. The CBS Network broadcast some programs in color until the Office of Defense Mobilization denied CBS the materials needed to manufacture color receivers, whereupon these "colorcasts" were discontinued.²

One of the major events in television programming was the "live" broadcasting of the proceedings of the Senate Crime Committee Hearings in New York City and Washington, under the chairmanship of Senator Estes Kefauver.

For several weeks audience surveys taken during these proceedings indicated a television audience in excess of eighteen times the size of the average weekday morning audience, and even higher figures in the afternoon and evening.³

This viewing phenomenon was to have a direct influence on subsequent activity in Congress with respect to educational television support. In the meantime, there were other developments on the Governments's part in the area of television, particularly as it related to educational television.

¹ This system was inaugurated with President Harry Truman's address to the Japanese Peace Treaty Conference at San Francisco on September 8, 1951--the first "live" coast-to-coast television broadcast. (Broadcasting, October 15, 1956, p. 242).

² Encyclopedia Britannica: Book of the Year, 1952, p. 670.

³ Ibid., p. 672.

Educational Television and the FCC

The FCC's actions during 1951 gave impetus to the organized movement for educational television channel reservations, and, at the same time, depicted in sharp relief some of the issues which were later to be of considerable significance in developmental and legislative proposals.

The "Third Notice"

On January 31, 1951, the FCC concluded its hearing on the "general issues" (including the educational television question) contained in its 1949 "Notice of Further Proposed Rule Making" (FCC-49-948) and recessed "in order to study the record and determine whether it should proceed with the hearings . . . [on other phases] in the light of the evidence adduced on the general issues."¹

On March 22, 1951, the FCC issued its "Third Notice of Further Proposed Rule Making" (FCC-51-244), setting forth its conclusions based on the hearing record with respect to the general issues.² The new proposal included a plan to "open up" fifty-two television channels in the UHF band of frequencies, which would permit a total of about 2000 television stations to broadcast in 1200 communities throughout the nation. It was further proposed that 209

¹FCC, "Sixth Report and Order," par. 5, Federal Register, XVIII, No. 17 (May 2, 1952), Part II, p. 3905.

²FCC, "Third Notice of Further Proposed Rule Making," Adopted March 21, 1951, Federal Register, XVI, No. 68 (April 7, 1951), pp. 3072-3090.

channels, scattered throughout the country in metropolitan areas and educational-cultural centers, be reserved for educational applicants. The rationale for this action, based on evidence presented in the hearings, was as follows:

In general, the need for non-commercial educational television stations was based upon the important contributions which non-commercial educational television stations can make in educating the people both in school--at all levels--and also the adult public. The need for such stations was justified upon the high quality type of programming which would be available on such stations--programming of an entirely different character from that available on most commercial stations.

The need for reservation was based upon the fact that educational institutions of necessity proceed more slowly in applying for broadcast stations than commercial stations. Hence, if there is no reservation, the available channels are all assigned to commercial interests long before the educational institutions are ready to apply for them.¹

In a separate opinion accompanying the "Notice," FCC Chairman Wayne Coy supported the principle of educational reservations, but emphasized that the reservation of channels for educational purposes did not relieve the commercial broadcasters of their responsibilities to serve the public interest through worthwhile educational and cultural programs. Coy also commented on the length of time educational reservations ought to be withheld from general applicants, contending that

¹ Ibid., Appendix A, VI, p. 3079.

the reasonably near future is the time required for educational institutions to make up their minds as to whether or not they will utilize television in their educational program and in so doing decide to become an operator or a joint operator of a non-commercial educational television station It does not seem unreasonable to expect boards of trustees and administrative officials of educational institutions to declare their intentions at an early date, subject to action by state legislatures.¹

Commissioner Frieda Hennock, also in a separate opinion, called the FCC plan "inadequate and ineffective" in meeting the needs of educational television, because of a failure to give education "a sufficient share" of the television spectrum. (Miss Hennock, in many speeches and statements, had been advocating the reservation of twenty-five per cent of all frequencies and/or time on existing television stations for educational uses.) In pointing out that in three-fourths of the 168 standard metropolitan areas of the United States there was no frequency reserved for education, nor were there reserved frequencies in many cities "where important colleges and universities and successful educational broadcasters are located," she maintained that the reservoir of channels was being exhausted and that future provision for educational television development was "now being foreclosed."²

¹ Additional Views of Chairman Wayne C. Coy, quoted in Broadcasting, March 26, 1951, p. 27.

² Separate views of Commissioner Frieda B. Hennock, quoted, Ibid., p. 31.

The FCC scheduled hearings on its "Third Notice"; but successively postponed these and finally cancelled them altogether as being unnecessary. Comments from interested parties, were accepted, however, including 838 petitions in support of educational television reservations from educational institutions, public bodies, and civic and public service agencies.¹

The principal issue at stake in the proposal of the "Third Notice" was whether television channels, considered as a "natural resource," the use of which ought to be predicated on the principle of the greatest good to the greatest number (in the "public interest, convenience, and necessity") should be held in a reserved state until such time as they should be activated by educational and cultural organizations and/or institutions; or whether these channels ought to be activated quickly, at the hands of commercial entrepreneurs, committed by the terms of their licenses to "the public interest, convenience and necessity," but, at the same time, to the free-enterprise, profit motives of business operations, in order to provide a nation-wide television service for the entire population.

¹Hull, Educational Television, p. 343. See also Powell, 22-23, and Broadcasting, July 16, 1951, 58ff.

Included among these were the plans submitted by the New York State Board of Regents and the Philadelphia Board of Education for specific station development, as previously noted. The New York Regents signified their intent to activate immediately eight of the ten reserved channels. See above, chap. iii, p. 82.

Commercial Opposition to ETV

The commercial television industry launched a "give-no-quarter" attack on the educators in general, on specific proposed educational television installations, and on the FCC proposal itself, in a series of legal and public-relations moves which can best be described as "lamentable." The industry, speaking largely through its official organization, the National Association of Radio and Television Broadcasters (NARTB, now NAB), revived all the arguments of the 1950-51 FCC hearings, charging that:

(1) the educators would waste the television channels through disuse, misuse, or limited and arbitrary "special-audience" use;

(2) that the FCC had no legal power to allocate for specific cities, or to set aside any specific frequency in the broadcasting spectrum for use by a "preferred" licensee;

(3) that the 1950-51 FCC hearing record did not itself justify any such "blanket reservation" as ten per cent of all potential frequencies, as the "Third Notice" proposed;

(4) that the organized educational "front" represented by the JCET was "vague, confused and generally contradictory" in its presentation before the Commission respecting its objectives; and

(5) that educators generally had an "unrealistic view" of the cost of television operations and had not advanced, in their case before the Commission, a feasible plan by

which a "stable" television channel utilization could be effected.¹

The kind of opposition which the broadcasters brought to bear on educational television interests was typified in the resolution adopted by the Illinois Broadcasters Association (IBA) condemning the University of Illinois for

spending tax funds in support of the Joint Committee on Educational Television's proposals for reservation of channels, when the state university could, to much greater advantage, use the taxpayers' money to produce programs for use on commercial stations which will provide time without charge for worthwhile educational programs of general interest and which will assure statewide television coverage for the state university.²

Formal Recognition of the JCET

At about the same time that the FCC's "Third Notice" was released, the ad hoc Joint Committee on Educational Television was reorganized and formally constituted, under the administrative sanction of the American Council on Education, as a fully independent "organization of organizations." It was recognized by the FCC as the "legal voice of educational broadcasting," whose membership included the "full spectrum of United States education." Henceforward

¹See New York Times, May 10, 1951, p. 33:4; June 29, p. 27:3; and Broadcasting, July 2, 1951, pp. 23ff; July 16, pp. 58ff; September 10, pp 90.

²Text of Resolution adopted by IBA, August 3, 1951, reproduced in Broadcasting, August 13, 1951, p. 67. See other allegations and activities of this sort in Edwin James, "Educational Dilemma," Ibid., July 16, 1951, pp. 58ff. and Ibid., September 10, p. 84.

the cause of educational television was officially advanced in all Government spheres, and in other areas as well, by the JCET.¹ With strong financial backing from the FAE, the JCET obtained a staff and developed a two-pronged program of (1) representation of educational television interests before the FCC, and (2) assistance to interested educational institutions and organizations willing to establish educational television stations. It is probably no exaggeration to say that, except for financial support, the development of educational television, and the growth of the movement, was "sparked" and principally guided by the JCET throughout the first decade.

Educational Television and Congress

It might have been expected that as more activity took place in the area of television--i.e. the Kefauver hearings, the expanded networks, the "Third Notice," and the controversy between commercial and educational television interests--that Congress would begin to take an interest in the new developments as they related to the regulation of the medium. So it is not surprising to note that an

¹Powell gives a very colorful, personal narrative of the evolution of the JCET, the timing of various events, and the personalities involved (Powell, pp. 51, 65-69, passim). In April, 1951, the Fund for Adult Education granted the JCET an initial subsidy of \$90,000, the first grant of a series by that donor which would amount to more than \$11 million for educational television by 1956, of which the JCET would receive nearly \$.5 million (FAE, Ten Year Report, p. 101).

interest in the educational potentials of television was generated in the Senate almost collaterally with the FCC's "Notice" discussed above.

The Bricker Proposals

On February 1, 1951, early in the First Session of the Eighty-Second Congress, and the day following the close of the FCC hearings, Senator John W. Bricker reintroduced his joint resolution (S.J. Res. 28) of the previous Congress:

To direct the FCC to make a study of the problem of allocating television frequencies for use by educational institutions for the purposes of non-profit educational programming, [and] to give consideration to the allocation of at least one frequency within each State . . . to educational institutions for the purposes of educational programming.¹

In a speech introducing the resolution, Senator Bricker cited the precedents by which, from time to time, the National Government had assisted the states in providing free public education. These included the land-grant policies for the admission of new states (1803), the Morrill acts of 1862 and 1890, which fostered the growth of the land-grant colleges, and other grants, loans and matching-funds programs, all of which supported Bricker's contention that education is the "cornerstone of democracy."

He then drew a parallel between

¹Congressional Record, 82nd Cong., 1st Sess., XCVII, 1951, Part 1, p. 869.

the principle of setting aside grants of land for educational purposes . . . [and] the well established principle of reserving a part of our national resources for future needs. . . . In a world of crisis, we must rely entirely and completely on these two assets, and, in my judgment we cannot survive without judicious attention to our resources in nature and in the minds of Americans.¹

With these two concepts as premises, Senator Bricker recalled the history of educational radio to show that in the earliest allocation of radio frequencies--a "natural resource" the principle of reserving part of the spectrum for educational purposes had, indeed, been considered, but had not been adopted until 1949, when the FCC established a precedent by reserving channels for educational broadcasters in the FM spectrum.

Turning to television, Bricker argued that on the basis of present evaluations of the educational potential of the medium (citing several unspecified educational sources), it was the responsibility of

Congress and the Commission to insure that at least a proportionate part of this great and newly developed resource is reserved for the use of all the people. . . . It is further the duty of the Congress to indicate to the Commission its deep interest in the problem of the interrelationship of education and television.

The structure of the speech up to this point, as revealed by the Record, was remarkable for its simplicity and clarity. The successive lines of argument, each stemming from the conclusion of the one preceding it, were almost

¹Ibid., pp. 868-69.

syllogistic; yet each of the premises was embellished slightly, or supported with such a variety of proofs--historic precedent, generalized examples, specific instances, or personal proof--that the speech did not have the "formality" of a tightly reasoned legal tract, but was rather more like a strong current, moving irresistably toward its objective, with flashes of contrast and a new freshness in each new idea.

Having presented his argument for the "need" of Congressional concern with educational television, the Senator then introduced his solution (the resolution) and indicated how its passage would resolve the question raised:

The adoption of this resolution . . . will lend an added impetus to the action of the Commission [in its hearings and investigation], and will impress upon the Commission the necessity for affording the American people . . . the choice of using at least an equitable part of this resource for educational purposes.

In his peroration Sen. Bricker reiterated the traditional American affinity between education and democracy, and the consistency of the principle of reserving natural resources for the benefit of all citizens.

The bill was subsequently referred to the Senate Committee on Interstate and Foreign Commerce where it, unfortunately, died.¹

¹The objective toward which the bill was directed, however, the allocation of reserved channels for educational interests, was a subject which was discussed at length in two separate Senate Commerce Committee hearings later in the session. Infra, chap. iii, pp. 113-117 and 126-128.

Bricker's contribution to the educational television movement in this speech was that he sounded an affirmative note on two of the five major issues confronting the movement as it had developed up to that time: (1) that television was a potential educational force of some as yet unknown magnitude, and (2) that television frequencies were a "natural resource" which should be conserved in a manner similar to other natural resources.

Other ETV Proposals

The next day, February 2, a bill identical to the Bricker resolution was submitted in the House of Representatives by Representative James Dolliver (H.J.Res. 148). In a statement accompanying the resolution, he called the attention of the House to the achievements of WOI-TV as illustrations of what benefits might accrue to the nation if educational television allocations were reserved on a nationwide basis.¹ The bill was referred to the Committee on Interstate and Foreign Commerce of the House, but no further action on it was taken.

Soon after the release of the FCC's "Third Notice," Representative Emanuel Celler introduced a bill in the House (H.R. 3542) which would require all commercial television stations to earmark twenty-five per cent of their broadcasting time for noncommercial educational programs.

¹Ibid., p. 892.

It was Celler's contention that the proposal of FCC Commissioner Frieda Hennock (that twenty-five per cent of all channels be allocated to noncommercial educational television stations) was "both unworkable and undesirable," since it tended toward extremes in programming between the two types of stations ("highbrow" and "lowbrow"). Celler's own proposal, he alleged, was more practical and would result in "less frenzy and more finesse in television."¹

Celler's bill was opposed in the press by the newly-formed NAEB Public Interest Committee, which argued that passage would give the commercial broadcasters a monopoly on the "natural resource" of television frequencies, that it would militate against those educational institutions which needed educational television facilities most--colleges, universities and school systems--and that the bill would be impossible to administer.²

Celler's bill subsequently died in the files of the House Committee on Interstate and Foreign Commerce.

The Benton Proposals

S. Res. 127

On April 13, Senator William Benton called the attention of the Senate to the importance of television to

¹Ibid., Part 2, p. 3398. Cf. New York Times, April 6, 1951, p. 37:2; May 4, p. 26:6.

²In a letter from Edward L. Bernays, published in New York Times, May 9, 1951, p. 32:6.

the national welfare in a major address and resolution (S. Res. 127) which had far reaching implications, and which proved to be the major legislative proposal of the Eighty-Second Congress affecting television.¹

Senator Benton's frame of reference, and the point of departure of the introduction of his address, was the impact of the televised Kefauver Crime Committee Hearings of a month previous, and the phenomenal number of viewers which those televised hearings had attracted (twenty-five per cent of all television homes in the New York area, compared with a normal viewing audience of one and one-half per cent, on one occasion cited by the Senator).² Senator Benton concluded his introduction by suggesting that

long after the names of the gangsters, the racketeers--yes, and even the experts on constitutional law who paraded before the television cameras, have been forgotten, . . . March 1951 will be remembered as the month in which our American people began to awaken to the potentialities of television as a servant of society.

After a brief documentation of this contention, Senator Benton proceeded to a statement of his thesis:

Because the Kefauver hearings have dramatized for all of us the astonishing power of television to serve good ends as well as trivial or even bad ends, I believe that Congress should at once take a sharp "new look" at television in relation to our national life.

¹Congressional Record, XCVII, Part 3, pp. 3821-26.

²Report of March 19, 1951, refereed to by Senator Benton, Ibid., p. 3822.

The argument proceeded from the premise that Congress has the responsibility to establish general policies for the FCC to follow in administering broadcasting matters. This was followed by a discussion, heavily weighted with personal experience (the Senator had been formerly a leading radio advertising executive), of the medium's political potentialities, to a conclusion that

Congress owes a duty to the FCC, as well as the American people not only now to inform itself on current developments but at once to consider policy in this field--and with the utmost seriousness.

Senator Benton then shifted the focus of his remarks to the recently-released "Third Notice" and called attention to the inadequacy of the proposal, which reserved

only ten per cent of the available channels for educational stations, contrasted with twenty-five per cent asked for by many educators who are interested in developing the medium for the education and betterment of all the American people. I imagine the ten per cent is a pre-Kefauver percentage. Does it accurately reflect the faith of the American people in education? I do not think it does I do not believe Congress should now let such an urgent question of public policy be decided by its own default, without so much as a day of hearings or a page of debate in the Congressional Record.

He met one of the charges of the commercial broadcasters (namely: that educators had not made good use of radio in the past, hence could not be expected to make good use of television in the future) by advancing the counter-charge that

tremendous effort and much money have been expended to keep them out of broadcasting, and to keep them quiet. . . . The educators have not been seriously asked to try to do a job with radio broadcasting.

Then, referring back to the FCC proposal, Benton concluded the section by attacking the logic of the broadcasters' contention:

I do not agree that because it is said that today there are only forty educational institutions which may seek allocations of frequencies for television stations--that it therefore follows that two hundred nine possible allocations, or ten per cent of the total, are necessarily enough.

Mr. President, if it takes the educators ten years to learn how to use five hundred channels--or twenty-five per cent of the total--perhaps they should be given the ten years to develop their resources and their techniques. I do not say that this is true. I merely say that the alleged record of the educators is not sufficient grounds for claiming that it is not true.

Then Senator Benton changed the focus of his remarks and developed a line of information (including exhibits which were appended to his remarks in the Record) concerning the recent developments of Phonevision and Subscriber Vision, calling attention to the

tremendous values to television and radio which would accrue to the American public with the development of a competitive system which sells its service to the public, without benefit of advertising, and which, like the magazines and newspapers, must depend for its circulation on its capacity to attract money from its subscribers.

The speech concluded with some personal remarks in support of the Phonevision enterprise (similar, in some respects, to Benton's own earlier proposals, for a subscription-radio service), and the introduction of the resolution jointly sponsored by Senators Benton and Hunt, which called for

an immediate inquiry by the Committee on Interstate and Foreign Commerce into the whole issue of the impact of television on American society and what we should now do about it.

In substance, the Benton speech, like the Bricker speech cited earlier, underscored some of the significant issues of the 1951 phase of the educational television movement. Benton first asserted that television was a medium of great power and influence, and he used the ratings of the televised Kefauver hearings as evidence of its magnitude (in contrast to Bricker's speculation as to television's potential). Second, Senator Benton attempted to refute the industry-voiced argument that educators would waste the television channels as they had radio, by alleging that educators had not had a fair chance with radio. Finally, he affirmed his support of the principle of twenty-five per cent reservation of channels for education.

The information developed regarding subscription television was not particularly relevant to the main issues of the period, though that aspect of the speech was "picked up" and denounced thoroughly and vindictively in the trade press.¹

The speech as a whole was rather "free wheeling" in structure (particularly when compared with Senator Bricker's tightly organized address), and Senator Benton seems to have lacked a logically cohesive arrangement.

¹ See particularly the articles and editorials in Broadcasting during the remainder of the year, Vols. XL, XLI (1951), passim.

On the other hand, Benton's speech was "full of Benton," and had an obvious emphasis on the authority of Benton to speak on communications matters. It contained repeated references to personal experience and personal communication (characteristics which seem to have been typical of many of the Senator's remarks in the Senate). No one, at least no one in the Senate, would deny Senator Benton's qualifications and experience in the media areas, and there seems to be every indication that the Senator was using this ethos factor as much as any other form of support to carry the proof of his remarks.

The bill which his speech introduced, and which was referred to the Commerce Committee for hearings, specified five areas for investigation by that committee, four of which related directly to educational television development:

Section 1. (a) Current television programming trends, . . . with reference particularly. . . to the proportion and adequacy of time allowed for public service and educational programs and to the criteria by which these are judged;
 (b) The criteria now being used by the Federal Communications Commission for the assignment of television channels, . . . with respect to assuring suitable time for present and prospective public service and educational programs;

.

(d) The prospect for the financing of public service and educational television programming from local, State, and Federal government sources, through educational institutions and other non-profit organizations, or other sources;

(e) The character of legislation necessary to insure maximum development of the educational and public-service potentialities of television.¹

Senator Benton and the IERT

A few weeks later, Senator Benton addressed the opening meeting of the 1951 Institute for Education by Radio and Television (IERT) at Columbus. He raised several "leading" questions regarding the future of educational television and the relationship of Congress to the movement, such as the need for changes in the Communications Act of 1934 to require licensees to devote a portion of their daily broadcast hours to education, and the possibility of establishing

an educational division within the FCC, or perhaps a national commission advisory to the FCC, to strengthen the hands of that agency and help it gauge the educational promises and performances of licensees.²

The proposal to amend the Communications Act had, of course, been suggested by Representative Celler (and had

¹Text of S.Res. 127, Congressional Record, 82nd Cong., 1st Sess. (April 13, 1951), XCVII, Part 3, p. 3824. The resolution also stipulated a time-limit of ninety days for the conduct of the investigation and provided a mandate to the FCC that no action be taken to lift the television "freeze" until the Senate had had the opportunity to act on the Committee's report (Secs. II, IV, Ibid.).

²Text of an address by Senator Benton to the Institute for Education by Radio and Television, Columbus, Ohio, May 3, 1951, reproduced in the Appendix to "Congressional Record, Ibid.", Part 12, pp. A2708-10. It is interesting to note that the first suggestion--an educational division within the FCC--finally materialized in 1963.

been rejected by the NAEB); Benton's other proposal hinted at what was to become the most controversial piece of proposed broadcasting legislation of the year.

Senator Benton's own solution to the educational television problem was clear, as he concluded:

The FCC already has broad powers. But in view of the pressures it must cope with daily, it cannot be expected to exercise those powers vigorously in behalf of education without renewed support and guidance by the Congress, whose instrumentality it is. The issues are too big, too important, to be left wholly in the hands of a single agency, no matter how competent it may be.¹

Benton's Speech in the Senate - May 15, 1951

On May 15, Senator Benton again rose in the Senate to deliver a speech in support of his (and Senator Hunt's) resolution, still pending before the Commerce Committee.² The ostensible "catalysts" which precipitated this speech were two articles in The New York Times concerning the protestations of the NARTB over the FCC's ten per cent educational channel reservation proposal, and the New York State Regents' proposal to activate eleven channels and establish a state-operated educational television network. Senator Benton alleged that a portion of his resolution (Sec. 1 (b)) related to the issue discussed by the two articles--namely, whether or not television channels should be set aside for educational purposes.

¹Ibid., p. A2710.

²Ibid., Part 4, pp. 5301-06.

His concern, he said, was over the urgency of the matter:

The issue cannot wait Within the coming weeks the FCC will begin to make its present tentative allocations of last March definite and final. . . . Then we shall see, I fear, Mr. President, a new kind of freeze--a kind of "freeze in reverse"--with all or almost all available TV channels finally assigned. Yes, this freeze will set the pattern of American television for decades and even generations to come.

Following a brief resume of the two articles, Benton selected three (of four) allegations raised by the NARTB in its protest to the FCC (the subject of one article) and attempted to refute them in terms of the Regents' proposed actions (the subject of the second article), with additional elaborations of the Senator's own views, to wit:

1. The NARTB contended that educational reservations were reservations for a "special class of applicants."

Benton responded:

Mr. Jacob L. Holtzmann, chairman of the regents committee on the subject, said: "It is as important for the educational system to have television channels as schoolhouses, and I don't know in the future which will be more important."

.

I ask: Are the educators not indeed a "very special class of applicants"? Do our schoolhouses have to be kept open twenty-four hours a day in order to be a great national asset? Can we indeed judge adversely the potential value of television to all American citizens because as much as ten per cent of its channels are to be "limited" to educational institutions?

2. The NARTB alleged that the educational reservations might be wasted through "nonuse, or limited use, or use for the benefit of a limited audience." Said

Benton:

The potential use of television in the field of adult education is far, far greater, though perhaps less self-evident than in the field of formal education. . . . The board of regents of New York State are addressing themselves only to formal education, and not at all to the major field in which television can achieve its greatest potential public use, which is the field of adult education.

3. The NARTB implied that educators were unaware of the expenses involved and unable to cope with the costs of establishing educational television outlets.

Senator Benton affirmed:

One of the taunts which has been hurled at the small number of hopeful educators who are aroused to the potential educational importance of television is "where is the money coming from?" . . .

My comment is now, as was the comment at that time of the defenders of free education for all children, that the American people believe in education. They have fought for it and will continue to fight for it. They will find the money, and they will not deny educational television to themselves or their children once they have seen its power continually exerted, as we all saw it so dramatically in the Kefauver hearings.

In the past three months three private foundations have appropriated a total of more than \$1,000,000 for educational radio and educational television. No one could have anticipated that action even six months ago. Now comes the action of the New York regents. This is the most dramatic action so far. . . . I should like to hope that this action may serve as a model for the entire Nation.

When these points had been made, the speech seemed to lose its "headway." Several Senators raised questions or made comments on Senator Bricker's remarks. Finally, he yielded the floor after restating the proposals contained in S.Res. 127 and concluding with the statement that

all Senators should assist these men of good will [the educators], and others like them, who appreciate the vast potentialities of television, and who wish to see this great new medium devoted to the welfare of mankind.

The speech was interlarded with personal reminiscences, bits of generalized information (largely undocumented), and "free-wheeling" assertions of patriotic flavor which seem to be characteristic of most of Senator Benton's remarks on this subject. While there was enough logical argument to substantiate the contentions, most of the supports could be classified as purely "personal."

The issues were substantially the same (with only minor variations in emphasis) as those developed in Benton's earlier speech on the same subject: the efficacy of television for educational uses; the resources available to educators for operating educational outlets; and the philosophical "right" of special classes of applicants to receive preferential treatment with regard to television channels in the public domain.

Senate Hearings on the Benton Proposals

S. Res. 127

Two weeks later, on May 31, S.Res. 127 was the subject of a one-day hearing before a subcommittee of the Senate Interstate and Foreign Commerce Committee, presided over by Senator Ernest McFarland. This hearing was the first in what would become an intermittent series of hearings

extending through more than a decade devoted to the objectives and development of educational television facilities.¹

Senator Benton was the only witness at the Hearing, which three members of the subcommittee and the chairman attended. Senator Bricker, though not a member of the subcommittee, joined the hearing briefly to interject comments relative to his own, still-pending, joint resolution (S.J. Res. 28).

The testimony consisted mainly of a reiteration by Senator Benton of the ideas and arguments presented in his two earlier speeches. These were developed in greater detail and with more elaboration under the less formal procedures of the Hearing. Senator Benton emphasized the urgency of the situation posed by the "Third Notice," asserting again that the lifting of the television "freeze" would set the pattern in television development in America, possibly for decades.

If we [the Congress] miss this present chance to orient television toward a public service, educational and public interest, I think we have missed our chance for a generation--and perhaps not only for a generation, but for keeps.

I am here today because it is the special responsibility of the Congress to take initiative in this area and to see to it that these public airways have their chance to serve the public interest.²

¹U.S., Congress, Senate, Subcommittee of the Committee on Interstate and Foreign Commerce, Hearing, S. Res. 127, Use of Television Frequencies for Educational Purposes, 82nd Cong., 1st Sess., May 31, 1951.

²Ibid., p. 9.

What Senator Benton proposed (and a discussion of these two measures consumed most of the hearing time) were a joint resolution draft, containing four points, and a draft bill implementing one of the four points on which the Senator asked the counsel and guidance of the subcommittee prior to introducing both measures in the Senate.¹ The proposed joint resolution would, in effect (1), continue the television "freeze" for at least another year (a condition opposed rather sarcastically by Senator Johnson) so that "universities and other institutions . . . will be sure they will have the three hundred and sixty-sixth day" to get organized and chart a positive plan for developing educational television.² In addition (2), the licensing period of all television stations would be set on a one-year basis, "in order to assure that television programming will be conducted on new, high levels of public service," (3) The FCC would investigate and encourage the development of subscription television, and (4), the Congress would establish a National Citizens Advisory Board on Radio and Television.³

¹The proposals were later introduced as S. 1579, 82nd Cong., 1st Sess., May 31, 1951, by Senators Benton, Bricker, Hunt and Saltonstall (Congressional Record, XCVII, Part 5, p. 5972), and S.J. Res. 76, 82nd Cong., 1st Sess., June 5, 1951, by Senators Benton, Bricker, Hunt and Saltonstall (Ibid., p. 6117).

²Hearing, S.Res. 127, pp. 20-21.

³Text of the Draft of Proposed Resolution, Ibid., p. 39.

It seems clear from the Hearing transcript that Senator Benton had had some conferences with representatives of the educational television movement--he conceded as much in his references to "recent conversations." The proposal for subscription television, however, which Senator Benton stressed as an "alternate" means of financing educational, as well as entertainment television, and which was submitted to the subcommittee as the "most important of all," was undoubtedly Benton's own idea. No evidence is available to indicate that educational interests themselves seriously considered this method of overcoming the financial obstacles of operating educational television facilities.¹ Senator Benton, it will be recalled, in the 1940's, prior to his term in the Senate had applied to the FCC for permission to operate a "subscription-radio" service along somewhat similar lines. He referred to that experience in his testimony on S. Res. 127.²

The proposal for a National Citizens Advisory Board on Radio and Television was patterned after similar boards established by Senator Benton in other areas. The plan was introduced in the Senate immediately following the subcommittee hearing as S. 1579.

¹When the issue was developed in a full investigation during a later Congressional hearing, the JCET testified that it had no official position relative to subscription television, but asked that, if such an authorization were approved by the Congress, educational television stations be accorded the same opportunities as other licensees (U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, Hearings on Subscription Television, 84th Cong., 2nd Sess., February 6, 1956).

²Hearings on S. Res. 127, p. 23.

No further action was taken on S. Res. 127, and it was not reported out of the committee. Senator Benton failed to receive the immediate support he requested, Senator McFarland demurring to the need for an executive session to discuss the matter further.¹ The New York Times, however, published an editorial in support of S. Res. 127 and called for a show of public support of Benton's proposals.² On June 7, in the House, Representative Hugh Addonizio introduced a counterpart resolution to S. Res. 127 (H. Res. 250):

to investigate television programming trends and policies with respect to public service and educational programs.³

The resolution was referred to the House Rules Committee, where it died without a hearing.

Hearing on General Matters

On June 5, the joint resolution (S.J. Res. 76) which had been discussed in the May 31 hearings, was introduced in the Senate, sponsored by Senators Benton, Bricker, Hunt, and Saltonstall, and referred to the Interstate and Foreign Commerce Committee.⁴ No action was taken on that resolution specifically by the Committee; but Senator Johnson, the Committee Chairman, scheduled hearings in July

¹Ibid., p. 32.

²New York Times, May 3, 1951, p. 26:3.

³Congressional Record, XCVII, Part 5, p. 6282.

⁴Ibid., p. 6117.

on the subject of television in general.¹ Senator Benton, though not a Member, attended the hearing as a guest of the Committee; Senator Bricker, whose resolution was directly related to the scope of the hearing, was absent, although attempts were made to develop lines of discussion on his behalf.

The hearing's only witness was FCC Chairman Wayne Coy, who reviewed the FCC's actions in the proposed allocation of television channels. He concluded his formal statement with the hopeful prediction that the "freeze" could be lifted in September, 1951.²

When educational reservations were discussed, Senator Benton stated his view, as he had in the earlier hearing, that if commercial stations actually agreed to devote a specified amount of time at appropriate hours to educational and public service programs, there would be much less need to allocate reserved television channels for educational institutions. Senator Johnson had agreed to this point

¹U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, Hearing on FCC Policy on Television Freeze and Other Communications Matters, 82nd Cong., 1st Sess., July 18, 1951.

²In the printed transcript, however, a correction in the form of a letter to Chairman Johnson, was inserted, expressing Chairman Coy's regrets that he had been ill-advised on the matter of lifting the "freeze" and was, under the circumstances, forced to revise his estimate of the end of the "freeze" well beyond the end of September. Ibid., p. 6.

earlier, and in the interim had advised the FCC of his feeling that the Commission could

extend extremely profitable assistance to the educational processes of the country by imposing a condition in each television license issued which would require the availability of appropriate time for educational purposes.¹

Chairman Coy, however, was reluctant to admit that the FCC had the statutory authority to establish any such policy, although he conceded that if stations were to agree to such an arrangement the FCC would have the right to hold them to it.² It appears to have been the consensus of the committee members present at this time (Senators Johnson, Kem, Capehart, and Benton) that the FCC ought to have the authority to establish this kind of standard. But the real question which confronted the Committee at this point was one of a definition of what was meant by an "educational" program.

Senator CAPEHART. What is an educational program [under the FCC Rules]? . . .

Mr. COY. An educational program is one that is put on by an educational institution and has to do with the improvement of the cultural background and understanding of the community.

¹Text of Johnson's brief to the FCC quoted in the Hearing Transcript, Ibid., p. 49. The same kind of proposal was also contained in the Celler bill (H.R. 3542) still pending in the House.

²In a subsequent letter to Senator Johnson, placed in the Hearing record, Chairman Coy conceded that, in the opinion of FCC counsel, the Commission did indeed have the right to set policy along these lines, but Coy still reserved judgment as to the desirability of such a requirement. Ibid., pp. 47-48.

Senator CAPEHART. And what would be your understanding of such a program? . . . Give us a concrete example of an educational program.

Mr. COY. The program put on by the University of Michigan over a television station in Detroit, having to do with various subjects which are in the curriculum of the University of Michigan and for which they give credit.

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Senator BENTON. Do you not need the phrase "public service" to encompass the kind of program that Senator Capehart has in mind--"educational and public-service programs"?

Mr. COY. I do not mix the two, because the definition of the Commission is, on an educational program, that it has its origin with the educational institution.

Senator BENTON. Yes.

Mr. COY. There are, perhaps, many other programs that are educational in the broad aspects of the term: and one of the complaints I have to the objections of educators as to the misuse, from our point of view, of radio and television stations, as we now know them is that they ignore the general improvement of understanding, due to the news broadcasts over these stations and they ignore programs such as the discussion programs broadcast over those stations, such as this American Forum on the Air.

Senator BENTON. Yes.

Mr. COY. They ignore what those programs do toward the improvement and education of the people, and their understanding, for instance, of good music and liking for good music--and I do not like very much the idea some of them seem to have that all of the radio stations in the country have reduced this country to a great big mass, and we are just one unit in it.¹

The problem of determining what could (or should) be classified as educational programming was obviously too complicated to be easily ameliorated by simple stipulations such as those contemplated by Johnson, Benton, or Celler.

¹Ibid., pp. 51-52.

The discussion turned to Senator Benton's idea of subscription television as it might be developed under the FCC's "Third Notice" proposals:

Senator BENTON. Would it be a good thing to change your term "noncommercial" to the requirement, as was stated earlier, of educational programs--that is, that ten per cent be owned by nonprofit institutions--because I could imagine a nonprofit institution in its own interest engaging in some commercial practices on its station, including . . . the sale of educational programs . . . If they did that, I would not want that to be called a commercial practice. It would seem to me the standard ought to be that ten per cent were owned by nonprofit institutions.

Mr. COY. I would have to disagree with you on that, Senator, on the nonprofit approach. In the first place, the educators asked for noncommercial stations. That is what they want.

Senator BENTON. I know that, and I think they are very wrong in that definition.

.
And if they once took the allocation and wanted to engage in the kind of practice that I described . . . would you call the university commercial because they charged a fee?

Mr. COY. . . . It would be a snare and delusion for an educational institution to have a channel reserved for it on a noncommercial basis, and then they decide they want to use it commercially, and still have the same channel. . . . That would be getting a channel that they did not have to compete for with other users, under the guise that they wanted to use it noncommercially.

Senator BENTON. Well, a university is certainly in a very different position in this country from a commercial enterprise.

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Mr. COY. When you get revenue out of services performed, that is a commercial operation, Senator.

Senator BENTON. Well, then, you are making every university in the United States a commercial operation.

Mr. COY. And there is nothing wrong about it. . . . By "noncommercial," as I understand it, you make no revenue for services performed.

.
I think the universities knew what they were asking for; and, because we had noncommercial FM stations with the same rule, that rule would apply in television as in the FM field--that is, that is what they asked for. If they want to be something else, then that should be changed.¹

The hearing was adjourned soon after the above exchange, the Commission's position having been made clear once and for all.

The Hearing was typical of many such investigations in that no new issues could be found within its compass, nor did it lead to any further action by the Commerce Committee regarding the FCC's television allocations proposal.

The only other television hearing held during the remainder of the Session was that held later in the summer on the Benton resolution and bill (S.J. Res 76 and S. 1579) proposing a National Citizens' Advisory Board. In the meantime, Senator Benton himself was forced to endure a violent attack on his views by the industry press.

Benton's Speeches in the Senate -
August 13 and 27, 1951

The commercial television interests conceived the Benton proposals to be the major threat to their continued unimpeded development of television and radio. The trade publication Broadcasting kept the issues alive through

¹Ibid., pp. 58-60.

extensive reporting of the moves made by Senator Benton regarding his bills (S.J. Res. 76 and S 1579).¹

On August 13, Senator Benton replied indirectly to his industry opponents in a Senate speech which also introduced modifications in his pending legislative proposals.² He chose to interpret the industry's concern as an indication

that the urgency of the problems and opportunities created by this television broadcasting revolution has become even more apparent: this is television's summer of decision.³

The modifications in the bills, which he introduced on behalf of the four original sponsors of both measures, were intended to gain greater acceptance for them, and included the withdrawal of a condition which would have extended the "freeze" (S.J. Res. 76, Part I, Section I). The changes in S. 1579 were all minor, textual changes intended

to make it even more clear that the proposed citizens advisory board is advisory only, and further to make it clear that the board's functions do not conflict with or in any way supersede the statutory powers vested by the Congress in the Federal Communications Commission.⁴

¹See especially the attack linking the JCET with Benton and the U.S. National Commission on UNESCO, Broadcasting, July 16, 1951, pp. 58ff.

²Congressional Record, XCVII, Part 7, pp. 9843-9869.

³Ibid., p. 9869.

⁴Ibid., p. 9870.

The argument of the speech was simply a reinforcement of Senator Benton's earlier contentions that Congress had a responsibility to act to assure the public of a voice equal to that of the commercial industry with regard to public service standards of broadcasting. The citizens advisory board, he contended, would assure that the public would have such a voice.

Only one other major point was made in the speech: that was an attempt to refute the industry's argument that a lack of money was a deterrent to the immediate growth of educational television. Benton cited the willingness of the New York State Regents, in proposing to construct and operate eleven noncommercial stations. He emphasized the stature of New York's public education investment ("...only six states in the United States and only one city--New York City--have budgets greater than [the Regents]"). And then he jumped to the conclusive assertion that: "there is the money, when and if the understanding of the need and the opportunity develops."¹

Senator Benton did not contribute anything new to the continuing debate on the FCC's proposal in this speech. If this speech made any specific point at all, it was to again underscore the financial issue--the costs involved in using television for educational purposes--a problem which was to be with the educational television movement for the ensuing decade and beyond.

¹Ibid.

Two weeks later, on August 27, Senator Benton again took the floor of the Senate to speak on his pending legislation. This time it was to announce that hearings were about to be held on S.1579 and, again to stress the urgency of the television matter with which the bill was concerned. This time, the Senator directed the attention of the Senate to his article, "Television With A Conscience," then current in the Saturday Review of Literature, and which he introduced into the Record.¹

In answer to a question, he reiterated the opinion voiced earlier by Senator Bricker, and still earlier in the philosophy of the Communications Act itself, that the broadcasting frequencies were a "natural resource," or, in Benton's phrase,

America's most valuable national asset
In my own judgment, at least, these frequencies are a more valuable national asset than the tidelands oil [a reference to a particularly controversial political issue current during the same period]. Thus the question is: who gets these frequencies? Under what conditions do they get them? Are they going to be used in the interest of the American people? Or are they to be largely turned over to commercialization and trivialization? It is with such questions my article deals.²

The speech contained little else but a peroration in which Senator Benton appealed to the Senate to read his article (largely a restatement, even to the same illustrations, and in some instances the same phraseology, used

¹Ibid., Part 8, p. 10683.

²Ibid.

earlier in his speeches and testimony before the Commerce Committee subcommittee). He invited the Senate to review the pending resolution and the bill, and to offer suggestions

in the form of material that can be incorporated into the Record or in the form of suggestions of witnesses who may be appropriate to invite before the committee.¹

Senate Hearings on S. 1579

The hearings to which Senator Benton referred were held before the McFarland subcommittee of the Senate Committee on Interstate and Foreign Commerce on September 5 and 6.²

Witnesses at the Hearing included Senators Benton and Hunt, and representatives from labor, library, education, and educational television groups. They testified, almost to a man, that the record of commercial broadcasters in the fields of public service and education was inadequate, and that little hope could be seen for any future improvement under the present conditions of regulation. All the witnesses alleged that the Benton proposals to limit television licenses to one year, to require commercial broadcasters to set aside a fixed percentage of time for non-commercial educational programs, to reserve television

¹Ibid.

²Ibid., Part 17, pp. D568, 570.

channels for educational institutions, and to establish a national citizens advisory board for radio and television, would help alleviate the present circumstances. All the witnesses who were questioned on the matter contended that such a board, which would be "advisory" only, would not constitute government censorship of programming (a contention raised by the industry).¹

Dr. Edgar Fuller, Executive Secretary of the National Council of Chief State School Officers, and Chairman of the JCET, was the most outspoken of all the witnesses concerning educational television reservations and public service time on commercial stations. Maintaining that he spoke for the "millions of teachers and students at all levels"--some twenty per cent of all television viewers in the nation, he said,

[It is] unthinkable that the limited number of television channels may be allowed to become monopolized for selling goods. . . . Television is a more powerful medium than radio, and the public interest demands even more insistently that it diversify its offerings to maintain entertainment of good quality and public information programs beneficial to good citizenship.

On the subject of the advisory board, Mr. Fuller noted:

it is reasonable to suppose that the National Government . . . should cooperate to assist the public to express itself, and a less offensive or less dangerous way than that proposed by S. 1579 could scarcely be devised

¹See Broadcasting, September 3, 1951, pp. 23ff.

It is difficult for us to understand why commercial broadcasters should oppose such a National Citizens Advisory Board as S. 1579 proposes.

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Commercial broadcasters will be very unwise if they oppose any and all efforts to make the citizens' voice heard in the field of radio and television. . . . Senate bill 1579 is entirely in accord with all the commercial broadcasters may do toward self-regulatory, but there is no reason to suppose they can shake off the powerful commercial pressures unaided. . . . If broadcasters resist any effort of the public to express itself, such as through the proposed National Citizens Advisory Board, their motives at once are suspect. Many people may come to believe that they do not really want to regulate themselves in a manner generally acceptable, that they do not want suggestions from the public, and that what they really want is license to follow the dollar sign wherever that dollar sign may lead.¹

When witnesses favoring the Benton proposal had been heard, the Hearing was recessed, with the understanding that witnesses opposing S. 1579 (in particular the NARTB) would testify during the next session of Congress.² However, that phase of the Hearing did not materialize.

NARTB Reaction to the Hearing

There is no doubt that the commercial television industry was upset by the testimony at the Commerce Committee

¹Testimony of Edgar Fuller before the Subcommittee of the Senate Committee on Interstate and Foreign Commerce, Hearing on S.1579, 82nd Cong., 1st Sess., September 6, 1951, reporduced in Congressional Record, XCVII, Part 14, p. A5493. The Hearing was also reported in Broadcasting under the headline: "Benton's Inning--Proponents Hail His Plan" (Broadcasting, September 10, 1951, p. 23).

²Congressional Record, XCVII, Part 17, p. D570.

Hearing. Broadcasting reported that an NARTB Television Board meeting (which was held at the same time the Hearing was being conducted) had been devoted almost entirely to "this unprecedented legislation," and that "a single note prevailed--let's fight this thing through!"¹ The Board unanimously adopted an "explosive resolution" condemning the Benton legislation, and called it

a direct step toward outright governmental censorship of radio and television programming. . . .

The resolution continued with a warning that such a proposal

imperils freedom of expression in all mass media, including newspapers, magazines, books, motion pictures, etc. [and is]

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potentially more dangerous to free expression than any legislation that has been before Congress in the thirty year history of American broadcasting. Implicit in it are all of the evils of censorship and abridgment of free expression against which this nation's free citizens have fought for generations.²

The Board agreed to protest the measure at the continuation of hearings in 1952.³ But by that time the Benton proposals had been dropped and were no longer issues.

The End of the Benton Proposals

The Commerce Committee, as noted above, failed to resume its investigation of the Benton proposals, and thereby

¹Broadcasting, September 10, 1951, p. 62.

²Ibid.

³Ibid., p. 109.

laid the controversy to rest for the time being. There was, however, one final, anticlimactic (and even rather pathetic) scene in the 1951 debate on public service broadcasting and the educational television question. It occurred during the closing hours of the First Session of the Eighty-Second Congress.

As the Senate moved toward adjournment late in the evening of October 21, Senator Benton obtained the floor to make a final--almost frantic--appeal for support of his television proposals from his Senate colleagues.¹ It was to be the last Congressional word in support of the educational television movement for more than five years.

Senator Benton's speech occurred when those Members who had not already left the Capitol were anxious to do so, and when every Member present seemingly had some last item of personal import to present to the Senate. Consequently, there was not much attention or courtesy paid to the speaker; and the presiding officer had to gavel repeatedly to maintain order. The speech reflected the pressure under which Senator Benton labored to state his case forcefully and yet briefly. There were several interruptions from other Senators trying to obtain the floor, Benton waving them aside as much as he was able, although he did permit Senators Hill, Morse, and Saltonstall to make remarks in support of his speech during its course.

¹Congressional Record, XCVII, Part 10, pp. 13711-14.

The speech in essence was a summary of the preceding six-months of legislative activities on the proposals submitted by Benton and his co-sponsors. The argument was directed toward the same issues developed earlier on the floor of the Senate and in hearings, namely: that there was (1) an urgent need for a National Citizens Advisory Board to protect the rights of the public in broadcasting matters, and (2) a need to diversify the control of broadcasting channels so that educational interests could have use of the television resource equitably with those of the commercial interests.

In refuting the industry's opposition to his proposals, Senator Benton read from statements in support of his advisory board proposal by the American Civil Liberties Union and "a former FCC Chairman" (presumably Charles R. Denny, Jr., then general counsel to NBC). He shifted his emphasis in response to a comment from Senator Hill, and developed his argument for a form of subscription television, with educational implications paramount. Then he alleged that the commercial broadcasting industry had influenced the FCC toward a bias unfavorable to education:

Equally alarming to me are the rules that have been slipped into the FCC regulations in recent years, by which educational institutions, under present rules, are bound when they get an allocation.

The statement is an obvious reference to the exchange between Benton and FCC Chairman Coy during the

Johnson committee hearing on the "freeze" policy.¹ Benton's contention was that the distinction made by the FCC between "commercial" and "noncommercial"--i.e. the distinction between a university-operated station charging fees for broadcasting "credit-courses" ("commercial") and the broadcasting of such courses without charging fees ("noncommercial")--was an indication of

how far the rules of the FCC have infiltrated into our communications system to prevent the development of educational television.

Finally, as if to "climax" his entire argument, Senator Benton introduced for the Record a letter from a major national advertising executive (Raymond Rubicam) who favored a reduction of advertiser-supported programming, the establishment of viewer-supported subscription television, reserved educational television channels, and the principle of an Advisory Board.

This speech of Benton's was structurally the weakest of all those he gave on the television question during the session. It reflected, in some measure, the lateness of the hour and the mood of the Senate in its press for adjournment. It contributed nothing new in the way of issues, and it reflected even more than its predecessors the "personal Crusade" of William Benton to take care of education's best interests, whether education knew what those best interests were or not.

¹Supra, chap. iii, pp. 121-122.

Benton's speech "closed the books" on S. 1579 in the Senate. No further hearings were held; no more Congressional speeches were made. The entire question of a National Citizens Advisory Board faded from the Congressional arena for more than a decade. In fact, the entire question of educational television per se seems to have disappeared from the mind of the Congress with the adjournment of the First Session of the Eighty-Second Congress.¹

The Issues of the Period

The issues and related questions which arose in various quarters during the year 1951 were these:

1. How could the powerfully demonstrated educational and social potentials of television be best utilized in the public interest? (The question of whether television had such potentials had ceased to be an issue by the end of the year.)²
2. Could commercial broadcasters effectively fulfill their statutory responsibility for programming in education and the public interest?

¹The matter of public interest responsibility, however, has remained as a recurring object of Congressional concern even to the present. During the forgoing period, in the House of Representatives, a resolution (H. Res. 278, 82nd Cong.) was unanimously passed calling for a full and complete investigation of programs of an "immoral and offensive nature," and extensive hearings pursuant to that resolution were conducted before a House subcommittee throughout 1952. See Congressional Digest, XCVIII, passim.

²Supra, chap. ii, pp. 75-76.

3. What resources or opportunities were or should be available to educators wishing to use television for educational purposes?
4. What disposition of the television frequencies, considered as a "natural resource," should be made by the FCC?
5. Should or could (legally) specified television channels be allocated and reserved for any "special" class of licensees, such as educational institutions?

A partial answer to all but the first of these issues was offered by the FCC's decision to allocate 242 television channels for "reserved" use by educational applicants in April, 1952; that issue continued through the following years.

Issues Related to Hypotheses

The nature of these questions, considered in terms of the hypotheses structured in Chapter I, may be summarized with respect to the Congressional (Senate) concern with educational television in 1951 as follows:¹

1. No clear picture can be discerned with respect to the "internal" (within Congress) or "external" (outside Congress) origin of the issues. Senator Benton, for instance, relied heavily on issues introduced by events

¹Supra, chap. i, pp. 26-27.

occurring outside Congress, while Senator Bricker, on the other hand, in his single address to the Senate on the subject of educational television, raised the issue of government responsibility in the preservation of "this natural resource" in quite a different way from the manner in which the issue had been raised previously in the FCC hearings.¹ Similarly, the question of Federal support of education had not previously been raised in the context of educational television as Senator Bricker raised it in his speech.

2. The materials used to support the lines of thought and argument in the Senate tended to be events which occurred outside the halls of Congress, although at least one contention (that of Senator Benton that the television industry had influenced the FCC rules to mitigate against educational broadcasters) appears to have arisen in the course of a Senate hearing.
3. There is no indication on the basis of the above discourse that the committee discussions set limits on the scope of subsequent floor discussion.
4. The principal spokesmen for educational television during the First Session of the Eighty-Second Congress were, generally speaking, members of the committee which treated the issue. Senator Benton

¹Cf. New York Times, November 22, 1950, Sec. II, p. 11:1.

was not a member of the committee to which his proposals were referred, but he was extended the traditional courtesy of being invited to join the committee in its meetings (other than executive sessions), and he participated both as a witness and as a questioner. Hence, for all practical purposes, Benton was a member of the committee during the period of the discussion. Senator Bricker (a member of the committee) did not regularly attend meetings on the television subject during this Session.

There is not enough evidence, based on the events of 1951 alone, to warrant any conclusions with respect to the other hypotheses.

Speaking in the Senate

Discourse in the Senate on educational television, limited though it was, was conducted on a fairly sophisticated level. The two major spokesmen on the subject (Senators Bricker and Benton) expressed themselves in characteristically distinctive and different ways--that is, no recognizable "Senate mode" of address was apparent in their remarks. Bricker's single speech was typically a deductive argument, proceeding from well-established premises to logical conclusions. Benton's speeches tended more toward argument by refutation, and argument by induction from specific instances (in some cases using only one such

instance to support a generalization). Furthermore, Senator Benton's speeches, in all instances, relied heavily on his personal prestige and authority in the field of mass media, and on personal experience and/or personal communications from his associates and correspondents. Therefore, it would be premature to attempt to describe any particular approach taken in the Senate discourse on the educational television question.

Postscript

In December, 1951, the NARTB adopted an industry-wide Television Code (effective March 1, 1952 and revised since that time) by which it was hoped much of the public and Congressional criticism of the industry would be assuaged.¹

The Eighty-Second Congress, returning in January, remained silent on the subject of educational television generally throughout the Second Session.

Except for a few isolated urgings by some educators that the educational camp show a more positive intention of using the prospective reserved channels, there was little activity within the educational television movement pending the release of the FCC's final allocations for a national television service. That event occurred on April 14, 1952,

¹For a complete text of the Code as it was adopted, see Broadcasting, December 10, 1951, pp. 23ff., 81-89.

in the famous "Sixth Report and Order," which was a benchmark from which all future educational television developments on a national scale proceeded.¹

¹FCC, "Sixth Report and Order" (April 14, 1952), U.S. Federal Register, XVII, No. 87 (May 2, 1952), Pt. II, pp. 3905-4100.

CHAPTER IV

THE GERMINATION PERIOD, 1952-1956

Introduction

This chapter includes a discussion of the "climate," developments, and issues relating to the educational television movement during the period between the FCC's "Sixth Report and Order" (April, 1952) and the session of Congress which produced the first piece of proposed Federal legislation specifically intended to assist financially the educational television movement (S. 2119, 85th Congress, 1st Session). Attention will be directed to the Congress's concern with television during this period, with special reference to educational television.

The "Climate" and Television Development

Educational Concerns of the Period

The general educational climate in the United States during the nearly five-year span covered by this chapter (as it relates to the educational television movement) was characterized by the continuation of a trend which had begun in the early post-war period and which reached new stages of "crisis" with each passing year. There were two major aspects to the situation, which engendered a host of

subsidiary issues, large and small: (1) an ever increasing rate of growth in the formally-structured school population; and (2) a broadening of the traditional concept of education to include adult, or continuing, education both within and outside the formally structured system.

The Increased School Population

The "population explosion" in the schools created many continuing problems, few of which could be solved easily. Among the more important among these were a continuing shortage of teachers (and the corollary problem of a decline in the qualifications of teachers); a shortage of funds for teacher salaries, construction, and maintenance of the physical plant, and the development of needed educational resources; a decline in the quality of education (due to the increased number of students and the resultant pressures on existing educational resources and facilities) in some areas; and a genuine concern for the future of American education and its relations with other aspects of the American democratic society.¹

"Competition" with the educational system of the Soviet Union was not a major concern of American educational

¹Discussion of these problems was widespread throughout the period under consideration here, but they were sharply focused and analyzed at the White House Conference on Education held in Washington, D.C., in November and December of 1955. See The New York Times, November 27, 1955, p. 69:1; and U.S. Committee for the White House Conference on Education, Report to the President (Washington, D.C.: April, 1956).

leaders at the time, although the first seeds of that issue, which was to "explode" into prominence late in 1957, were planted in 1955 by (at this time) former Senator William Benton.¹

The Adult Education Movement

The second major condition which affected the educational climate during the 1952-1956 period was that of the continuation in educational activities by the general public beyond and outside the formal educational structure. This movement raised questions of a less urgent, but no less important, nature. With an estimated fifty million adults (slightly less than one-third of the total U.S. population) actively involved in some kind of formal or informal continuing education program², educational leaders were beset with the problem of how best to serve the diverse needs of this vast body of students.

New Concepts in Educational Innovation

Both of the above developments aroused educational theorists to consider "new" modes of teaching, based on a reevaluation of the learning process (emphasizing "visualization" of concepts and materials) and non-traditional approaches to school and classroom organization. "Specialists"

¹Reporting on an extensive educational tour of the Soviet Union the Britannica publisher emphasized the challenge to the American educational system posed by the Soviet educational system, and he called for a radical reassessment of the aims, objectives, and implementation of the American educational establishment. See particularly New York Times, November 30, 1955, p. 39:4; and also April 1, 1956, Sec. VI., p. 44:4.

in curricular and service areas of education began to develop programs to foster more "self-learning"; and a host of technical innovations, ranging from correspondence courses and the "large lecture," through "teaching machines," to formal televised instruction were introduced here and there.¹ Representatives of, and spokesmen for, the organized educational television agencies were active in establishing liaison between educators in general and the television-for-education movement. Discussions and speakers on the subject of television as a partial remedy for the persistent problems of education were common at educational meetings throughout this period.²

Television Broadcasting Developments³

The release of the "Sixth Report and Order" (April, 1952), which made more than two thousand television channels available in the VHF and UHF frequency bands, brought about the expected surge in broadcasting development. Between the

¹See the continuing reports of educational developments in The New York Times, for instance, throughout the period, especially the following: January 26, 1953, p. 26:1; January 31, p. 12:8; December 22, p. 36:8; February 18, 1954, p. 27:2; March 7, p. 33:1; March 11, Sec. VI, p. 11:1; July 18, Sec. IV, p. 9:3; February 5, 1956, p. 85:3; February 5, 1957, p. 25:2; February 10, p. 79:5; and March 10, p. 34:1.

²In a major effort along these lines, the ACE established a committee, in March, 1953, supported by an FAE grant, to strengthen the support of educational television among educators through information and persuasion (New York Times, April 1, 1953, p. 41:1; November 15, p. 75:1).

³Information in this section is developed from FCC sources as reported in Broadcasting, October 15, 1956, passim.

end of the "freeze" and the beginning of 1957 the FCC processed and granted construction permits for more than 1400 television licensee applicants. More than one-third of these were operating under commercial licenses at the end of 1956.

The broadcasting industry had nearly doubled its commercial revenues, to well over \$700 million annually, by 1957; three-fourths of all American homes had at least one television receiver; and the future promised "to be even more exciting than the tumultuous, productive past."¹

Broadcasting's Major Problems

The commercial broadcasting industry's main concern was its relationship with the Federal Government (i.e., both the FCC and Congress), particularly with regard to allocations, programming practices, and monopoly control of media outlets. The possibility that the FCC might authorize the use of television channels for subscription television, in competition with the established advertising-supported "free" television service, was, in the industry's view, the most far reaching and most controversial issue of the period. It aroused, in Broadcasting's opinion, "more public reaction than any TV issue since [the] color hearings in 1950."²

But the problem of greatest importance to educational television broadcasters was that of the "incompatibility" of UHF frequency band transmission and VHF.

¹Ibid., p. 107.

²Ibid., p. 260.

Broadcasters large and small, commercial and noncommercial, licensed and prospective licensees, network affiliates and "independents," all encountered the same problem--UHF television could not effectively compete with VHF television in technical quality or cost. Hence, commercial UHF stations could not compete economically with VHF stations in the same area, and educational UHF stations could not muster audience support for their noncommercial service in areas where commercial VHF stations were already established. In such "mixed" areas viewers had to "convert" their receivers and install special antennae to receive the UHF signals.

Both the FCC and Congress studied the UHF problem in a continuing series of investigations beginning in 1954 and extending into the 1960's; and several proposals were advanced, some of which will be discussed later.

Progress in Educational Television

For the educational television movement the period between 1952 and the end of 1956 was a period of gestation and germination. To the leaders of the movement the allocation of the initial 242 reserved educational channels (which number was increased from time to time to more than 270 by the end of 1962) might be said to represent the "soil" in which they hoped to nurture the educational television "seeds" into strong productive "organisms."¹ Healthy "sprinklings"

¹A comparison was often made by spokesmen of the ETV movement during this early period between the FCC grant of ETV reservations and the Morrill Land Grant Act of 1862

from the fund reservoirs of philanthropic organizations and other donors were applied, and the prospective new service basked in the warmth of an increasing fervor among its advocates and a slowly emerging public acceptance.

To some extent germination did take place. Twenty-four noncommercial educational television stations were broadcasting by the end of 1956, and more than forty other operations were in advanced states of planning and development--ready to serve, all told, an audience of more than

which promoted the growth of state universities. To the extent that the FCC allocations reserving a portion of the public domain to educational interests may be compared to the allocation of public lands to be transferred to the States for educational uses the simile is justified. However, the Morrill Acts did not provide land (in the sense of space) on which to establish educational institutions, but rather land (in the sense of negotiable assets) which was intended to be used as a source of revenue, the proceeds from the sale of which were to be invested. The returns from this investment were intended to be used to provide a financial base for the establishment and operation of educational institutions, according to broadly specified characteristics.

The FCC allocations of 1952 provided only frequencies (space) on which to establish broadcasting services, but did not provide a means of encouraging the establishment or maintenance of educational television facilities. In fact, the prospective educational television licensee was, by the FCC's action (and is still), at a greater operating disadvantage than his commercial counterpart because, under the terms of the "Sixth Report and Order," all ETV operations on the reserved channels must be noncommercial. Hence, all operative financing must come from sources other than from services performed by the television operation. This is a far cry from the principle of the Morrill Acts. Cf. JCET, Four Years of Progress (Washington, 1956), 1; U.S. Statutes at Large. George P. Sanger, ed. (Boston: Little, Brown and Company, 1865), Vol. XII, Chapter 137, 37th Cong., 2nd Sess. (July 2, 1862), pp. 503-505.

fifty million viewers.¹ There is little doubt, however, that the "on-air" activation of fewer than ten per cent of the reserved 258 channels (by the end of 1956) in more than four years was somewhat of a disappointment to the educational television leadership and observers with an interest in the movement.

There seem to be three main reasons why educational television burgeoned, but did not achieve "full bloom":

1. The conditions were not as favorable as had been anticipated.
2. The movement took longer to develop momentum than had been thought originally.
3. There was a weakening of purpose in the movement caused by other developments during the period.

Unfavorable Conditions

It became evident soon after the "Sixth Report and Order" that the allocated frequencies reserved for educational television were not really as desirable, in terms of educators' potential plans for them as had been thought originally. Of the 242 channels initially allocated for educational television, fully two-thirds (162) were UHF channels, while the remainder (80) were located in the VHF band. It became apparant that prospective educational

¹See JCET, Four Years of Progress, 2-75, passim; New York Times, February 11, 1955, 16:1.

broadcasters who had been assigned UHF frequencies were confronted with the same problems of difficult transmission and poor audience support as potential commercial broadcasters wishing to utilize UHF channels. The plight of the UHF educational broadcaster was summarized clearly by Dr. Armand Hunter, Director of Broadcasting Services, Michigan State College (now University) in 1954:

The problem facing Michigan State College and its educational UHF television station is no different from that facing most of the UHF stations, educational or commercial. What is true for the majority of the educational reservations and for a large number of the commercial UHF stations is true for us. We are in the immediate danger of being the only UHF island in a sea of VHF service. Under these conditions, the highest of towers, the highest of powers, and the finest of local and live program service are not sufficient in themselves to motivate or develop a general acceptance of UHF and its services by the general public.

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We have no final answer to the problem at issue However, we do suggest that somehow the differences must be eliminated and the conditions be made equivalent and truly competitive if UHF is to survive. Somehow, and some way, all television stations must be put on an equal and equivalent footing in terms of transmission, reception, and access to the audience, if UHF is to have any truly competitive opportunity to survive, and if a truly national television service is to exist.

We do not ask for subsidy, for privilege, for advantage, or for sympathy. We ask only that we have a fair and equitable opportunity to reach the public with our educational service through the medium of television.¹

¹ Statement of Armand Hunter, June 17, 1954, before Subcommittee #2, of the Senate Interstate and Foreign Commerce Committee, U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, Subcommittee No. 2, Communications, Hearings: Status of UHF and Multiple Ownership of TV Stations, 83rd Cong., 2nd Sess., 1954, p. 716.

Furthermore, as Commissioner Hennock had noted in a partial dissent to the "Sixth Report and Order," the table of allocations provided "at best for haphazard and inequitable educational development of the medium," and placed educators at a "fundamental disadvantage" by assigning UHF channels to education in cities in which "commercial television has already made substantial inroads."¹

Further inequities existing between UHF and VHF operation of educational television facilities were indicated in a statement by Ralph Steetle, Chairman of the JCET, in 1956:

It is no accident that, in the largest twenty markets, seven of the ten VHF reservations are already in use and the other three soon will be, while of the 172 UHF reservations, only four--Cincinnati, Columbus, Madison, and Detroit--are presently in use. True, noncommercial UHF stations, unlike the commercial stations, do not suffer from lack of advertising income which they do not and cannot receive or depend upon. But the educational UHF stations do suffer, just as do the commercial stations, from lack of receivers and audience; for this discourages both the educational broadcaster and his potential subsidizers.²

¹She also pointed out that nearly one-fourth of all the metropolitan communities of the nation had been assigned no educational television frequency, and many states and regional areas had received an insufficient number of reserved channels. New York City, for example, with a population of eleven million, received one UHF channel; the states of Massachusetts, Maryland, Kentucky, Wyoming, Delaware, Rhode Island, and Vermont received one educational reservation each out of a total of 114 channels assigned to those areas; Youngstown, Ohio, with a population of 525,000, received no educational channel ("Sixth Report and Order," Part VIII, Federal Register, XVII, No. 87, p. 4090). See also New York Times, April 14, 1952, p. 1:8.

²Ralph Steetle, statement before the Senate Commerce Committee, February 29, 1956, U.S. Congress, Senate, Interstate and Foreign Commerce Committee, Hearings: Television Inquiry, 84th Cong., 2nd Sess., 1956, p. 535.

Another possible reason for the slowness of the development of educational television facilities, apart from the UHF problem, was the lack of adequate financial support for a nationwide educational television service. Since the very beginning of the movement in 1951, the Ford Foundation, through its subsidiary funding agencies, had been educational television's principal benefactor on a nationwide basis. By 1957 the Foundation had contributed more than \$10 million in support of various phases of the movement, about one-third of that amount in the form of matching funds going directly to aid in the establishment of new educational television stations.

The Fund for Adult Education (FAE), which administered most of the television funds during this early period, was extremely careful in its selection of beneficiaries. The Fund selected only those prospective educational television outlets which had, in its opinion, a high probability of successful operation to receive its philanthropy. To assure such success, the FAE limited the amount of funds and imposed conditions on the prospective recipients. In most cases the Fund agreed to donate funds up to a limit of one-hundred to one-hundred fifty thousand dollars on a one-for-two matching basis. The prospective television applicant, therefore, provided two-thirds of the financing. A further condition was attached: that the proposed educational television facility aided by FAE would agree to participate in the FAE-subsidized project of a national

educational television network and program exchange service.¹ Thus, the widely publicized "seed money" of the FAE, while of unquestioned value in aiding in the establishment of early educational television stations, was not readily available to potential educational telecasters on an "all-comers" basis.

Educational television interests, therefore, turned to other potential benefactors, including their commercial brethren, for additional support. They were not disappointed. Large amounts of money, equipment, and other less tangible forms of support--valued at more than \$10 million over a five-year period, according to one estimate--was donated to prospective educational television licensees by commercial broadcasters.² The recipients no doubt welcomed this generous spirit of "commercial" cooperation, but some critics felt that commercial stations assisted educational outlets out of "enlightened self-interest"; that is, they helped the noncommercial facility in order to keep a commercial competitor from obtaining the channel.³

¹See in this regard, Zaitz, p. 60; Ford Foundation, Ten Year Report, pp. 20-21; Powell, pp. 85-90, passim; and New York Times, January 8, 1952, p. 16:2.

²"ETV: 5 Years and \$60 Million Later," Broadcasting, November 11, 1957, pp. 94, 98-101, passim.

³It was generally true that the educational stations receiving assistance from commercial broadcasters during this period were located in highly competitive major television markets, where existing broadcasters would much prefer a noncommercial to a commercial television neighbor (Ibid.).

Lack of Momentum

A display of public opinion favoring educational television which, it was hoped, would lead to a widespread, grass-roots movement to establish stations failed largely to materialize during this period, in spite of the efforts of the FAE-subsidized National Citizens Committee on Educational Television (NCCET).¹

While the NCCET, between 1952 and 1956, obtained the endorsement of more than one hundred organizations of national stature for the principles of educational television, the establishment of facilities, and the activation of specific reserved channels,² there was a noticeable gap at all levels between the proclamations and tangible support.

Nowhere was the distinction between "principle" and "practice" more evident than in the activities by State governors and legislatures. The JCET reported in 1953 that the study of educational television had been undertaken at the State government level in three-fourths of the States. Numerous conferences, study commissions, and legislative hearings had already taken place.³ Two years later a similar report noted that various state agencies had been

¹FAE, Ten Year Report, p. 20.

²Ibid., 20-22, passim.

³Ralph Steetle, "The States and Educational Television," State Government, XXVI (1953), pp. 43-44, 54. See also: "Excerpts from Governors' Messages to Their Legislatures," Ibid., pp. 72, 96; and "Among the States," Ibid., pp. 110, 209, 253.

prominent in developing and financing the then existing thirteen educational television outlets. But the greater part of State government interest remained largely in the tacit, vocal, "special commissions," which supported ETV but which were powerless, of themselves, to act.¹ In some states the educational television proposals became political "footballs," much to the regret of the educational leaders of the movement, and what should properly have been nonpartisan, or at best bipartisan, efforts to establish educational television facilities became conflicts between political parties, governors and legislators, and factions.²

Many educators themselves were reluctant to endorse television as being significant for education. The chairman of the JCET noted in his testimony before a Congressional committee that one of the "special problems" involved in formulating national educational policy toward something (such as television) which involved the expenditure of large sums of money, was determining "whether or not this is important to education."³

¹Walter B. Emery and Ralph Steetle, "State Progress in Educational Television," State Government, XXVIII (1955), pp. 63-66, 74. See also JCET, Four Years of Progress . . ., pp. 53-63, 66-75.

²Especially the situations which developed in New York, Connecticut, New Jersey, Rhode Island, Pennsylvania, Massachusetts, and California.

³Statement of Ralph Steetle before the Senate Commerce Committee Hearing: Television Inquiry, 1956, p. 537.

Five million dollars of FAE funds were allocated to study the problem of inducing educational institutions and groups to become aware of educational television, and to encourage them in efforts to raise the necessary funds.¹

Diversifying Influences

A number of innovations, attitudes, and events tended to "fragment" the educational television movement, thus making a "united effort" to establish stations on a broad scale impossible. One development, which undoubtedly "blunted" the edge of the movement was the "invasion" of the educational television field by commercial broadcasters.²

A considerable number of licensed television stations cooperated with educational interests and institutions in a wide range of educational television endeavors, as if to prove their oft-cited contention that educational interests could achieve better results with greater efficiency through the use of existing commercial facilities than they could by operating their own stations.³

Furthermore, the appeal of operating educational television stations faded in the minds of some educators as

¹New York Times, September 8, 1952, p. 30:2.

²"ETV: 5 Years Later," Broadcasting, pp. 98-101.

³The most elaborate proposal was revealed late in 1956, when NBC announced that it would provide a daily network service on a noncommercial basis to educational stations then on the air as well as its own affiliates, the bulk of programming and transmission costs to be borne by the network. See Robert W. Sarnoff, "Network Broadcasting," an

technological and educational developments continued to take place.

Even among those whose belief in the educational value of television was strong there were many different opinions about the particular values of the medium.

Much of the divergence of views about educational television seems to have come about as more and more individuals and institutions became familiar with the medium, and as increased utilization and experimentation took place. Such dispersion of interests was not unlike the factionalism which had threatened to weaken education's position before the FCC at the time when the reservation of channels was being considered in 1950.

The principal points of view which seem to have brought on this "branching" were created by the development of the concept of instructional television (ITV), particularly on a closed-circuit basis. The ITV concept generated a philosophy of educational television which placed proportionately greater emphasis on "in-school" television services (ITV services which could be rendered through closed-circuit systems or with the aid of cooperating commercial broadcasters) and proportionately less emphasis on the older,

address before the 30th Anniversary Meeting of NBC, Miami, Florida, December 13, 1956 (NBC Release); New York Times, December 16, 1956, Sec. II, p. 11:1.

more established concept of television for adult education and general educative purposes.¹

Furthermore, as more groups became interested in the educational potentials of television, and as more research in the area was promulgated, the questions of "what can television do, and do best, for education?" were aired more frequently in discussions and symposia throughout the country.² As more conferences were held to discuss the problem, the number of differing points of view likewise increased, until the educational television movement was characterized by two distinct "camps"--those who favored instructional television and those who favored enrichment television.³

All of the above factors seem to have had some influence on the rate at which the educational television movement progressed from 1952 through 1956.

Educational Television and Congress

Throughout the period under discussion (1952-1956) Congress, through its appropriate committees and its

¹See, for instance, New York Times, December 20, 1952, p. 13:3; March 1, 1953, p. 56:4; March 15, Sec. IV, p. 9:4; November 15, p. 75:1; January 25, 1954, p. 1:1; November 13, 1955, Sec. IV, p. 9:1.

²Ibid., November 28, 1952, p. 34:6; December 15, p. 20:1; February 15, 1953, p. 74:3; and Zaitz, pp. 158-159.

³The JCET reported in 1956 that instructional television programs had increased in popularity to the point where 8500 such offerings were broadcast between 1952 and 1956 (Survey of School Programs in Educational Television, [Washington: JCET, 1956], mimeo.).

individual Members, maintained an almost continual interest in broadcasting, and especially television--the newest and "brightest" medium of influence. However, only two Congressional proceedings were directly concerned with educational television: the so-called Tobey Hearings and the so-called Potter Hearings.

The Tobey Hearings

In 1953, a two-day hearing was held by the Senate Interstate and Foreign Commerce Committee, under the chairmanship of Senator Charles W. Tobey, to determine the intentions of the FCC regarding the reserved educational allocations of the "Sixth Report and Order."¹ Members of the FCC were the only witnesses.

Testimony and inquiry centered on the question of whether the "Report's" one-year period, during which no petitions pertaining to reconsideration of the educational reservations would be entertained by the Commission, would or would not be extended beyond the June 2, 1953, termination date.² FCC Chairman Paul A. Walker--to whom the designation of this one-year period as the "year of decision" is attributed--conceded that his speeches during the preceding

¹U.S. Congress, Senate, Interstate and Foreign Commerce Committee, Hearings: Educational Television, 83rd Cong., 1st Sess., April 16, 21, 1953; Also New York Times, April 17, 1953, p. 22:5.

²See "Sixth Report and Order," paras. 209-214.

year (in which he had urged educators to activate the reserved channels expeditiously) might have caused many educational interests to believe that the educational allocations would be reserved for only that one-year period. He told the Committee that such was not, in fact, the case--that the reservations were permanent until altered by action of the FCC--but that petitions requesting alterations in the table of assignments, including addition or deletion of educational (as well as commercial) channels, would be accepted by the Commission after June 2, 1953.

Mr. Walker suggested that Congress should legislate an extension of the period of unchallengeable reservations. He feared that an FCC extension, without specific direction from Congress, would be challenged in the courts under the existing appeals procedure.¹

At the time of the 1953 hearing, fourteen construction permits had been granted by the FCC to educational applicants, but no stations had as yet been finally licensed to operate.² The Committee was naturally concerned with the prospects for the future utilization of the reserved channels. Chairman Walker said that he thought that the educators had begun to move with "reasonable speed," but

¹Testimony of Paul A. Walker, April 16, 1953, Hearings: Educational Television, 1953, pp. 1-5, passim.

²KUHT, The University of Houston (Texas), began its operation within the following month, on May 25, 1953--the first educational station to operate on one of the reserved channels. See JCET Four Years of Progress, p. 4.

that he was not sure whether or not the problem of raising initial capital and operating funds, or a "disbelief in the philosophy" of educational television was responsible for the recognized "slowness" with which educational interests were moving in some parts of the country.

The Hearing concluded after several of the Commissioners' views had been heard on the matter of the extension of the educational reservations. The Committee was apparently in agreement with its chairman, Senator Tobey, that the reservations for education ought to be retained permanently, and it seemed convinced that the FCC's "Sixth Report and Order" certified that condition.

Both Senator Tobey and Chairman Walker later attempted to clarify the somewhat "cloudy" question about the permanence of the reservations. Walker issued a statement which stated, in part:

Under the existing rules all the assignments contained in the Commission's table of assignments, both the commercial as well as the educational, continue without any limitation on their duration.¹

Senator Tobey said, for the Senate Committee's part:

The one-year rule, it must be emphasized, has absolutely nothing whatsoever to do with the length of time for which the educational reservations will remain available.

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¹Statement of Paul A. Walker, May 11, 1953, reproduced in Congressional Record, XCIX (May 12, 1953), p. A2514.

I [Senator Tobey and the Committee] shall keep a watchful eye on each and every one of these 242 channels for education, and upon the slightest evidence that the FCC is about to weaken and to delete one of them or substitute a substantially less valuable channel for one of them, I shall call for a full-scale investigation.¹

Thus, early in 1953, both the FCC and the Senate, speaking through its appropriate committee, clearly enunciated the policy that the educational television frequencies would remain in reserved status until such a time as educational interests could activate them.

The Potter Hearings

The Second set of hearings which bore directly on the educational television movement occurred a year later, in May and June of 1954. The Senate Subcommittee on Communications, chaired by Senator Charles E. Potter, held extensive hearings at that time on what was by then a major problem affecting the entire national television scene--UHF development.²

These hearings did not have educational television as a specific concern, but, as noted above, educational television development was inextricably involved with the

¹Statement of Senator Charles W. Tobey, May 11, 1953, reproduced in Congressional Record, Ibid., p. A2515.

²U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, Subcommittee No. 2--Communications, Hearings: Status of UHF and Multiple Ownership of TV Stations (S. 3095), 83rd Cong., 2nd Sess., May 19, 20, 21, June 15, 16, 17, 18, 22, 1954.

general development of UHF, by virtue of the number and proportion of reserved channels in the UHF spectrum. Consequently, the hearings went far beyond the limits of the specific proposed legislation (S. 3095; which was the cause per accidens of the inquiry) and considerable testimony was developed about the present status and future potential development of educational as well as commercial UHF facilities.¹

Even though no specific proposals, such as a recommendation or subcommittee report, emerged from the Hearings, Senator Potter's investigation nevertheless reiterated the earlier precedent of Congressional concern with, and support of, educational television.

Subsequent proposals of later years for direct Federal aid to educational television may be said to have had their roots in these Hearings. The Potter Hearings of 1954 established and affirmed as public policy the principle that the Federal government would not sacrifice educational television on the alter of commercial expediency, even

¹S. 3095 (83rd Congress) was a proposal submitted by Senator Edwin Johnson to amend the Communications Act so as to provide for a flexible ownership policy with respect to television stations in the UHF and VHF frequency bands, excluding reserved educational channels. Under Johnson's proposal, single owners would be permitted to operate up to ten UHF stations, or up to five VHF stations, or combinations of VHF and UHF stations on a two-U-equals-one-V basis. The move was intended to provide a stimulus to commercial broadcasters to make greater use of the UHF frequencies by increasing the potential commercial value of a broadcaster's holdings.

though a nationwide television service might hang in the balance.¹

The Hearings had the effect of reinforcing Chairman Walker's FCC policy statement of a year previous, and went beyond merely guaranteeing the permanent reservation of the educational channels; they publicized educational television within the context of a nation-wide television service. This concept had not been developed publicly before in so forceful a fashion, and educators could find in the testimony and discussion of the Hearings some real assurance that Congress was vitally interested in the active development of educational television--not merely the potential or possible development--and intended to keep the progress of the educational television movement among its serious concerns.²

As has been noted, no specific congressional activity resulted from the Potter hearings of 1954, but both Houses of Congress seemed to take renewed interest in television matters from that point onward. Hearings have continued, almost uninterruptedly, in virtually every session of Congress, on various phases of the UHF problem, subscription television systems, monopoly controls, ratings,

¹See especially the testimony of Raymond F. Kohn, June 15, 1954, Hearings: UHF, pp. 491-523; Dr. Armand Hunter, June 17, 1954, pp. 711-718; and FCC Commissioner Frieda B. Hennock, June 22, 1954, pp. 1060-1070.

²See comments of the New York Times on the subcommittee activities, May 20, 1954, p. 47:4; May 21, 1954, p. 23:2; May 22, 1954, p. 6:7.

and programming, as well as (from 1958 on) the educational television movement.

The Period in Retrospect

Educational Television Issues, 1952-1956

As the educational television movement progressed from 1952, four major questions or issues of concern to the movement stood out at various times. Stripped of their verbiage (which usually pertained to specific referents), these issues centered on one or more of the following questions:

1. What was the significance of television in the educational and cultural life of the United States?
2. How could television best fulfill the needs and requirements of education in its (then) present state?
3. What plan should be adopted as the best method of assuring the successful development of educational television?
4. What should be done with those television channels allocated and reserved for educational use but not as yet activated?

The Significance of Television

The question of television's significance to education and the cultural life of the nation was raised often during the early stages of post-war television development,

but by the end of 1952 most of the controversy had died down. Television was generally accepted as having enormous impact potential.¹ Henceforward, the subject was raised, not as an issue, but as reiteration of the general consensus. What argument there was, as has been noted above, was concerned with particulars.

Television's Role in Education

The question of television's place in the educational environment persisted throughout the entire 1952-1956 period. The discussion of that question stemmed essentially from two subordinate questions of concern to educational interests, namely: (1) what were the needs of education, both present and future?; and (2) what special inherent qualities or characteristics did television possess which might have value in meeting education's needs? The problem was compounded by the continuing emergence of technological innovation in education ("teaching machines" and programmed instruction, for instance²), which raised fundamental questions about the traditional character of education as well as television's relation to it.

¹See the following statements, reported by The New York Times as follows: Dr. Paul W.F. Witt, January 13, 1952, p. 7:14; Edgar Dale, February 17, Sec. IV, p. 8:7; Juliet B. Furman, April 22, p. 28:6; John P. Myers, November 14, p. 29:7; Arthur S. Adams, December 13, p. 23:5; and Mrs. Samuel A. Lewisohn, December 22, p. 31:6.

²New York Times, July 18, 1954, Sec. IV, p. 9:3.

Various Approaches to Educational Television

The question of who, among the several groups aspiring to cultivate educational television, was best qualified to develop the medium to its greatest educational potential was a recurring issue throughout the period under discussion. While the question was largely an academic one, in view of the slow growth of the movement, the topic persisted.

There seemed to be no doubt in the minds of national leaders that Education should be operating its own television facilities. Prominent educators, government spokesmen, and members of the FCC (especially Chairman Walker and Commissioner Hennock, during the first year following the "Sixth Report"), urged and encouraged educational groups at all levels to activate the reserved channels quickly.

As the real cost of television became better understood, state and local governments took part (some had from the very beginning) in the discussion of educational television. It was generally recognized that development of the medium was financially prohibitive for many local school and community groups without the aid of larger, more affluent social bodies. The New York State Regents' proposal for a state-operated educational television network was a very early example of this kind of thinking; the Alabama Educational Television Commission was a later development

in kind.¹ New York's precedent-setting proposal became the focal point of interest among educational groups and state planning commissions alike until the political climax and denouement of that venture in 1953.²

As commercial broadcasters increased the amount of time and effort spent on "educational programming," some discussion was devoted, late in the 1952-1956 period, to whether or not commercial broadcasters could, or should, provide the major educational television service in their respective communities. If such a service was undertaken, alone or in cooperation with existing educational institutions, should it be designed to serve specific educational needs--i.e. in-school programs--or be directed toward public enlightenment, or both, and to what extent?

The Educational Television Reservations

Finally, the issue concerning whether the educational television channel reservations should be reserved permanently, or should be given an unreserved status at the end of a given period, was discussed from 1952 until the Potter

¹ See the testimony of Raymond D. Hurlbert before the Senate Commerce Committee, April 24, 1958, U.S., Congress, Senate, Committee on Interstate and Foreign Commerce, Hearings, on S. 2119, Educational Television, 85th Cong., 2nd Sess., 1958, pp. 37-57.

² See New York Temporary Study Committee on Educational Television, Final Report, January 13, 1956 (mimeo); New York Times, November, 1950 to March, 1953, passim.

Subcommittee Hearings made it an "academic" question. Some commercial broadcasters, and other interested parties, continued to voice the contention that a commercial service dedicated to public interest was better than no service at all; but there was no concerted effort to effect a change in the reserved status of the educational allocations.¹

Interpretative Summary

The five-year period between the "Sixth Report and Order" of 1952 and the early months of 1957 was a period of steady, if relatively slow, growth in the development of educational television facilities. The JCET and its associated operating agencies led the educational television movement on three fronts: (1) encouraging citizens' groups to investigate the qualities of television for educational purposes, urging and assisting them in fund-raising activities, and providing them with technical and legal counsel as required by their efforts to activate reserved educational channels wherever feasible; (2) representing the educational television movement as a "party of record" before the FCC in all matters of concern to the movement, and fighting a rear-guard action against trespass on those commercially valuable reserved channels sought by commercial applicants before the FCC; and (3) encouraging and expanding the public's awareness of the latent value of a national

¹New York Times, June 18, 1954, p. 19:2; June 21, p. 30:4.

educational television service, through periodic appearances by its spokesmen at Congressional hearings, and through a well-developed public relations program.

Large sums of money were spent and individual abilities were heavily taxed in efforts to bring into existence more than twenty operational educational television stations in the United States.

Interest in television for educational purposes by many individuals and groups promoted a wide range of experimental and speculative undertakings, which sought to determine the most effective roles to be played by the medium.

Congress, for its part, was not vitally interested in educational television during this period. A brief consideration of the status of educational television developments, in 1953, by the Senate Commerce Committee, and a reaffirmation of the principles of educational television reservations, by a subcommittee of the same body, in 1954, were the only exceptions to the general Congressional silence on the subject. It does not seem to have been discussed in any way (in any official sense) in the House of Representatives.

The only issue with which the abovementioned hearings dealt, as far as educational television was concerned (that of whether to make the educational reservations permanent), seems to have been an "internal" one--that is, it was developed within the Governmental hierarchy rather than being imposed by exterior conditions. It was resolved on the same

philosophic principles which had dictated the original reservations.

Between April, 1952, and January, 1957, the educational television movement received a considerable amount of recognition and support. At the same time, however, it was beset by a splintering of interests within the movement, and by some opposition from interests outside the movement--some of these with vested interests in television's future.

Still, the movement was alive and growing, and late in 1957 an unexpected "catalyst" drew the attention of Congress and the nation to bear with new interest on the inherent value of television as a valuable asset to American education. By that time--the birth of the "Space Age"--legislation had already been proposed in the Senate to aid the educational television movement directly.

CHAPTER V
THE FIRST CONGRESSIONAL EDUCATIONAL
TELEVISION FACILITIES PROPOSALS

Introduction

This chapter is concerned with the "climate," events, and issues of the two-year period during which the Eighty-Fifth Congress was in session--1957-1958--as they related to the educational television movement in the United States. Of particular concern is the legislative activity of the Congress, which produced the first legislative proposals to support the development of educational television by direct Federal grants-in-aid.

The National "Climate"

The year 1957 began quietly enough for the American public. The Middle East crisis had passed; President Dwight D. Eisenhower had been reelected to a second term in office by an overwhelming popular majority, but had been unable to carry a Republican majority in Congress. The so-called "cold war" between the Western Allies and the Soviet Union had become a technological and propaganda race to win over the newly-emerging and underdeveloped "uncommitted" nations of the world. Most Americans were fairly secure in their

persons and complacent in their attitudes; peace and prosperity seemed closer than ever before and "education for leisure" became the focal point of many adult education programs.

"Sputnik I" changed much of that, however, on October 5, 1957, when the Soviet Union announced that it had launched an earth-orbiting satellite into space--the first such successful venture of the new "space age."¹ The event was a scientific triumph and a propaganda victory for the Soviet bloc, for the world was quickly made aware of the fact that Russia had beaten the United States by some months by its dramatic achievement. American prestige in all its spheres of influence suffered as a result.

From that time on, America was committed to an intensive effort to regain its lost technological and ideological lead in the eyes of the world. American school systems became the objects of scrutinizing attention, generated by the "arousal of the national conscience about the need for better education as a result of the Soviet success in science."² America's "education for leisure" gave way to "education for survival."

¹New York Times, October 5, 1957, p. 1:8, et. seq.

²Encyclopedia Britannica: Book of the Year, 1959, p. 215.

The Educational Scene, 1957-1958¹

The educational systems of the United States were plagued, for the thirteenth and fourteenth consecutive years respectively, by an increase in enrollments at all levels, which was accompanied by an only slightly diminishing shortage of teachers, school buildings, and facilities. In 1957 there were 39.7 million pupils in elementary and secondary schools, 3.4 million students of higher education, and a shortage of 135,000 teachers. In 1958 there were 41.3 million elementary and secondary school pupils, 3.6 million students in colleges and universities, and a shortage of 132,000 teachers. Faced with the staggering imbalance of the situation, many people were concerned about a decline in the overall quality of education in American school systems.

The above facts, plus the Soviet achievements in space, spurred Congress to renewed activity in the field of Federal aid to education; and near the end of 1958 the National Defense Education Act of 1958 (P.L. 85-864) was passed, providing for the expenditure of \$88.7 million over a four-year period (subsequently expanded and augmented) for a variety of educational purposes--including scholarships for study in higher education, mainly in the fields of science, language, and teacher training. Additional Federal

¹Information in this and the succeeding section developed, except as indicated, from Encyclopedia Britannica: Book of the Year, 1958, and Book of the Year, 1959.

legislation sought to combat the shortage of school buildings and facilities by means of a \$200 million program.

Television and other technological innovations were increasingly accepted at all levels of education. More than 400 college-level courses were taught by television in a variety of systems, and several projects were well underway to test the full range of television's usefulness in education, including the Hagerstown Project of Washington County, Maryland, the National Program in the Use of Television in the Public Schools, and the Chicago City Junior College experiment.¹

In 1957, another philanthropic organization, The Carnegie Foundation, commissioned James B. Conant, former President of Harvard University, to undertake a two-year study of the American high school--an investigation which was to have a profound impact on educational planning when

¹Each of these projects were financed by the Fund for the Advancement of Education of the Ford Foundation, which, since its formation in 1951, had been concerned "with the problems and opportunities in formal education from elementary grades through college levels," as contrasted with the Fund for Adult Education, which was interested in "that part of the educational process which begins when formal schooling is finished" (FAE, Ten Year Report, p. 10). See also John K. Weiss, "Teaching by Television in Hagerstown," The School Review, LV (Winter, 1957), pp. 466-73; New York Times, June 28, 1956, p. 59:4; July 8, Sec. II, p. 9:1; Sec. IV, p. 10:7; July 16, p. 20:6; September 12, p. 31:2; January 27, 1957, p. 64:3; May 20, p. 51:1; June 9, 1958, p. 25:8; The National Program in the Use of Television in the Public Schools, Reports: 1959, 1960, 1961 (New York: Fund for the Advancement of Education); and Benjamin C. Willis, Peter Masiko, Jr., and Clifford G. Erickson, Chicago's TV College (Chicago: Chicago Board of Education, 1960).

it was completed.

The Television Industry

The television industry of the United States, after a decade of tumultuous growth, had, by 1957, reached a stage of development unparalleled by any other medium in history.

The accelerated rate of progress in communication which had made television generally available in 1946 and, in ten years, saw it penetrate more rapidly and more deeply into the American home than any other mass communications device in history, ¹ was rolling ahead without any sign of slackening.

Through 1957-1958 the number of television receivers in American homes increased twelve per cent, until more than eighty-five per cent of all homes had at least one, and an increasing number of families had more than one. Americans spent overall an average of five hours and fifty-six minutes per day, seven days per week, viewing television programs by the end of 1958.

The number of television station licensees increased to 511 during the period, of which 426 were VHF stations, 85 UHF. From an economic point of view, UHF continued to be plagued by liabilities. Forty-eight of the seventy-one operating commercial UHF stations lost money (due in part to the fact that only about 14 per cent of the approximately seven million receivers manufactured each of the two years were built to receive UHF signals).

¹Maurice B. Mitchell, "Forward Look at Communications," Britannica: Book of the Year, 1958, p. 50.

In spite of the UHF problems, the broadcasting industry as a whole continued to thrive, increasing its overall revenues twenty-five per cent in two years, to an almost incredible figure of \$943 million by the end of 1958.

Broadcasting technology also continued to improve. While video tape recording (VTR) had been under development for several years, it was first used for broadcasting by the television networks at the inauguration of President Eisenhower on January 21, 1957. A new phase of television programming and distribution was thereby instituted, which was far superior from all points of view to the kinescope-film recordings then widely used.

Programs could be instantaneously recorded, played back immediately, rebroadcast at the broadcaster's convenience, delayed for broadcast later, edited, or could be erased so that the tape could be used for another recording. All of this was accompanied by a quality of picture and sound indistinguishable from the original, and far superior to kinescope recordings.

The industry adopted VTR almost universally within a short span of months. Educational television stations were somewhat slower in obtaining VTR because of the considerable expense of the equipment. However, by the end of 1958 two ETV stations and one closed-circuit system were using VTR extensively.¹

¹JCET, Educational Television Factsheet, December, 1958, p. 2.

The development of color television continued slowly. Some medical schools were using it in closed-circuit applications, but NBC was the only television network broadcasting programs in color at the end of 1958. Sets were expensive, screen sizes were small, and the public indicated no real demand for the added dimension of color to their television program fare.

The chief concerns of the commercial industry at this time were with "pay-TV" and with the continuing UHF problem. An area of concern primarily to the networks was that of alleged network monopoly practices, which was then under an intensive investigation by several government agencies in addition to the FCC. To each of these problems the broadcasting industry attempted to present a "united front" in defense of the established broadcasting system, and brought pressure to bear on Congress and elsewhere to keep "pay-TV" "out" and deintermixture to a minimum, and to deny any wrongdoing with respect to network control or domination of the industry.

The Development of Educational Television, 1957-1958

The educational television movement experienced tremendous growth during 1957-1958. Six noncommercial television stations were licensed in 1957, and by the end of 1958 there were thirty-five operating educational television stations--an increase of more than seventy per cent in two years. The number of FCC reserved assignments increased

from the 242 originally set aside in 1952, to 257 by the end of 1958. In spite of this growth, however, the utilization of these channels was still only about fourteen per cent of the potential.

A less dramatic achievement, but perhaps more significant to the overall state of the movement, was the fact that all save one of the noncommercial stations operating on reserved channels had managed to stay on the air, although most were by no means affluent.¹ The question was no longer: Can educational television survive?; now it was: How can educational television best serve the needs of education and of the nation?

Educational Television Research

Research was being conducted in prodigious quantity on the efficacy of television for educational purposes, and (with increasing frequency) on particular problems relating to the efficiency of learning by television, and the practical aspects of financing and other forms of support. There seemed to be little doubt as to the significance of television in the classroom.

Study by study, the accumulating findings of research provided steadily mounting evidence that: (1) Practically all of the common school and college subjects can be taught acceptably well by television; (2) students taking courses by television tend to do about as well (in some cases, perhaps, somewhat better) on achievement-type tests as those who take the same courses conventionally; and (3) size of viewing groups seems to

¹Infra, chap. v, p. 187n.

make no measurable difference, quantitatively or qualitatively, on the effectiveness of direct teaching by television.¹

Most educational television research centered on closed-circuit, instructional television (ITV). In addition to the Hagerstown Project and the National Program in the Use of Television in the Public Schools, at least 150 school systems and colleges were experimentally involved in regular teaching by closed-circuit television during the 1957-1958 period.²

Educational Television Broadcasting

Both instructional and enrichment programs continued on television broadcasting outlets, but there was a

¹Franklin Dunham, Ronald R. Lowdermilk, and Gertrude Broderick, Television in Education (Washington: U.S. Department of Health, Education, and Welfare, Office of Education, 1957), Bulletin No. 21, p. 92. See also Hideya Kumata, An Inventory of Instructional Television Research (Ann Arbor: Educational Television and Radio Center, 1956).

²Dunham, et al, pp. 107-108. In one novel innovation, financed by the Fund for the Advancement of Education and other donors, a settlement house in New York City was linked by closed-circuit television to a neighboring school which most of the children of the area attended. This venture (the Chelsea Project) was an attempt to incorporate the homes and school of a largely non-English speaking district of Manhattan into a living-learning environment. Parents were encouraged to "look in" on formal television instruction in English and other subjects, presented in the school in regular ITV fashion; during other periods of the day and evening adult education and enrichment programs were presented via the system. See New York Times, April 22, 1957, p. 27:1; November 26, p. 35:3; December 15, Sec. VI, p. 70-71; October 2, 1958, p. 73:3; October 13, p. 31:5; December 9, p. 45:2.

growing emphasis throughout the period on direct, in-school broadcasts, or adult-instruction courses, some of them for college credit. Both commercial and noncommercial broadcasters were active in the field, but the commercial broadcasters generally had the more "dramatic" offerings.

Commercial "ITV"

The National Broadcasting Company (NBC) scored two of the greatest educational television triumphs of the 1957-58 period. In March, 1957, the network began production of a series of enrichment programs over a twenty-two station network, which included NBC affiliates and noncommercial educational television stations, at six-thirty in the morning, three times weekly.¹ The broadcasts continued until 1958 when they were discontinued in favor of a project which Dr. Alexander Stoddard described as "the most significant thing ever done in American education."²

"Continental Classroom," backed by \$1.2 million of Ford Foundation money, the network, and several corporations and educational agencies, began its first semester on October 6, 1958, with a reknowned physicist, (Harvey E. White, of the University of California) teaching a basic, freshman-level "ITV" college course in Atomic Physics to a nationwide audience estimated at upwards of 200,000 viewers

¹ See New York Times, December 16, 1956, Sec. II, p. 11:1; March 12, 1957, p. 67:4; March 19, p. 75:1; April 6, p. 39:1; and February 21, 1958; p. 47:1.

² New York Times, September 21, 1958, Sec. IV, p. 9:1.

(at six-thirty in the morning in each time zone across the nation). More than 250 colleges and universities gave full college credit to the viewers of the course, upon registration and the successful completion of a final examination. "Continental Classroom," distributed through the full facilities of the NBC network, undoubtedly reached the largest "class" in American education's history--the crowning achievement to date of instructional television.¹

Although NBC may have reaped more publicity from its two national educational television services, other efforts by commercial broadcasters in the field of cooperative educational programming were fully as rewarding in their effects on the public. In the early months of 1957, New York University and the home station of the Columbia Broadcasting System (WCBS) agreed to cooperate in presenting a literature course, to carry full college credit at the University, beginning in September of 1957. The series, which was appropriately called "Sunrise Semester," was aired weekdays at six-thirty in the morning.

The result of the first few broadcasts was quite staggering. Although not more than two hundred persons actually met NYU's entrance requirements and were enrolled for credit in the course, an estimated 120,000 viewers

¹ Ibid., October 7, p. 71:1; November 2, Sec. II, p. 15:7; September 13, p. 39:3. See also, NBC, Science and Greasepaint: The Story of Continental Classroom (promotional brochure, privately distributed by the NBC Television Network, 1959).

watched the first few programs. Within hours after the first broadcast lesson virtually every bookstore in the New York Metropolitan area was "sold out" of the books designated as required reading in the course. One publisher sold 4,000 copies of a single volume in three days. Clearly, "Sunrise Semester" was a revelation to broadcasters and educators alike, by indicating an active "market" for education by television, even at what was usually considered to be "undesirable" hours.¹

Similar programs were initiated throughout the country, following the success of "Sunrise Semester." In Washington, D.C., for instance, a major television outlet, in cooperation with the public schools system, offered a credit-course in shorthand and typing, in an effort to combat the chronic shortage of stenographers.² In Los Angeles, the public schools began to broadcast one-half hour per day through the facilities of a commercial broadcaster.³ And the State Regents of New York renewed their television efforts by negotiating a share-time arrangement

¹New York Times, June 18, 1957, p. 35:8; September 24, p. 37:6; September 24, p. 71:1; September 26, p. 50:1; October 2, p. 67:1; November 17, Sec. VI, p. 74; December 2, p. 51:2; Britannica: Book of the Year, 1959, p. 218; Robert A. Fuller, "Sunrise Semester," Television Quarterly, Fall, 1958, pp. 22-26.

²New York Times, April 13, 1958, Sec. IV, p. 9:4.

³Ibid., October 28, 1957, p. 51:3.

with a New York City television station for daily instructional programming.¹

Noncommercial Educational Stations

The noncommercial educational television stations were more active in "ITV" than were the commercial outlets. By the end of 1957 at least fifteen educational stations were producing programs for in-school use, and by the end of 1958 virtually all were.² The most "dramatic" of these projects was the three-year experiment, which began in 1956, by the Chicago City Junior College (and WTTW). A complete, two-year junior-college curriculum was broadcast, with astonishing success, to an audience consisting largely of persons who would otherwise not have obtained the opportunity to pursue higher education.³

Various other developments took place throughout the country. Pittsburgh's community-supported educational television station requested FCC permission to operate on a second noncommercial frequency in the UHF band, to provide primarily in-school services.⁴ Adult education and enrichment

¹Ibid., March 12, 1958, p. 1:6; March 13, pp. 28:3, 59:5; March 16, p. 31:1; March 25, p. 25:3, March 29, p. 10:1, and April 21, p. 45:2. See also programs by Western Reserve (Ibid., November 30, p. 148:3) and Farleigh-Dickinson (Ibid., June 11, 1958, p. 14:4; and June 15, Sec. IV, p. 9:4.

²Britannica: Book of the Year, 1958, p. 220.

³See, New York Times, April 20, 1958, Sec. IV, p. 9:1; May 11, Sec. IV, p. 9:1; Willis, Masiko, and Erickson, Chicago's TV College; also interim reports by the same authors.

⁴New York Times, September 20, 1958, p. 38:8.

programs continued to increase in number and diversity, and some states and regions drew up plans for interstate and intrastate networking of educational television stations.¹

The Issues of Educational Television

The primary problem confronting educational television continued to be a financial one. Even though more than fifty foundations and innumerable other donors gave money, equipment, and services to the movement and to individual stations, there was still, at the end of 1958, only a fourteen per cent utilization of the reserved educational channels.² A large part of the problem may have stemmed, as the New York Times critic pointed out, from a general lack of understanding of the economics and applications of educational television.

The sheer diversity of arguments over its possible goals and potential usefulness has made it difficult to finance.³

The noticeable shift in emphasis toward instructional and in-school services may have been brought about partly by a change in the source of the principle means of support.

¹Britannica: Book of the Year, 1958, p. 220; JCET, Factsheets, 1957-58, passim.

²Dunham et al., Television in Education, p. 106.

³Jack Gould, "Primer on ETV" New York Times, March 16, 1958, Sec. II, p. 13:3.

In 1956 the Fund for Adult Education had announced that it was "phasing out" its support of educational television stations, and would henceforth direct its support primarily toward programs for the liberal education of adults.¹ The financial breach thus created was partially filled by an increase of support from the Fund for the Advancement of Education, but it brought with it a change in emphasis in television programming by educational stations.

Local school interest in instructional television increased this tendency; and as one active educational broadcaster of the period observed, educational stations went where the money was; if it was possible to obtain greater financial support through in-school services than through enrichment programs, that was where the major emphasis lay.²

The emphasis on instructional television was not, however, part of a preconceived plan for the movement's development. The primary concerns of educational stations were (1) staying on the air and (2) improving their services in whatever ways possible.

The chief concerns of the leadership at the national level were, correspondingly (1), to continue the search for adequate financing of the expanding national system of educational television stations, and (2) to continue to urge

¹F AE, Ten Year Report, p. 24.

²Interview with Armand E. Hunter, Director of Continuing Education, Michigan State University, June 29, 1963.

the activation of as yet unused reserved channels. In Washington the NAEB and the JCET continued to represent educational television interests before the FCC and Congress, to assure both bodies that the continued reservation of channels was justified and necessary.

Educational Television and
The Eighty-Fifth Congress

As the Eighty-Fifth Congress convened in Washington, following the national elections which saw Republican President Eisenhower returned to the White House for a second term of office while Congress remained firmly under the control of the Democratic Party, the nation's educational system--the nation's educational plight, one might also say--was uppermost in many Congressmen's minds. The need for Federal assistance in education had long been advocated by educators throughout the country, but it had been resisted firmly in the Congress since the end of the World War and the Korean Conflict. Now, it seemed, there was an increased urgency in the nation's educational needs.

Educational television, still "underdeveloped" after nearly five years of Federal protection, was considered by some Congressmen to be a tool which might be used to satisfy, if only temporarily, some of the needs of quality education for the exploding school population.

The First Session--
A Threat to the Reserved Channels

As Congress got underway in January, 1957, the FCC was considering a proposal for regulating the future development of television in the United States. The plan had been drawn up by Federal Communications Commissioner T.A.M. Craven, a recognized radio engineer and acknowledged allocations expert who had been appointed to the Commission in July, 1956. The so-called "Craven Proposal" called for an end to the use of the Table of Assignments (which was part of the "Sixth Report and Order" of 1952) in all future television channel activation. Commissioner Craven contended that while the Table of Assignments had satisfactorily performed its intended function up to a point (that of promoting the orderly development of a nationwide television system), it presently was exerting a restrictive influence on the development of television in many areas. He suggested, therefore, that the Table be rescinded and that future applications for television channels be handled on a case-by-case basis, as was the situation with radio applications.

The effect of the Craven Proposal would have been to delete the educational television reservations, which were a part of the Table of Assignments, unless educational institutions or other groups could show a reasonably definite plan for activating those unused channels within a

justifiable length of time.¹

As might have been expected, educational television interests were disturbed; and through the avenues available to them, they aroused some interest in the Senate.²

In early March, the Senate Commerce Committee held hearings on various aspects of television regulation, at which various FCC Commissioners discussed their views on educational television and other concerns of the agency. All of those Commissioners who appeared before the Committee agreed on the basic principle of educational television; but some shared Commissioner Craven's view that an indefinite reservation of noncommercial channels was unwarranted.³ Members of the Committee, on the other hand, generally favored the protective policy toward educational reservations which had been enunciated from time to time.⁴

¹See, U.S., FCC 57-407, Docket 12005 ("Notice of Proposed Rule Making"), April 26, 1957, Federal Register, XXII (May 1, 1957), p. 3076f.

²See the statement and exchange of letters between Senator Richard Neuberger and various parties, U.S., Congressional Record, 85th Cong., 1st Sess., 1957, CIII, Part 15, pp. A119-21, A1342-43.

³New York Times, March 16, 1957, p. 39:1; U.S., Congress, Senate, Committee on Interstate and Foreign Commerce, Hearings: Television Regulation (March 5, 14, 15, 1957), 85th Cong., 1st Sess., 1957.

⁴Ibid., The Craven proposal was subsequently withdrawn pending further study by an independent group of the entire allocations question. See, U.S., FCC 57-1129, Docket 12005, Federal Register, XXII (October 15, 1957), p. 8156.

Still, there was no question but that pressure was on the educators to activate the remainder of the reserved educational channels. And activation was becoming increasingly more difficult for several reasons: (1) The Fund for Adult Education was reducing its support in the area of new-station subsidy; (2) the UHF problem continued to plague the educational television movement as it did the commercial industry;¹ and (3) there was a growing reliance on commercial "good will" and cooperation with educational institutions, and on closed-circuit television in meeting education's television needs--there was less active concern about "education's own stations."

The record of the preceding five years was clear, however, that once an educational television station was established it stayed in operation. Only one station had ceased to operate on a reserved channel.² The rule seemed to be that, given the initial impetus to get on the air (equipment and initial financing) educational television stations clung, perhaps precariously, but tenaciously to life.

¹At this time, of the twenty-two educational stations operating, only three were UHF operations, and of the remaining VHF stations, nearly all were located in key metropolitan areas where they had at least adequate financial support and, just as important, good, if not outstanding, program resources--i.e. Pittsburgh, St. Louis, Boston, Seattle, San Francisco, Chicago, etc.

²KTHE had been established at UCLA by the Alan Hancock Foundation in 1953, and was financed exclusively by that organization to the amount of \$500,000 capital and \$300,000 per year operating budget. In July, 1954, through differences with the donor, KTHE lost its subsidy, and in September it ceased to operate. See New York Times, February 2, 1953, p. 28:5; July 10, 1954, p. 11:4; September 20, p. 30:6.

The Magnuson Proposal--S. 2119

In this "climate," Senator Warren G. Magnuson, Chairman of the Senate Committee on Interstate and Foreign Commerce (now Commerce Committee), introduced a bill (S. 2119) in the Senate on May 17, 1957:

To expedite the utilization of television facilities in our public schools and colleges, and in adult training programs.¹

Warren Magnuson and Educational Television²

The presentation of Senator Magnuson's bill apparently came as a complete surprise to the educational television interests, and it was, as one source close to the scene described it, "a case of a man who personally had an interest in this thing," and who took the initiative to exercise his belief in the need for Federal aid to educational television.³

Warren Grant Magnuson had had a long association with Congress, broadcasting, and public service. His public

¹Congressional Record, CIV, Part 6, p. 7141.

²Biographical information in this section derived from Time, November 24, 1961, p. 12; and U.S. Congress, House of Representatives, Biographical Directory of the American Congress, House Document 442, 87th Cong., 1st Sess., 1961, p. 1253.

³Certain information in this and subsequent sections was developed through interviews with persons close to the scene of events in Washington. Since these interviews were, in the main, conducted "off the record," the writer must respect the wishes of those interviewees who specifically requested anonymity. A list of interviews and dates may be found in the Bibliography.

career began in 1931, when he became, first, a public prosecuting attorney, and then, in 1933, a member of the Washington State House of Representatives. From 1934 to 1936 he was a special United States District Attorney in the State of Washington.

Senator Magnuson served in the United States Congress as a Representative from Washington from 1937 to 1944, during which part of the time he was on leave for war service with the Navy. In 1944, he succeeded Homer T. Bone as Senator from Washington, and has served in that capacity from then until the present, being elected in 1944 and re-elected in 1950, 1956, and 1962.

During most of his time in the Capitol, Senator Magnuson has served on the Senate Commerce Committee. A Democrat, he succeeded Republican Senator John W. Bricker as chairman of the Committee in 1955. His long association with the Commerce Committee, which handles all Federal broadcasting legislation, made him quite familiar with broadcasting matters.

Besides his legislative interest in communications, Senator Magnuson had a personal interest in broadcasting: at the time of S. 2119's consideration, he was the owner of three-and-one-half per cent of the common stock of Seattle radio station KIRO-AM-FM.¹ He had watched with considerable

¹Senator Magnuson was one of ten U.S. Senators, according to Broadcasting, who owned stock in or had close association with broadcasting stations at that time. John W. Bricker was also listed because of his position as a Trustee of Ohio State University, which operated educational television station WOSU-TV, Columbus. See Broadcasting, January 7, 1957, pp. 46-48.

interest, the planning and eventual operation of station KCTS-TV, the only educational television station in Washington at that time, which was licensed to the University of Washington at Seattle.¹ He was well aware of the problems of broadcasting in general and of educational broadcasting in particular. In 1950, Senator Magnuson had supported the Bricker proposals (to set aside specific channels for educational television) both in committee and on the floor of the Senate. He also had supported Senator Johnson's proposal for encouraging UHF development in 1953, and he had consistently supported plans to remove the Federal excise tax on UHF and all-band receivers, to encourage their manufacture and sale--a move resisted by the Republican Administration in 1954 and 1956.²

In short, Senator Magnuson was very much aware of what was going on in broadcasting. He realized that the educational television movement was sadly in need of funds if it was to activate more channels than the twenty-one then in operation. He probably was aware of the fact that

¹KCTS-TV began operations in December, 1954, one of the first ten educational television stations in the country. It was aided to a great extent by television station KING-TV, which donated \$121,963 worth of equipment to the University of Washington to assist in establishing the station. JCET, Four Years of Progress, pp. 33-34; New York Times, December 25, 1953, p. 24:8.

²One of Senator Magnuson's first official moves at the beginning of the Eighty-Fifth Congress, in 1957, was to petition the Ways and Means Committee of the Senate to remove the excise tax on UHF receivers (Broadcasting, February 11, 1957, p. 9.).

the Fund for Adult education, which had aided so many of the original ETV "pioneers", was cutting back its support of that phase of the movement; he probably realized that the Emerson Radio and Phonograph Corporation, which had aided the first ten educational stations, had long since ceased its philanthropy in that area, as had other donors. He was certainly cognizant of the Craven Proposal and its inherent threat to the continued reservation of noncommercial channels for education.

Early in 1957, Senator Magnuson received a copy of a report by Dr. Alexander J. Stoddard, a distinguished educator, who had undertaken a study of the "big city school systems" for the Fund for the Advancement of Education. The report was first published in January, 1957, and included, among five major proposals to meet the educational problems of city schools, a strong statement of support for educational television development.¹ It is apparent from his later references to the report that Senator Magnuson was impressed by the document.² It is also quite probable that he was aware of many of the other television activities in education, such as the Hagerstown Project, which was close to the Capitol in nearby Maryland. In any case, it is certainly evident that Senator Magnuson was in sympathy with

¹Alexander J. Stoddard, Schools for Tomorrow: An Educator's Blueprint (New York: Fund for the Advancement of Education, 1957).

²Congressional Record, CIV, Part 6, pp. 7377-79, passim.

the principles of the educational television movement, and S. 2119 reflected his concern.

S. 2119 in the Senate

Senator Magnuson realized that, as chairman of a Senate committee, he could better control the progress of S. 2119 in the Senate if it could be assigned to his committee. Therefore, the bill was introduced in the Senate on May 17, 1957, as a communications bill--not an education bill--and was referred to the Commerce Committee. In fact, all the educational television facilities proposals (save one) considered by Congress between 1957 and 1962 were presented as broadcasting legislation--to facilitate the activation of existing reserved television allocations--in spite of the educational overtones present in each bill. This "strategy" may be explained and justified to some extent by Congress's traditional reluctance to enact Federal legislation in the area of education, holding that education was the inviolable province of the States.

S. 2119 was presented to the Senate with a statement for the Record explaining briefly the purposes and the proposal embodied in the bill: (1) to expedite the utilization of the reserved educational channels; (2) to inaugurate a limited grant program involving a maximum of one million dollars per state, to be used only for equipment (and specifically excluding buildings to house it, staff, and future operation and maintenance). The statement concluded with a

rationale for the proposed legislation which indicated that the bill was tailored to meet the present needs of the ETV movement, with benefits to be derived by the entire nation.

Magnuson's Speech to the Senate

A few days later, Senator Magnuson addressed the Senate in a speech which was both an amplification of the earlier statement and an appeal for passage of S. 2119.¹

After the usual preliminary remarks, the speech commenced with a statement of the dimension of the proposed legislation:

S. 2119 is a modest proposal. It will initiate the use of television in our public schools and colleges and in adult training programs in each of the several States and Territories on a small scale.²

The statement that the bill was "a modest proposal" was perhaps the most oft-repeated remark made during the subsequent discussion, hearings, and debate on the measure and its successors.

The speech proceeded with a brief amplification of the details of the proposal, supported by a strong personal statement of conviction:

I am convinced that unless the Federal Government takes the initiative, offers the impetus, and contributes to the cost, the great educational potential from these channels will be lost.³

¹Speech in the Senate, May 22, 1957, Congressional Record, CVI, Part 6, pp. 7377-79.

²Ibid., p. 7378.

³Ibid.

The second part of the speech was constructed along parallel lines of problem-solution development. Senator Magnuson began with the present problems of public education--the growing shortage of teachers and facilities, the increasing enrollments--and then offered a solution:

The use of television . . . will strike directly at these existing shortages, and . . . the extent of the contribution toward the solution of these problems which television can make is tremendous.¹

Turning to the future problems of education and the nation, the Senator talked of national survival, the need for quality, as well as quantity, in future education, and the need for efficiency all along the line; followed, again, by his solution:

With ever-increasing complexities in technical progress, a lack of education for all people, or inferior education to any substantial number, threatens the very perpetuation of our country.

The use of educational television will meet these needs with the least cost and in the most expeditious manner.²

Senator Magnuson's speech then turned to an informative phase: the discussion of the "state of the art," as it were, of educational television. Calling upon the statements of educational authorities for support (Dr. Thomas Clark Pollock, President, New York University, and Dr. Alexander D. Stoddard), the Senator spoke of television as offering "the greatest opportunity for the advancement of education since the introduction of printing by movable type,"

¹Ibid.

²Ibid.

and summarized the medium's qualities in this regard--immediacy or delay of presentation, repetition, the expanded perspective, movement, color--and the results of research to date, including the Stoddard report, substantial portions of which were introduced into the Record at that point.

The conclusion of the speech was a simple summary of the preceding remarks: a statement of the problems and the proposed solution; a description of the scope of S. 2119; and an appeal to the Senate for early consideration and support of the measure.

Senator Magnuson's speech of May 22, on behalf of S. 2119, was simple, straightforward, and uncomplicated. He relied heavily throughout the address on his own personal stature in the Senate and on the testimony of educational authorities, whose statements he included as support. Quantitatively, the speech contained more informative material than persuasive, and no doubt its main intent was to make information available to the Senate, in the Record, against such time as the bill might return for consideration and a vote.

The issues and related questions which Senator Magnuson raised in the speech, and his position on them, seem to be these:

1. Should the Federal Government provide aid to education through financial assistance to educational television facilities? Magnuson believed so.

2. To what extent could television solve the problems and meet the needs of education at present and in the future? Magnuson believed that, in spite of the fact that television was still in its relative infancy, it could do much in both areas, and he supported his views with authority and generalization of the present achievements of ETV.
3. To what extent would the proposed legislation (S. 2119) accomplish the above objectives--would it, in fact, bring about the establishment of educational television facilities, would it meet education's needs, and was it a reasonable and practical solution? Magnuson did not show a direct relationship between S. 2119 and his "needs," but it was very definitely implied that the bill would "assist" in achieving these ends. The "modesty" of the proposal might be construed as a palliative with which to avoid a sharp confrontation on this issue.

Senator Magnuson's expressed hopes for early action by his committee and the Senate on S. 2119 failed to materialize, and it was nearly a full year before hearings on the bill were held.

Both Houses of Congress, in the meantime, were concerned with other broadcasting matters--the "pay-TV" problem, network monopoly and censorship practices, and the UHF dilemma--all of which received a considerable amount of attention in hearings and in the Record. By the time hearings

were held on S. 2119, the nation and Congress were in the midst of a painful reevaluation of the nation's educational system, and many other proposals had been formulated to aid education with Federal funds in one form or another.

The Second Session

Congress was in recess when the Soviet space triumph was first announced. When the Second Session convened in January, 1958, there was an eagerness in both Houses to pass Federal legislation to aid education. While educational television was involved in some bills, it was not in the context which Senator Magnuson had proposed in S. 2119. Still, the proceedings leading to the passage of the National Defense Education Act of 1958 are worth reviewing, because, to some extent, they may have diverted attention away from the Magnuson proposal.

The National Defense Education Act of 1958

The first bills for what later became the National Defense Education Act of 1958 (NDEA) were introduced by Senator Lister Hill (and twenty-six co-sponsors) and Representative Carl Elliot (whose bill was a "committee bill," arising from earlier studies in the area by his House Education Subcommittee). Hearings and committee meetings were held throughout the session on these proposals and others similar to them by the Senate Committee on Labor and Public Welfare and its subcommittees, and the House Committee on Education and Labor and its subcommittees.

On July 1, 1958, another committee bill was introduced in the House of Representatives by Representative Elliot (H.R. 13247), and on August 5, a similar bill was introduced in the Senate by Senator Hill and twenty-nine co-sponsors (S. 4237). The House bill was passed by that body on August 8, and sent to the Senate for consideration on August 11. The Senate bill was reported out of committee on August 8, but was subsequently postponed indefinitely in favor of the House measure, which was amended and passed by the Senate on August 13. A joint conference committee resolved the differences of the two Houses and the bill was signed into law on September 2, 1958 (P.L. 85-864).¹

Title VIII of the House version of NDEA (which became Title VII of the Act) provided for an appropriation of two million dollars per year for each of three years for "research and experimentation in more effective utilization of communications media for educational purposes." Specifically, the intent of the section, as it was debated in the House, was to (1) evaluate what had been done in the way of media research in education; (2) to provide directions for new research; and (3) to produce evidence as to the "efficacy" of the mass media in education.²

¹Congressional Index, 1957-1958, pp. 2440, 4769, 5606, 5627, 5856; Congressional Record, CIV, Part 13, pp. 16567-16594, 17230-17331, passim.

²Ibid., p. 16586.

It is clear that television's relationship to education was one of the primary concerns of Title VII, but it is equally clear that its intent was vastly different from the Magnuson proposal embodied in S. 2119. Nevertheless, the Title VII provisions did divert some support away from the educational television facilities proposals as they were discussed in later Congresses.

Senate Hearings on S. 2119

Senator Magnuson finally scheduled hearings on S. 2119 before the Commerce Committee of the Senate on April, 1958. The record of the Hearing covers virtually the entire scope of educational television development to that time.¹ Seventeen witnesses (including one Congressman, one commercial broadcaster, one industrial equipment manufacturing representative, and one Federal Communications Commissioner, among an array of educators, educational television representatives, and civic leaders) stated ETV's case in full: the history, the present problems, and the future potential. All of the witnesses supported the proposal of S. 2119 in principle, as being necessary to continue the effective growth of educational television on a national scale.

¹U.S., Congress, Senate, Committee on Interstate and Foreign Commerce, 85th Cong., 2nd Sess., Hearings: Educational Television (S. 2119), April 24, 25, 1958.

The hearing was conducted mainly by Senator Magnuson himself, with occasional interjections by five other Senators who took part from time to time during the two-day hearing. Bipartisan support was evident through contributions made by Republican Senators Bricker and Payne, who joined Democratic Senators Magnuson, Yarborough, and Pastore in questioning witnesses. Only Democratic Senator Strom Thurmond, of the Committee Members who participated, raised what might be construed as "negative" questions--questions of the Federal Government's right to subsidize such a program in the light of State's rights, and questions of financial and budgetary concerns.

To summarize the Hearing, revealed by the transcript, there was virtual concensus by witnesses and Committee Members alike with regard to the following points:

1. Education needed educational television (supported by many insertions and other evidence in the record).
2. S. 2119 would provide support for all prospective educational television facilities (not only for those heretofore able to receive foundation support), hence it would fulfill a "pump-priming" function on a nationwide basis.
3. S. 2119 would have both short and long-term effects:
(a) It would make possible immediate development of educational television facilities, thereby alleviating the teacher shortage in some areas; it would

bolster the FCC's policy of reserving educational channels; and it would demonstrate the educational potential of television in a variety of situations.

(b) In the long run, it would open up new dimensions in educational technique by encouraging innovation in television production and utilization; it would permit each State to develop its own facilities and its own system, independent of Federal or other control; and it would establish a precedent for a new kind of Federal aid to education, free from Federal control.

4. Problems confronting educational television which S. 2119 would not meet included the continuing problem of financial support after facilities were obtained and service inaugurated, and the UHF problem in all of its dimensions.
5. The bill, in its then present form, did not include as eligible for support those community-operated stations which were then the bulwark of the educational television movement (Such as WQED, Pittsburgh; WGBH, Boston; WTTW, Chicago; etc.).¹

The Administration opposed S. 2119. In a letter dated September 16, 1957, the Department of Health, Education,

¹Section 2 (b) (2) of the bill was subsequently amended by the Committee to include these groups (U.S. Congress, Senate, Report No. 1638, 85th Cong., 2nd Sess., May 27, 1958).

and Welfare, voiced objection to the bill on three grounds: (1) That research into the nature and effectiveness of educational television was still inconclusive in its results; (2) that there was no need for Federal intrusion into an area of slow, but generally progressive, growth in educational television facilities, and that the present programs of the U.S. Office of Education were already providing all the Federal assistance to educational television development needed; and (3) that the proposed program was bound to create administrative problems which would make the program not feasible. After the Hearings, on May 14, 1958, the Department of Health, Education, and Welfare, updated its previous objection and maintained its opposition to S. 2119.¹

Senate Passage of S. 2119

Senator Magnuson reported his bill out of committee, with the amendment as noted above, on May 27, 1958;² and the bill was called up on the Senate calendar on May 29. Both Senators Magnuson and Bricker spoke on behalf of the measure.

In a very brief statement, augmented by the insertion in the Record of a lengthy excerpt from the Committee Report, Senator Magnuson restated the problem of the unused reserved educational television channels, which had led to his introduction of S. 2119. He emphasized the importance

¹Hearings, Educational Television, pp. 210, 218.

²Congressional Record, CIV, Part 7, p. 9537.

of the bill in solving that problem, and pointed out that the Committee had been "unanimous" in reporting the bill favorably. He stressed the potential significance of the proposal:

This is one of the most important bills this Congress will pass for the future of education, particularly in this fast-moving world of physics and science, in which subjects teachers are hard to find, and in which there can be some sort of mass education by use of the new and wondrous means of television.¹

Senator Magnuson's remarks concluded with assurances to the Senate that States' rights were not being violated by the proposal, since it was a communications matter, already within the province of the Federal Government, and that there was "grass roots" support for the proposal. He closed with a reiteration of the definition of S. 2119 as a "modest and simple proposal," but with a far-reaching potential:

Enactment of the proposed legislation will merely permit very small grants-in-aid to the States, with no strings attached It will be a grant to help them with some of their equipment, so that the lagging use of the reserved channels will not cause the channels to be sought after by commercial interests. The far reaching effects of the bill, if enacted, will make this one of the most important bills to be passed at the present session of Congress.²

Senator Bricker then took the floor to declare his bipartisan support of the measure, calling the hearing

¹Ibid., Part 8, p. 9799.

²Ibid., p. 9801.

before the Committee

the most inspiring hearing I have attended since I have been a Member of this body, because of the great promise which educational television holds for the people of our country.¹

He reiterated that there had been no opposition to the bill and much support. He cited the examples of Alabama and Ohio, where substantial ETV progress had been made, as being indicative of the future which lay in store for educational television if S. 2119 were passed, and concluded:

I am most heartily in favor of the bill, indeed, I am extremely enthusiastic about it. I am happy to join the chairman of the committee in sponsoring the bill.²

When Senator Bricker had concluded, the question on the bill was called, whereupon S. 2119 was passed by the Senate without a dissenting vote.³

Educational Television Legislation in the House of Representatives

Companion bills to the Magnuson proposal were introduced in the House of Representatives at various times during the Second Session of the Eighty-Fifth Congress. The first was a bill by Representative Hale Boggs, introduced on January 7, 1958 (H.R. 9634):

To expedite the utilization of television facilities in our public schools and colleges.⁴

¹Ibid.

²Ibid.

³Ibid., p. 9802.

⁴Ibid., Part 1, p. 36.

This bill was referred to the House Committee on Education and Labor, which at that time was engrossed with legislation leading subsequently to the National Defense Education Act. Consequently, the Boggs bill did not receive a hearing, and so died.

On the day during which he appeared to testify on behalf of S. 2119 before the Senate Commerce Committee (April 24, 1958), then Representative Stuart Udall introduced in the House a bill (H.R. 12177) which, for all practical purposes, was a virtual carbon-copy of the Magnuson proposal.¹ And on July 7, Representative Boggs submitted a second proposal (H.R. 13297), similar to his earlier bill in intent, but worded differently:

To amend the Communications Act of 1934 to assist in establishment and improvement of certain television broadcasting facilities.²

Both the Udall and Boggs bills were sent, not to the Education Committee, but to the House Committee on Interstate and Foreign Commerce, where they were treated, as had been the Magnuson bill in the Senate, as communications proposals.

Hearings were held on these two bills and on S. 2119 by the Subcommittee on Transportation and Communication on July 15, and 16, 1958.

¹Ibid., Part 6, p. 7298.

²Ibid., Part 10, p. 13879.

House Hearings¹

Acting Subcommittee Chairman Representative Kenneth A. Roberts presided, in the absence of Chairman Oren Harris (also chairman of the parent Committee), during the two-day hearing on the three educational television proposals then before the House. It was made very clear at the outset of the proceedings that all three bills were substantively identical. The Boggs bill (H.R. 13298) differed from the other two only to the extent that it called for an amendment to the Communications Act of 1934 as the means by which the Federal grants provision for educational television facilities should be effected.²

Eleven witnesses appeared before the Subcommittee, including three Congressmen (Representatives Udall and Boggs testified on behalf of their respective bills). Of the eight non-Congressional witnesses who appeared before the Subcommittee, three (William Brish, Superintendent of the Washington County, Maryland, Schools System, responsible for the Hagerstown Project; Raymond Hurlbert, Director of the Alabama Educational Television Commission; and Federal

¹U.S., Congress, House of Representatives, Committee on Interstate and Foreign Commerce, Subcommittee on Transportation and Communication, Hearings: Educational Television (S. 2119, H.R. 13297, H.R. 12177), 85th Cong., 2nd Sess., July 15, 16, 1958.

²As a matter of fact, the final legislation passed (P.L. 87-447) was an amendment to Title III of the Communications Act, much like that which Boggs had proposed at this time.

Communications Commissioner T.A.M. Craven) had also appeared as witnesses at the Senate Hearing on S.2119. The remaining five witnesses represented the NAEB (two witnesses); the New Orleans Educational Television Foundation (WYES-TV); the Memphis Community Television Foundation (WKNO-TV); and Southern Illinois University (which was the only institution represented which did not have an operational broadcasting outlet or closed-circuit system).

It is not surprising, in view of the witnesses who testified, to note that most of the information presented at the Hearing was a review of what had been accomplished with educational television so far. All the witnesses asserted, further, that passage of the proposed legislation would aid the movement in developing further. The Congressional witnesses discussed the legislation with respect to Congress's obligations to education and the nation; the others stressed in definite terms what the proposed legislation would enable their respective organizations and institutions to do.

In general, the main points expressed in the Hearing were as follows:

1. There was a general refutation of the argument advanced by the Department of Health, Education, and Welfare, that there was no need for Federal aid of

the type proposed to assist educational television stations.¹

2. Witnesses were agreed that television could do much to assist education in meeting the threat posed by the Soviet scientific achievements, and that the pending proposals would supplement, rather than overlap the television proposals contained in the NDEA legislation then being considered in another House committee.
3. There was an indication among the educational television witnesses that, in the areas represented by them, at least, developments had largely proceeded beyond the point of individual station operation, and were now looking toward expanding into station network operation.

There was no expressed opposition to the principles of educational television or to the legislation under discussion, although there was not the same degree of enthusiasm among the Committee Members present as there had been among the members of the Senate committee.² All in all, there does not seem to have been much interest in the Hearing by

¹See especially the testimony of Frank Schooley, President, National Association of Educational Broadcasters, Hearings: Educational Television (S. 2119, H.R. 13297, H.R. 12177), pp. 59-62.

²See especially the remarks of Representatives Bush, Neal, and Rogers in this regard. Ibid., passim.

Members of the Committee or Subcommittee. Of thirteen Congressmen who were Members of the Subcommittee conducting the hearing, only one (the chairman, Representative Roberts) attended both sessions. Seven other Congressmen (three of them Members of the Subcommittee) attended the first session only. Only one Congressman, a Subcommittee Member, accompanied the Chairman at the second session.

S. 2119 in the House

As it has been noted above, S. 2119 was an embodiment of the two other bills discussed in the House hearing of July, 1958. Therefore, it alone was selected by the Committee to be reported (favorably) to the House, and was reported on August 15, 1958, along with proposed committee amendments perfecting the language so that State-supported private colleges, as well as public, would be eligible to receive aid under the Federal grants provision, and placing responsibility for educational television development within each State with the officer "responsible for the supervision of public education within the State," ¹

The eligible applicants for Federal grants in the Senate bill included nonprofit foundations, corporations, or associations "organized primarily to engage in or

¹U.S. Congress, House of Representatives, Committee on Interstate and Foreign Commerce, Television Broadcasting for Educational Purposes, Report No. 2636 (August 15, 1958), 85th Cong., 2nd Sess., pp. 1-2; Congressional Record, CIV, Part 14, p. 17931.

encourage educational broadcasting," as well as public education agencies.¹ The House committee amended the bill to delete all applicants except the public education ones.

The reason for this particular deletion was due to a concern by the Committee that certain private, doctrinaire groups (political, social, or religious--such as "organized labor," for instance) might undertake to operate noncommercial "educational" television stations and be quite within the limitations, yet outside the intent, of the proposed legislation. The Senate had added "nonprofit groups" as eligible applicants in order to include community-sponsored educational television facilities under the act. Many such operations, it was well known, were in the van of the educational television movement, and were certainly worthy of whatever Federal support might be forthcoming. The House committee amendment actually would have penalized such operations by withholding Federal aid.

While the House committee's recommendation on S. 2119 was favorable, there was not the obvious bipartisan support, either in the Committee or in the Chamber itself, which had been very much in evidence in the Senate.

¹This had been part of the Committee amendment to Sec. 2 (b) (2) of the original Magnuson proposal, worked out in conjunction with representatives of the NAEB and JCET. See Senate Hearing on S. 2119, p. 213.

The bill was referred to the Committee of the Whole House in August 15,¹ but it never reached the floor because Congress adjourned soon thereafter, before the bill was cleared for debate.

Summary and Interpretation

The Period in Retrospect

The two-year period (1957-1958) saw a continuation of, and somewhat of an acceleration in, the growth of educational television facilities. From twenty-one stations and some one hundred closed-circuit facilities in operation at the end of 1956, there were, by the beginning of 1959, thirty-five operating educational television stations (an increase of more than seventy per cent in two years-- although this still represented but fourteen per cent of the 257 total reserved channels), and at least one hundred seventy closed-circuit television systems in schools, colleges, and school systems throughout the country, plus about twenty-five more closed-circuit systems used for military training purposes.²

It was a period, furthermore, which saw the most significant educational television developments to date (on a scale which would have been considered "lavish" a few

¹Congressional Record, CIV, Part 14, pp. 17930-31.

²Figures interpolated from JCET and USOE sources.

years previous) prove, as nothing hitherto had done, that television was a valuable educational tool.¹ Many projects, whether they were measured in terms of empirical or experimental evidence, obtained under controlled conditions, by their public acceptance, or by critical acclaim, added credence to the assertions of educational television spokesmen that educational television had a vital part to play in the society of mid-century America.

While the sudden surge in educational television activity during this period cannot be attributed with any certainty, to specific causes, probably some of the following factors contributed to the developments within the movement:

1. The educational television movement had finally overcome the inherent inertia embodied in the acceptance of a new educational idea, and was gathering momentum.
2. Citizens' groups, which had conscientiously been breaking down local resistance toward ETV, finally began to reap the rewards of their zeal.
3. A body of educational research, growing daily, could no longer be ignored in its insistent plea that television and education were not only compatible, but complementary.

¹The major ones, of course, were the Chicago City Junior College project and the Hagerstown Project, both begun in 1956; the National Program in the Use of Television in the Public Schools, begun in 1957; "Sunrise Semester," also begun in 1957; and "Continental Classroom," which began in 1958.

4. There was a growing awareness by commercial broadcasters that they had an abiding responsibility to the educational needs, as well as the entertainment needs of the public they had sought to serve.
5. The American people were "shocked" by the Soviet triumphs in science and technology, which created an awareness, as nothing previous had done, that the educational state of the nation was truly in a "crisis" condition.
6. Congress recognized that the nation's educational situation was a matter of grave concern, placing as it did, the very survival of the society in the balance.

The Congressional Discourse

All of the above factors may have played a part in bringing about the educational television activity noted above and elsewhere. But from the point of view of this study, the 1957-58 period is most significant because it marks the first time when educational television became a Congressional concern, with proposals for specific Federal legislation to aid in establishing educational television facilities as the consequent.

While the proposals failed to become law during the Eighty-fifth Congress, of course, nevertheless the events which took place in Congress are significant because they established the precedence by which later bills were

introduced, resulting eventually in the enactment of an educational television facilities law.

The progress of S. 2119 and its counterparts reflects quite typically, from all that can be determined, the process encountered by many Federal legislative proposals. That is to say, S. 2119 was a "routine" bill, not nearly as spectacular in its proposals or in the situation which it purported to remedy as, say, the National Defense Education Act, which occupied Congress during the same period. The Magnuson proposal was typical of the kind of legislation which is the "inspiration" of a single Congressman or Senator, and it is interesting especially for that reason.

Senate Consideration

Senator Magnuson was the prime mover in the Senate; and, probably because of his position, both in the Democratic party and as chairman of one of the most powerful Senate committees, he was able to exert some influence in the House of Representatives as well--at least to the extent that his bill was treated as a communications rather than an education bill.

Of course, the Senator did not work alone. The chairman's most able assistant in communications matters was Nicholas Zapple, for nearly twenty years a staff member of the Commerce Committee, and Chief Counsel for the Subcommittee on Communications. It was through Zapple's office

that the array of support in the Hearing and in the press was mainly mustered. The Joint Council on Educational Television and the National Association of Educational Broadcasters, while not technically or legally lobbying organizations, by virtue of their non-profit, public service status, were, nevertheless, instrumental in garnering witnesses, and in some cases, probably, assisting witnesses in preparing their testimony.

It may not have been a tactical move, but certainly it was a wise one, to have had S. 2119 referred to the full Senate Committee, rather than to the Communications Subcommittee, chaired at the time by Senator Pastore, and of which Senator Magnuson himself was not an official member (although he could have joined it at any time had he wished to do so). Because Senator Pastore was not particularly enlightened on educational television matters (the State he represents had accomplished very little indeed in the area at the time, or since), it was better, for the sake of the bill and the movement, that Senator Magnuson himself pilot the bill through the Hearing.

The fact that Senator Bricker, ranking minority Member of the Commerce Committee (whose interest in educational television stemmed largely from his close association with Ohio State University and WOSU-TV), became closely allied with Senator Magnuson on S. 2119 (to the point where he joined in co-sponsoring the measure) gave the bill a very

solid bipartisan base from which the Senate passage of the measure proceeded.

It was also, as has been inferred previously, a wise, if not strategic, move on Magnuson's part to present S. 2119 as a communications bill, rather than as an education bill. The Congress was (and is) extremely suspicious of bills which hint at Federal aid and/or control of education. Even the National Defense Education Act, as important as it was in the eyes of the nation, was opposed in both Houses of Congress on grounds that Federal aid to education would ultimately lead to Federal control of education. By treating S. 2119 as a piece of communications legislation--to activate television channels already conceded to be in the Federal domain, and already reserved by the Federal Government for educational purposes--Senator Magnuson and his aids sought to achieve a logical second step (the first having been the reservation of educational channels by the FCC in 1952) toward establishing a truly national television system, embracing a full range of television services.

It has been noted above that there was no debate in the Senate when the bill was finally called up. The long tradition of the Senate is to rely heavily on the reputation and judgment of its committees, except on extremely controversial and "significant" measures. Because S. 2119 was neither of these, as might have been anticipated, the

Membership had nothing to say. It is not even recorded how many Senators were on the floor when the bill was presented for a vote, and it was not considered necessary to even ask for a roll-call. The bill was "passed unanimously," but that does not mean that all Senators were present and voting; rather it affirms only that there was no dissent among those who were present, and, again, it tends to minimize the significance of the bill in the Senate's collective opinion.

The speeches presented on behalf of the measure were hardly much more than informative statements, advising, rather than persuading, the Senate that the subject of the proposal had been investigated to the satisfaction of the Committee; that it had bipartisan support; and that it was worthwhile. In this context, the speeches were rather typical of Senate speeches on other "minor" pieces of legislation.

S. 2119 was not a "major" bill, or one in which a party interest was at stake, and so it was not surprising that the Senate "went along" with the recommendations of the committee chairman in passing the legislation.¹ It is true that the Secretary of Health, Education, and Welfare, and the Budget Bureau had opposed the bill, but they had done so on the grounds that the legislation was not needed

¹See, in these regards, George H. Haynes, The Senate of the United States, I (New York: Russell and Russell, 1960), p. 382; Chester, Quarterly Journal of Speech, XXXI (1945), p. 411; and Thompkins and Linkugel, Today's Speech, VII (1959), p. 30.

at the present time, and that the proposal did not have a sufficiently high priority for the funds currently available to warrant passage. They did not oppose the bill on the basis of the principle involved.

House Consideration

A similar condition existed in the House of Representatives when S. 2119 reached that body. There the task of guiding the bill through the hearings was delegated to Representative Kenneth Roberts. In the House, as previously in the Senate, the bill was introduced as communications, rather than education, legislation, primarily because the House had the reputation of being, if anything, more skeptical of education legislation than the Senate. The earlier Boggs Bill (H.R. 9634), it will be recalled, had been referred to the Education and Labor Committee of the House, where it was neglected. The subsequent Boggs counterpart measure to S. 2119 (H.R. 13297) was placed in the Committee on Interstate and Foreign Commerce, where it received a hearing along with S. 2119 and H.R. 12177.

Representative Roberts was a Member of Congress from a State which, at that time, had the only state-operated educational television network in the nation. He was, therefore, probably more personally involved, if not better informed, with the movement than most Representatives. He had as his aid in the matter of hearings, Kurt Borchard, Communications Counsel to the Committee, who had, as had his

Senate counterpart, a long association with broadcasting legislation generally, and with those organizations and individuals who had a direct interest in educational television.

It is highly probable that when "the word was passed," from the Committee, through the Counsel, to the JCET and NAEB, and through these organizations to various interested parties on whom they could call as spokesmen for educational television, these parties, in turn, advised their Representatives in Congress of their intention to appear before the Transportation and Communication Subcommittee, or at least of their interest in the proposed legislation. This may serve to explain the attendance at the House Hearing of those Congressmen who were not regular Members of the Committee, but who attended the Hearing when delegates from their respective States were scheduled to appear. Similarly, several Congressmen inserted memoranda and statements into the Record and the hearing record, which again indicates that local support was being directed through various Congressmen.

When S. 2119 was approved by the House committee, an amendment was included which deleted that section of the Senate-passed bill making nonprofit community and service organizations eligible to receive grants-in-aid. That deletion has already been discussed above, but it should be noted that such an action might have been expected, and was in keeping with the conservative tendencies of the House.

The deletion by the House committee of Section 2 (b) (2) (which, it will be recalled, was added in the Senate as a committee amendment) reflects an almost "traditional" approach by the House toward many proposals which might tend to give special consideration to any sort of "vested interest" groups; and it is clear that the Committee feared that some of these might qualify for Federal aid under the Senate wording of the bill.

S. 2119 did not reach the floor of the House of Representatives, partly because, by the time it emerged from the committee, it was too late in the session to receive proper consideration, in the press of other, more important legislative matters. But probably also, it was because the bill lacked the strong bipartisan support (which it had had in the Senate) which was needed to get House action on the proposal. There was no "champion" in the House, as there were two in the Senate, to influence the leadership to bring about a vote on the bill. Had there been a strong, positive feeling among leaders in the House, the bill might have been debated and passed.

No speeches of any sort were made on behalf of the legislation in the House of Representatives; and so it is not possible to say what influence speechmaking in the House had on the outcome of educational television legislation in the Eighty-Fifty Congress. Probably the question had not developed sufficient local support throughout the

nation to warrant any Congressman's deliberate attempt to speak on the subject in the House.¹

Conclusion

There were no particular issues developed in the Congressional discourse on S. 2119 which provoked controversy. No one in either the Senate or the House of Representatives spoke against the bill. It was, plainly and simply, a relatively minor legislative proposal, in the opinion of Congress, "simple and modest" in its conception, and of no particular concern to any but a very few legislators. It passed the Senate; it failed in the House. It was as simple as that.

But the subject had been broached. The first attempt had been made. Others were to follow, each having greater success than its predecessors. Educational television facilities legislation had become a matter of concern to the National Legislature.

¹See Haynes, p. 382; and also Charles L. Clapp, The Congressman: His Work as He Sees It (Washington: Brookings Institute, 1963), pp. 124-27.

CHAPTER VI
EDUCATIONAL TELEVISION FACILITIES LEGISLATION
IN THE EIGHTY-SIXTH CONGRESS

Introduction

This chapter is concerned with the "climate," major events, and issues affecting the legislative proposals for educational television facilities, as they were introduced and discussed in the Eighty-Sixth Congress, 1959-1960.

The "Climate" of 1959-1960

The years 1959 and 1960 were years in which the United States, by then a "defensive adversary" of the Soviet Union in a competition for scientific and technological supremacy in the eyes of the world, was consigned by expert opinion to "second place" in the space race for the "next several years."¹

The Soviet scientific achievements, together with the irrefutable statistics of America's burgeoning educational population, were among the most influential of factors motivating real concern in many sectors of the society about the future of American education.

¹New York Times, October 6, 1959, p. 1:7.

The Educational Scene¹

For education, the years 1959 and 1960 were simply two more years in which the problems which had beset education since the end of World War II continued to mount. For the fifteenth and sixteenth consecutive years, respectively, school enrollments continued to increase; and by then the school "population explosion" had spread into the high schools and was looming on the horizons of higher education. In spite of the stimulus to teacher training provided by the National Defense Education Act of 1958, and an increase in the number of teachers in the schools, there continued to be a shortage of 135,000 teachers, and a study reported in 1960 that the average income level of teachers was still only forty-seven per cent that of other professions.

The Federal Government failed to pass any legislation to relieve the educational crisis in these areas, although the Senate approved a \$1.3 billion measure for school construction. Private money attempted to take up the slack by promoting programs of better utilization and improved educational technology. Philanthropy from business and foundations had increased by twenty-three per cent since 1956, and the Ford Foundation continued its leadership in the subsidizing of educational endeavors. Early in 1959 it

¹Information in this section, except as noted, is derived from Encyclopedia Britannica: Book of the Year, 1960, pp. 216-22; and Book of the Year, 1961, pp. 224-30.

awarded more than \$11.4 million to several colleges to launch a major "breakthrough" in teacher education--the largest grant ever made for that purpose.¹ A year later the Foundation turned its attention to the improvement of college teaching, and subsidized several programs designed to prepare for the impending surge in college enrollments a few years hence.²

New technology dominated the educational scene as educational television and other devices continued to gain wider acceptance in the schools. The most prominent educational innovation of the period was the so-called "teaching machine" (in any number of models and degrees of sophistication), which emerged out of the laboratory and into the sales catalogues of educational publishers and manufacturers. The new technology was hailed by its proponents as a possible "breakthrough in education on a scale with those of recent years in medicine, agriculture and industry."³

The technological developments were condemned with equal vigor by those who saw in them an end to the teacher, the classroom, and all other vestiges of traditional education--a "dehumanization" of the learning situation, at best, and a stunting of the educational process, at worst--through

¹New York Times, April 1, 1959, p. 39:1.

²Ibid., August 1, 1960, p. 23:1.

³Statement of John Ivey, President of the Learning Resources Institute, in a statement announcing the formation of that organization, Ibid., December 21, 1959, p. 23:2.

the misuse of "gadgets" by ineffective "teacher-technicians" lacking in educational understanding.¹

The "crash program" in "education for the space age" (instigated in part by competition with the Soviet Union), with its concomitant emphasis on languages, sciences, and teacher training, slowly brought about an understandable reaction by groups interested in the humanities and the arts. Cries of "overemphasis on science" began to be heard.²

In response to these charges, some attempts were made to improve the cultural and artistic climate, as well as the scientific and technological. A major program aimed at improving the quality of English teaching in the schools was launched by the Educational Testing Service.³ The first twelve "pilot" films of a projected program by the Council for a Television Course in the Humanities received a good reception when they were released early in 1959 (but the project was later halted when the Fund for the Advancement

¹ Ibid. See also New York Times on the following dates: April 12, 1959, Sec. III, p. 12:1; August 9, Sec. IV, p. 9:3; May 12, 1960, p. 37:8; May 28, p. 27:3; June 9, p. 25:1; June 30, p. 36:5; August 6, p. 28:4; September 25, Sec. VI, p. 36; October 9, Sec. VI, p. 16:3; October 11, p. 44:2; October 16, Part VI, pp. 82:5, 85:3; November 10, p. 46:6; November 13, Sec. VI, p. 6:3; November 15, p. 62:8; November 24, p. 20:3; December 4, Sec. IV, p. 7:6; December 13, p. 24:5.

² Fred M. Hechinger, "Education in Review," New York Times, August 9, 1959, Sec. IV, p. 9:1.

³ Ibid., August 28, 1960, Sec. IV, p. 9:4; October 21, p. 1:1; October 23, Sec. IV, p. 9:1.

of Education withdrew its support over a dispute involving quality versus cost).¹

A very significant act along these lines was the decision of the American Association of School Administrators to take as the theme of its 1959 convention "Education and the Creative Arts."² In New York City, plans for the construction of the Lincoln Center for the Performing Arts finally were realized, an achievement of great cultural significance, especially for the northeast section of the country.³

Publications which contributed to the discussion of the educational concerns of 1959 included several reports which had America's system of education as their focus. A Rockefeller Foundation report, Pursuit of Excellence, stressed the need for adequate testing and the selection of promising youth having special abilities to meet the future needs of the society.⁴ Admiral Hyman G. Rickover (the "father"

¹Ibid., April 5, 1959, Sec. IV, p. 9:3; August 30, Sec. IV, p. 11:1; September 14, p. 23:6.

²For details, see Education, USA, February 19, 1959, passim.

³See Jacob K. Javits, "Plan to Aid Our Lagging Culture," New York Times Magazine, April 5, 1959, pp. 21ff.

⁴Rockefeller Brothers Fund, Pursuit of Excellence: Education and the Future of America (Garden City, N.Y.: Doubleday, 1958).

of the atomic submarine) decried the slackness of American education and its dedication to "frills," and he called for a purge and a reformation along "intellectual lines" as practiced in Europe.¹ James B. Conant's The American High School Today, allegedly the "most widely read report on the U.S. high school curriculum," laid down twenty-one points as a basis for a strong educational system, but advised no radical alteration in the basic pattern of American education.²

Some of the main questions which confronted education in general, a few of which had particular significance for the educational television movement, included the following:

1. How could outstanding teachers be identified, used for maximum effectiveness, and persuaded to remain in teaching?
2. How much, and in what ways, can a student learn, and how can his learning be tested?
3. Who should go to college, and how can those who should not go be identified and encouraged to develop their abilities in other ways?
4. How can the "future leaders and thinkers" be identified and cultivated?³

¹Hyman G. Rickover, Education and Freedom, (New York: E. P. Dutton and Co., 1959).

²James B. Conant, The American High School Today, (New York: McGraw-Hill, 1959). See also Encyclopedia Britannica: Book of the Year, 1961, p. 217.

³Hechinger, New York Times, August 9, 1959, Sec. IV. p. 9:1.

Television's Influence on the Society

The continuing growth of the television industry in America had a profound impact upon many aspects of the society. By the end of 1960, eighty-seven and one-half per cent of all homes in the United States had at least one television receiver; and more than ten per cent of these homes had two or more receivers. The number of commercial television stations also increased (to 534 by the end of the period), but at a slower rate than previously. The business of television, on the other hand, continued to skyrocket, passing the \$1 billion mark in 1959, in broadcasting revenues.

There was some evidence, in spite of the industry's good health and prosperity, that the profit-motivated, free-enterprise system enjoyed by the American broadcasting industry might be contributing to an intellectual and moral slackening in American attitudes and behavior. Previous attention had been given to television's influence on youth, particularly in the areas of juvenile delinquency and crime,¹ but now Americans who had never known a time without television were approaching adulthood. The "TV Generation", as it was called by some observers, showed signs of indifference to the problems of the world about it, apathy, and

¹See especially the so-called Hendrickson Subcommittee Hearings of 1954, as reported by the New York Times as follows: March 5, 1954, p. 25:1; October 16, p. 23:3; October 17, Sec. II, p. 13:1; October 20, p. 40:2; October 21, p. 29:8; October 23, p. 17:3; October 29, p. 39:3; December 4, p. 19:5; and December 9, p. 50:3.

escapism from reality--its members were passive spectators of life.¹

This phenomenon came to light more clearly as a result of the "quiz-show scandals" of 1958-1959. The discovery was made that many of the most popular television programs of the latter 1950's had been "rigged," and that some of the persons with the greatest following in those programs (the most illustrious name being Charles Van Doren²) had been provided with answers and "coached" on techniques to heighten the illusion of honest effort. The unearthing of this scandal was not nearly as shocking to the American public as some social scientists thought it should have been. To these observers the really shocking result of the quiz scandals was that so few Americans were shocked by them. In the never-never-real land of television, it seemed, very few people had expected anything other than "entertainment"--at the expense of integrity if need be.³

From the educator's standpoint, the implications of the quiz-show revelations were very serious. Dr. Frank Stanton, president of CBS, may have been voicing the fears

¹ Jack Gould, "The TV Generation," New York Times, November 6, 1960, Sec. II, p. 17:1.

² See Ibid., November 3, 1959, p. 1:8 et seq., passim.

³ See especially in this regard, Charles Frankel, "Is it Just TV--Or Most of Us?" New York Times Magazine, November 15, 1959, pp. 15ff; and New York Times, November 1, Sec. II, p. 13:1; November 3, p. 30:1.

of many thoughtful persons in his address to the Association of Land Grant Colleges and Universities soon after the scandal was revealed. The public confidence in television must be restored, he said, or "broadcasting will be as useless to the broad educational process as a university in shackles."¹

The networks, who were forced, in spite of protestations of innocence and ignorance of the affair, to bear the brunt of criticism in the scandal, found that their chief critics were Congress, the FCC, and educators. To placate these parties in particular they set about to "clean house". Legislation was passed making deception in quiz-show broadcasting a Federal crime, most of the quiz programs were cancelled or stringently policed by the networks themselves, and an effort was made to "rebuild the image" of responsible television broadcasting.

The year 1960 found the broadcasting industry diligently attempting to carry out this last objective. The networks doubled the number of informational and public affairs programs during the year--producing nearly two hundred hours of such programming (at an estimated value of \$22 million in "time costs" alone) and, more importantly, presented many of these programs during "prime" evening hours, the time previously reserved almost exclusively for

¹Ibid., November 11, 1959, p. 30:4.

entertainment. This effort represented a major change in network television policy, and it was also an important manifestation of the broadcasters' new awareness of their educational (in the broadest sense) responsibility.

The most dramatic event of 1960 in the area of public affairs broadcasting was the National Presidential election campaign. With the cooperation of Congress, the FCC, and the two major political parties (and their candidates for the Presidency), the three major television networks "pooled" their facilities, on four separate occasions, to present a direct confrontation between the two major Presidential candidates. The audience for the first of the so-called "Great Debates" was reported as eighty-three million Americans in thirty-three million homes--the largest single audience in history.¹

Educational Television Developments

Commercial Support

The commercial broadcasting industry continued its support of the educational television movement in a number of ways during 1959-1960. "Continental Classroom," NBC's early-morning network instructional television venture, claimed to have 270,000 viewers, 5000 of them registered

¹Figures from the American Research Bureau, reported in Britannica: Book of the Year, 1961, p. 589.

for credit at 250 colleges and universities served by the 149-station network. Robert Sarnoff, NBC's president, called it "the largest academic conclave the world has ever known."¹ The program was expanded at the end of the first course in Atomic Age Physics, to include a course in Chemistry, and later Mathematics and Statistics.²

"Sunrise Semester," the local (New York City) counterpart to "Continental Classroom," produced by CBS and New York University, began its third year of college-credit courses in the fall of 1959, with offerings in four subjects.³

There were other kinds of aid which commercial broadcasters provided to the educational television movement as well. A CBS-owned station (KMOX-TV) in St. Louis gave the noncommercial educational station of that city (KETC) equipment and a cash grant totalling \$75,000.⁴ The Radio Corporation of America, owner of NBC, gave New York University a \$100,000 studio and teaching center.⁵

¹New York Times, May 28, 1959, p. 61; 1.

²Ibid., August 30, 1959, Sec. IV, p. 11:3.

³Ibid., February 12, 1959, p. 29:3; August 30, Sec. IV, p. 11:3.

⁴Ibid., August 3, 1959, p. 48:3.

⁵Ibid.

Finally, when NBC closed its commercially unsuccessful UHF television station in Buffalo, New York, it donated the entire facility to the area's educational television organization, and thus directly aided in establishing the first noncommercial educational television station in New York State (WNED-TV).¹

Noncommercial Educational Developments

The noncommercial educational television movement continued to grow (with the help of commercial broadcasters in many instances, as well as by its own efforts). By the end of 1960 there were fifty-four noncommercial educational television stations operating--an increase of seventeen in the two-year period.² The National Educational Television and Radio Center (NETRC) moved its headquarters and most of its operations from Michigan to New York City, a move which reflected not only the growth of the organization, but also its intent to become the fourth major television network in the country. To aid it in this endeavor, the Ford Foundation granted \$2.7 million to the Center with which to provide each of its affiliated educational stations with a video tape recorder. The Minnesota Mining and Manufacturing Company donated, at the same time, \$10,000 worth of video tape for the network's use.³

¹ Ibid., March 30, 1959, p. 50:7.

² JCET, Current Developments in Educational Television, 1961.

³ New York Times, June 25, 1959, p. 59:4. In addition, the Ford Foundation continued to endow the operations

As the number of stations continued to grow, so also did the number of State educational networks. Florida had taken over the lead in this type of development by the end of 1960, with five stations operating and a plan for the construction and operation of fifteen more.¹ An interstate network was established in New England by Boston educational station WGBH-TV and New Hampshire's new educational station WENH.² And the first instance of what was to become a national educational television service on a broad scale began in 1959, when stations WGBH-TV and KQED (San Francisco) exchanged programs prerecorded on video tape.³

The growth of educational television was not, however, an unqualified success. There were some disappointments. In New York City, for instance, the nation's largest metropolitan area still without an educational television station of its own, the Metropolitan Educational Television Association (META), which produced educational programs for NETRC's national distribution, and for local viewing on New York's commercial stations, was forced to terminate its

of the Center itself until 1960, when it announced a terminal grant of \$5 million (Britannica: Book of the Year, 1961, p. 217).

¹New York Times, December 4, 1960, p. 146:3.

²JCET, Educational Television Factsheet (September, 1959).

³New York Times, August 12, 1959, p. 59:5.

production activities, as well as its plans to purchase a channel in the New York area, because of a lack of financial support.¹ It was a severe, if temporary, blow to the educational television movement.

Closed-Circuit Educational Television

Projects in the areas of instructional and closed-circuit television continued to be generally successful across the nation. The Fund for the Advancement of Education completed its first year of operating the National Project on the Use of Television in the Public Schools (in fourteen states and 223 schools) and announced that, so far as its initial research showed, televised instruction was superior to conventional instruction in 68 of 110 comparisons. Its report also stated that "students who received part of their instruction over television in large classes did as well as, and in many cases significantly better than, students who were taught by conventional methods in small classes."²

The Hagerstown closed-circuit television project completed thirty months (the half-way point) of a five-year study involving forty-nine schools and 16,500 students daily, and announced that televised instruction was favored by a

¹Ibid., February 19, 1959, p. 63:5; May 4, p. 91:2; May 5, p. 67:1; May 6, p. 79:4; May 10, Sec. II, p. 15:1; May 18, p. 55:2.

²Loren B. Pope, "Teaching Via TV Found Effective," New York Times, February 9, 1959, p. 31:1.

majority of the students and by eighty-three per cent of the teachers of the school system.¹ The Chicago City Junior College completed its initial three-year experimental program in broadcast college-level instructional television and continued the project on a regular basis.²

One of the most spectacular educational television ventures of all time began in 1959 and continued in the planning stages through 1960: the Midwest Program on Airborne Television Instruction (MPATI).³ With the aid of \$4.5 million of Ford Foundation money, the \$7 million project proposed to place a "flying television transmitter" four miles in the air over Purdue, Indiana, and to broadcast instructional television programs to 13,000 schools and colleges, using UHF channels and the "stratovision" technique developed by Westinghouse research in 1944. Programs were to be prerecorded on video tape and broadcast to a potential in-school audience of five million students and teachers. The MPATI spokesmen announced a "nation-wide talent search" to seek out the "best" teachers in the nation for the project.

¹Ibid., April 5, 1959, p. 85:3.

²Ibid., August 14, 1959, Sec. IV, p. 8:4; Clifford G. Erickson and Hymen M. Chausow, Chicago's TV College: Final Report of a Three Year Experiment (Chicago: Chicago City Junior College, 1960), p. 3.

³New York Times, October 16, 1959, p. 1:7; JCET, Educational Factsheet (November, 1959).

The concept of MPATI, said its supporters, was a technological breakthrough which would "bring education abreast of industry in applying new techniques." It would, for instance, (1) permit "outstanding" teachers to obtain a larger outlet for their talents, (2) enable local school systems to reduce the load on their own teachers in televised-course areas, and permit them to provide more individual attention to students, (3) enable rural and small schools lacking adequate laboratory facilities to receive instruction in the sciences by permitting students to witness laboratory demonstrations, and (4) enable rural and other less well-endowed schools to broaden their curricula to include courses and subjects beyond their present capabilities.¹

Objections to The Movement

The MPATI plan was greeted with considerable support by the press, but there were some groups which continued to be skeptical of instructional television in general, and frowned especially on such a "grandiose scheme" as an airborne television station. The executive council of the American Federation of Teachers raised the objection that the MPATI proposal would be subject to no public control,

¹New York Times, October 16, 1959, p. 1:7. See also: Ibid., October 18, 1959, Sec. IV, p. 8:1; December 24, p. 17:6; July 14, 1960, p. 9:4; December 20, p. 40:6.

yet was "undertaking a drastic revision of the American public schools."¹

One of the strongest criticisms of the MPATI plan came from Dr. John R. Dunning, Dean of the School of Engineering, Columbia University, who decried the extensive use of "gadgets and gimmicks" in science teaching. Dean Dunning contended that foundations and educational councils were "dissipating some of our energies in specious and sensational projects." Maintaining that the classroom teacher was the "central, indispensable, and inviolable element in science teaching," he attacked the MPATI proposal directly:

When we are not really sure how to teach modern science face to face with our students in a classroom I don't see why we should spend millions of dollars trying to teach it through electronic circuits from an airplane. . . . Sincere men have been seduced into such gadgetry by importunate demands of our society for quick results and a lazy means of obtaining them. Foundations and educators have been victims of the new American Spirit.²

Other spokesmen--and some were significantly powerful in educational matters--took pains to modify the effusive claims being made for educational television in general by the proponents of the movement. The American Association of Colleges for Teacher Education (AACTE), one of the sponsoring agencies of "Continental Classroom," pointed out that "TV teaching is expensive," and said that an important "question which dwarfs all others is what can be

¹Ibid., December 30, 1959, p. 45:2.

²Ibid., November 29, 1959, p. 73:1.

done to bridge the gap created when the teacher is physically separated from his students."¹ A conference of school executives concluded a three-week study of rural school problems with the statement that educational television would be of little value to the rural schools, except in certain subject areas. Even then, it said, rural schools and small school districts would have to rely more on commercial broadcasters' good will than on noncommercial educational television stations, because of the expense involved. The conference also averred that "the rural school . . . requires a flexible schedule to which a film is better adapted than a telecast," and it called for more research in television-versus-film comparisons.²

The Council of Chief State School Officers warned against all

exaggerated and unsubstantiated claims about what television can do for education, especially when regular support of school systems may be undermined through claims that the use of television will save school funds.³

Even the Ford Foundation warned against "amateur bungling" and insufficient technical competence and flexibility in instructional television installations then in operation.⁴

¹Ibid., February 14, 1959, Sec. IV, p. 9:1.

²Ibid., August 15, 1959, p. 15:5.

³Ibid., November 14, 1959, p. 43:2.

⁴Ibid., May 1, 1960, Sec. IV, p. 9:1. See also, Educational Facilities Laboratories, Design for ETV (New York: Ford Foundation, 1960), pp. 22-23, passim.

It seemed, during the 1959-1960 period, that although educational television was well established in principle, and was gaining slow but steady support in most areas where it had been introduced, there were still some significant objections to both the principles and the practical applications of the medium. Leaders of the movement continued to look to the Federal Government for support in establishing a national educational service.

Educational Television and
the Eighty-Sixth Congress

As the Eighty-Sixth Congress convened in January, 1959, there was renewed activity on behalf of educational television facilities legislation in both Houses which resulted in eight bills (seven of them in the House of Representatives) being introduced in the first six weeks of the First Session. The intent was the same in each proposal--to expedite the utilization of reserved educational channels for noncommercial use--but there were basic differences in the approaches proposed for distributing Federal aid. These differences provoked much of the discussion which attended the Congressional treatment of the legislative proposals.

Educational Television and the
Senate--First Session

On January 9, 1959, Senator Warren Magnuson introduced for himself and Senator Andrew F. Schoeppel, ranking minority Member of the Senate Commerce Committee, a bill (S. 12)

to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.¹

The bill was referred to the Commerce Committee, where hearings were held before the month was over. S. 12 was virtually identical in form to S. 2119 of the Eighty-Fifth Congress as that bill had been passed by the Senate.² No speech or statement for the Record accompanied the introduction of the bill.

Senate Hearings on S. 12

Hearings on S. 12 were held on January 27 and 28, 1959, before the Committee on Interstate and Foreign Commerce of the Senate.³ Senator A.S. Mike Monroney presided both days in the absence of Senator Magnuson, the Committee Chairman. Monroney was joined from time to time during the day-and-a-half hearing by Senators Clifford Case, Hugh Scott, and Ralph Yarborough; but most of the time Senator Monroney heard and questioned witnesses alone.

Seventeen witnesses testified before the Committee. They included a Congressman, a Senator, a Federal

¹U.S., Congressional Record, 86th Cong., 1st Sess., 1959, CV, Part 1, p. 227. Senator Bricker, who had been Senator Magnuson's co-sponsor in previous ETV legislative proposals, had failed to win reelection in 1958 and was no longer a Member of the Senate.

²Supra, chap. v, pp. 192, 201n.

³U.S., Congress, Senate, Committee on Interstate and Foreign Commerce, Hearings on S. 12, Educational Television, 86th Cong., 1st Sess., January 27, 28, 1959.

Communications Commissioner, a commercial broadcaster, representatives from the Joint Council on Educational Television and the National Association of Educational Broadcasters, educators, educational broadcasters, and representatives of groups interested in educational television. Nine of the witnesses had testified earlier on behalf of S. 2119 (when that proposal had been before the Committee) and four had appeared also at the hearing on S. 2119 and other educational television bills previously held by a committee of the House of Representatives.

There was no opposition to S. 12 by any of the witnesses or Senators present. On the contrary, all of those who testified were enthusiastically in favor of the measure, holding that it was necessary to promote the development of educational television beyond its present state, not as a continuing subsidy of educational television by the Federal Government but as a "pump-priming" device. In fact, one of the chief concerns of the acting chairman, Senator Monroney, was to make clear that the program proposed by S. 12 was intended only to initiate educational television activity or to permit existing television operations to expand their programs. This exchange for instance illustrates the point:

Senator MONRONEY The theory on which this has been presented to the Congress, I think, and in which it passed the Senate was that this was more or less the seed corn and we can expect it to start the States on a program that the States can carry on and develop and enlarge. Is that your understanding?

Mr. STEETLE. I am quite sure that any Federal grant would be lost in the size of the funds that will come from the States so stimulated.

Senator MONRONEY. I think that is very clear. We always face the problem of new programs sometimes being feared that it is the camel's nose under the tent, and involves a continuing Federal obligation not only on a capital expenditure basis,¹ but sometimes on maintenance and operation as well.

The consensus seemed to be that S. 12 was broad enough in scope to permit a wide range of potential applicants to apply for Federal assistance, and yet was restrictive enough (by its demand that operating expenses and the maintenance and housing of facilities be borne by the grantee) to assure that the bill would retain its "seed corn" objective.

The greater portion of the hearing testimony was a restatement of the present status of educational television development in various parts of the nation. In this respect, the Hearing was very much like the two which had been held during previous Congressional sessions. The strongest statements of the need for passage of S. 12 were made by Ralph Steetle (Executive Director of the JCET), who called attention to the possible impending development of educational television in the Soviet Union,² and William Harley (President of the NAEB), who noted that "two-thirds of the population of the United States" had no access to educational

¹Ibid., p. 51.

²Ibid., p. 50.

television and that the S. 12 proposals would greatly reduce this figure. Harley also referred to the international race for educational supremacy as follows:

So, gentlemen, there is a need, and whether or not such aid is forthcoming can mean the difference between leadership for the United States and second-rate status for our Nation in education. Absence of such help can mean a delay of a generation, and that may be too long.¹

When Senator Ralph Yarborough testified, he introduced a new element of need for the legislation--to speed up the activation of the reserved educational channels lest they fall into the hands of commercial television interests. "This," he said, "is a race for time between the need for education and the desire for dollars."²

Three main areas of support for Federal aid to educational television emerged as a result of the Hearing: (1) the need to reach an increasing number of in-school pupils, and adults, with quality education; (2) the need to develop television as a new learning tool, with which to improve the quality of teaching and regain unequivocal superiority over the Soviet Union's educational system; and (3) the need to ward off prospective incursions by commercial broadcasting interests into the reservoir of reserved non-commercial educational television channels.

¹Ibid., p. 64.

²Ibid., p. 94.

The only official opposition to the bill came in the form of a routine comment by the Department of Health, Education, and Welfare (HEW). The Department opposed S. 12 on the same grounds on which it had opposed S. 2119 and the equivalent legislation in the House of Representatives in the previous Congress, namely, (1) that "educational television . . . is still largely in the stage of experiment and planning," (2) that there was no need for a Federal program such as that contemplated by S. 12, because the development of educational television was proceeding at a rapid rate under its own initiative, (3) that "Federal assistance . . . is most effectively rendered through the assignment of transmitting channels, . . . the general encouragement of ultrahigh frequency transmission, and study and research in the utilization of television for educational purposes," and (4) that the proposed bill did not provide for an equitable method of distributing the allocated funds to the respective States.¹

Committee Action on S. 12

The Senate Commerce Committee met in executive session on February 4, 1959, and approved S. 12, ordering it to be reported to the Senate with an amendment which would

¹Letter from Arthur S. Fleming, Secretary, Department of Health, Education, and Welfare, to the Chairman, Senate Committee on Interstate and Foreign Commerce, February, 2, 1959, reproduced Ibid., pp. 103-104.

add a five-year termination clause to the proposed legislation.¹ On February 26, the bill was reported by Senator Magnuson, along with the amendment.²

The Committee report reviewed the action of the Senate and the Committee during the previous Congress with respect to educational television legislation, summarized the testimony of witnesses at the most recent hearing regarding the urgent need for improved quality in education (stressing television's potential value in that field), and recommended passage of S. 12. Senator Magnuson himself made no statement when the Report was submitted.³

Senate Debate on S. 12

It was six weeks later that Calendar No. 52 (S. 12) was finally brought to the Senate floor for debate.⁴ The bill was called up by Majority Leader Senator Mike Mansfield, together with the proposed amendment, on April 13, 1959.⁵ After some intervening Senate business the consideration of

¹Congressional Record, CV, Part 17, p. D44.

²U.S., Congress, Senate, Committee on Interstate and Foreign Commerce, Report to Accompany S. 12, 86th Cong., 1st Sess., Report No. 56, February 26, 1959.

³Ibid., Part 3, p. 2977.

⁴Actually the bill was passed over twice, on March 18, and again on April 10, 1959. See Ibid., Part 4, pp. 4461, 5640.

⁵Ibid., Part 5, p. 5757.

S. 12 was resumed, and Senator Magnuson obtained the floor to make the first speech in support of the bill.

Speech by Senator Magnuson¹

Senator Magnuson began his remarks by reviewing the history of previous attempts at educational television legislation. He recalled how S. 2119 (virtually identical to S. 12) had passed the Senate unanimously, how it had received favorable attention in the House of Representatives, and how it would probably have been passed by that body had it not been caught in the "legislative jam" near the end of the Eighty-Fifth Congress. In order to prevent a similar mishap in the current Congress, Senator Magnuson explained, he had introduced S. 12 early in the session in order to speed it on its way toward passage to get "this very important program" underway. He called attention to the bipartisan sponsorship of both the previous bill (co-sponsored then by Senator Bricker) and the present one (in which Senator Magnuson was joined by Senator Schoeppel). Then he proceeded to a simple explanation of the provisions of S. 12.

With the broad outlines of the proposed legislation stated, Senator Magnuson turned to the situation which S. 12 was supposed to alleviate. He pointed out that only thirty-seven educational television stations had been activated (to date) on the channels reserved for them in 1952, because of

¹Ibid., pp. 5762-64.

the difficulties of obtaining funds for the initial installation of facilities. He discussed briefly the UHF problem and its relation to the circumstances experienced by some not-as-yet-operating educational television groups who held channels in the VHF spectrum--i.e. the demand by commercial interests that the unused reservations be relinquished. To this point he said:

When a channel is idle for seven years it is only natural that those who want to . . . serve the public in commercial television . . . should attempt to pry loose the unused channels. The argument is always used, "For seven long years this channel has been idle." That feature enters into the problem. One of the real purposes of the bill is to deal with that aspect.¹

With the details of the proposal and the need for it so stated, Senator Magnuson launched into the major portion of his address, a series of arguments in support of his proposal, showing, in effect, how the bill would be effective in meeting the needs of the educational television movement which he had earlier described. Three lines of argument were developed: (1) experience showed that once stations were established they remained on the air with local financing, but Federal grants were needed to help many groups get started; (2) current research findings indicated that television could do much to alleviate a need for quality teachers and a shortage of classrooms which grew daily; and (3) television offered a unique opportunity to

¹Ibid., p. 5763.

improve the quality of education in the United States at all levels, because of the power and potential of the medium.

These points were supported by statistics, excerpts from the testimony of witnesses before the Commerce Committee, and quotations from outstanding educators throughout the nation.

The Speech concluded with a summary and an attempted refutation (in advance) of the question of cost to the Federal Government of such a program, which Senator Magnuson defended as only enough to "get the program off the ground."

Speech by Senator Schoeppel¹

Senator Schoeppel as co-sponsor of S. 12, followed Senator Magnuson's speech with his own remarks in support of the proposal. His line of argument was somewhat different from Senator Magnuson's in that he based the major portion of his speech on the fiscal considerations of the bill. He maintained that even though he preferred to "be classed with those who see danger in deficit spending and inflation," he felt that there were circumstances, such as those the bill proposed to meet, under which a little spending was wise and would result in a considerably greater return, in value to the nation, than the expense.

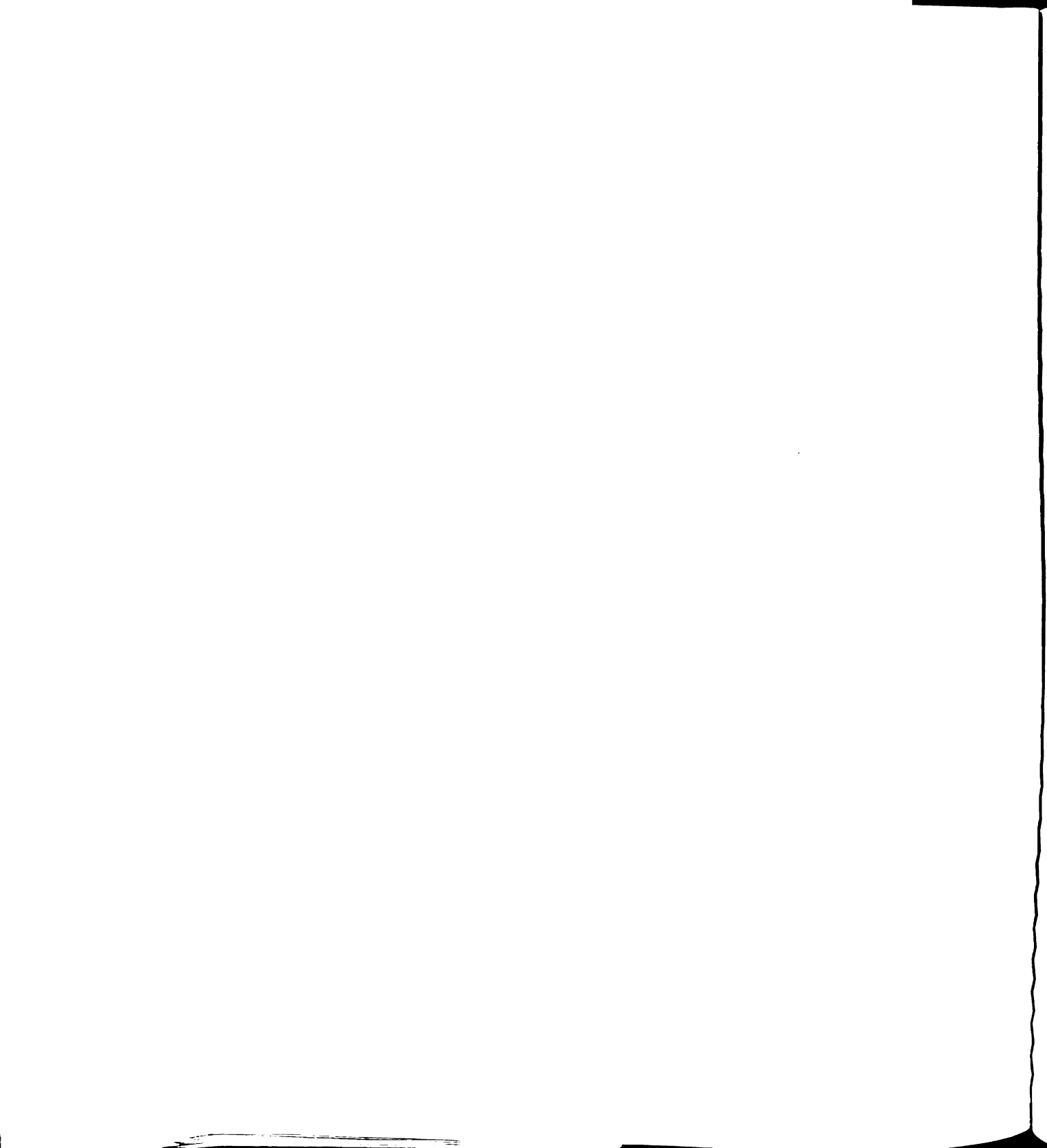
¹Ibid., pp. 5764-65.

The speech was replete with image-producing language, which was colorful and personal, rather than concrete and logical. Senator Schoeppel referred to the plight of children marching through school, "never to return to grades in which instruction has been thin and poor because of the lack of access to educational television." He called S. 12 a "kind of domestic point four program, . . . a way of getting educational television operating . . . on a pilot plant basis," without putting the Federal Government into the business of operating or dictating policy on the operation of the facilities thereby constructed. He attacked the Health, Education, and Welfare opposition to the bill by pointing out that it gave "every evidence of having been quilted from pieces of the previous" objection to S. 2119, and said that the objections completely missed the point. The real issue was, he said,

how many children will we have neglected? How many potential scientists will we have lost through failure to make televised courses in chemistry and physics available to students in thinly populated areas? They are entitled to those privileges.¹

Senator Schoeppel then turned his attention to the very pragmatic subject of fiscal policy. He pointed out that the amount of money being requested was modest, and that even this amount would not be spent in any one year because of the length of time it would take to process

¹Ibid., p. 5764.



applications and set the program in operation. It was "most unlikely," he said, "that any great part of the authorized funds would be expended within the first year or two of operation."

He closed with a challenge to the Senate to make a serious judgment whether the expenditures of funds for educational television should be postponed or discarded altogether, and stated his own position thus:

In my view, they have been postponed over-long already. If we are to make educational opportunity truly universal, if we are to give to our youth in their learning years and their creative years the breadth of education which it is within our power to give, we should . . . vote our approval of S. 12.¹

At the conclusion of Senator Schoeppel's remarks the Committee amendment was agreed to by the Senate and the debate continued, with a speech by Minority Leader Senator Everett Dirksen opposing S. 12.

Speech by Senator Dirksen²

Senator Dirksen opposed the bill on four grounds: (1) the provision in the bill which included "improving" educational television facilities could be interpreted to mean that the program could continue "year after year unto infinity," hence the proposal had the inherent fault of

¹Ibid., p. 5765.

²Ibid., pp. 5767-68.

authorizing a continuing program which might involve much more Federal money in the future than the original grant called for; (2) the bill was not "consonant with the budget of the President of the United States for the fiscal year 1960," and would throw the budget into a deficit; (3) the program was not necessary, according to the Secretary of Health, Education, and Welfare, who, of all people, according to Dirksen, if there were a need for the program, would be coming before the Senate "and making rather vigorous and robust advocacy of the program and urging Congress to adopt it"; and (4) there were, in the bill, "no effective guidelines for allocating this money among the states."

These four objections to S. 12, the last two of which were based on the opposing statement of the Department of Health, Education, and Welfare, were reiterated by Senator Dirksen, who concluded that he would be content to stand with the Secretary's recommendation that the bill not be passed.

Speech by Senator Yarborough¹

Senator Ralph Yarborough was the next speaker. He supported the bill on the grounds that educational television was an asset to the educational system of the nation, and that Federal aid in the development of educational television would prevent the reserved channels from falling into the

¹Ibid., p. 5773.

hands of commercial broadcasters, and thereby being lost to educational interests for all time.

The Senator relied on his position as a member of the Education Subcommittee in documenting the statistical dimensions of the educational crisis; and he surmised that educational television would assist in alleviating it, using the analogy that "this new medium of instruction, television, will do for education about what the automobile has done for transportation." He recalled the support which former Senator Bricker had given to the previous Senate proposal; and he emphasized the various controls which had been built into the bill to limit the Federal Government's participation merely to providing funds for the acquisition of facilities--not their operation.

The Senator drew a parallel between the proposals of S. 12 and that of the Morrill Land Grant Act of 1862--the first time that such a comparison had been made respecting educational television since 1952, when the noncommercial channels were reserved, and the first time ever with respect to legislation for educational television facilities:

The Morrill Land Grant College Act of 1862 . . . was the first great national education act. I rather suspect that many of the arguments used at that time would reveal that it was urged that the cost of operating the Land Grant College Act would bankrupt the Federal Government. But the Act has operated successfully, and the States bear the cost of maintaining those institutions. . . . That has happened in the case of many other programs.

Senator Yarborough concluded his remarks by reiterating the great need for improvement in education, and urging the Senate to pass S. 12.

Remarks by Senator Williams¹

Senator John Williams, of Delaware, took the floor next; but his remarks were directed toward the controversy in Delaware over the disposition of a VHF channel in that State. He questioned Senator Magnuson about that issue, in which educational television interests were involved but which was completely irrelevant to the debate at hand, until he was interrupted by the presiding officer's call for further amendments on S. 12. Senator Williams, still on the floor, briefly declared his opposition to the bill on the grounds (1) that it was "not included in the budgetary estimates," and (2) that the bill might be "the first wedge in a much more extensive program and one in which there may be greater Federal control than is visualized."²

Senator Williams was the last speaker of the debate on S. 12; and, there being no further amendments or discussion, the bill was subsequently read and passed by a voice vote.³

Lines of Thought in the Senate Discourse

Both "external" and "internal" concerns are evident in the lines of thought and argument which prevailed in the

¹Ibid., pp. 5773-75.

²Ibid., p. 5775.

³Ibid.

Senate discussion on S. 12. During the hearing phase, educational television was discussed primarily in "external" terms--that is, in terms of the state of educational television throughout the nation, and the role which it could and should play in the present and future development of the American educational system. Another external concern was the need to activate the reserved educational channels lest they fall into the hands of commercial broadcasters.

These same external considerations were raised during the debate on S. 12 in the Senate. But there were also in the debate "internal" considerations--matters which grew out of the legislative frame of reference--which had not been raised in the Hearing, such as (1) the fact that the bill was politically a bipartisan measure, even though it was opposed by the Republican Administration, (2) the amount of money involved, and the concern over budgetary appropriations and fiscal policy, (3) the fear of establishing a Federal program which would be perpetuated ad infinitum, and (4) concern about the Federal Government's intrusion in the area of education, where there was danger of eventual Federal control.

The proponents of the bill touched upon virtually all of these considerations, external and internal; the opponents (Senators Dirksen and Williams) discussed only the internal concerns in opposing the bill. There was no apparent opposition in the Senate to the principle of television in education, or to the need for expediting the use of reserved noncommercial educational television channels.

Educational Television Legislation in
the House of Representatives

The bill passed by the Senate (S. 12) was sent to the House of Representatives for its consideration on April 14, 1959.¹ In the meantime, while the bill had been under the Senate's consideration, there had been some activity relative to educational television in the House itself.

On January 7, 1959 (the opening day of the Eighty-Sixth Congress), Representative Hale Boggs introduced H.R. 32,

A bill to amend the Communications Act of 1934 to assist in the establishment and improvement of certain television broadcasting facilities.²

The Boggs bill was identical in wording to the Boggs bill of the previous Congress (H.R. 13297), and it was also similar to S. 12 (the only difference being that H.R. 32 proposed an amendment to the Communications Act rather than totally new legislation). The bill was referred, as were the bills which followed it, to the House Committee on Interstate and Foreign Commerce.

Boggs's bill was followed shortly in the House by a bill from Representative Stuart Udall (H.R. 1981, January 9, 1959),

to expedite the utilization of television facilities in our public schools and colleges, and in adult training programs.³

¹Ibid., p. 5865.

²Ibid., Part 1, p. 27.

³Ibid., p. 335.

The Udall bill was identical to his bill submitted in the previous Congress (H.R. 12177), and differed only slightly from the Magnuson bill (S. 12).

On January 20, Representative Kenneth A. Roberts introduced H.R. 2926, which was followed on January 21, by an identical bill introduced by Representative Morgan M. Moulder (H.R. 3043),

to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes.¹

The Roberts and Moulder bills differed from the other educational television bills introduced in the House during this session in that they provided for grants of \$10,000 for each State and territory with which to make a survey of its educational television needs, and to develop a program for the construction of educational television facilities within three years of the passage of the act. Once a plan had been submitted, States and territories (including the District of Columbia) could then apply for up to \$1 million in Federal grants for the acquisition and installation of television equipment, but only on a "matching" basis. This had to be done within an additional three years following the submission of a plan; thus, in effect, the bills provided for a six-year maximum termination of the Federal program. The bills were written as amendments to

¹Ibid., pp. 949, 1012.

the Communications Act of 1934, and named the Secretary of Health, Education, and Welfare, as the administrator of the program (rather than the United States Office of Education, as was stipulated in all the other proposals).

Other educational television bills, identical to one or another of the above, were introduced by Congressman Foley (H.R. 3723, January 29), Congressman McDowell (H.R. 4234, February 9), and Congressman Bentley (H.R. 4572, February 17); and these were joined on April 14, 1959 by the Senate-passed S. 12, making a total of eight bills before the House.¹

The House of Representatives thus became aware of a moderate interest in educational television legislation. The introduction of several identical bills served the same purpose in the House as co-sponsorship (not permitted under House rules) had in the Senate, namely an indication that the subject of educational television and the Federal Government's relation to it was something which had support and should be considered.² All eight proposals were referred to

¹Ibid., p. 1457; Part 2, pp. 2163, 2557. For analysis of all eight bills see, JCET, Educational Fact-sheet (May, 1959), pp. 7-8.

²See a discussion of the House's attitudes toward introducing duplicate bills in Clapp, pp. 139-44. While there was obviously some support for educational television in the House, it was not obvious that this support was bipartisan in nature. Representative Bentley was the only Republican Congressman to submit an educational television facilities bill.

the Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce.

House Committee Hearings on Educational Television

A hearing was held on May 12 and 13, 1959, under the chairmanship of Representative Oren Harris (who was also chairman of the parent committee).¹ Twenty-four witnesses appeared before the Subcommittee to testify on the bills pending. Seven of the eight Members of the Subcommittee participated in the meetings--a far more representative participation than that which had attended the House hearing on educational television a year earlier which was attended by only one or two Congressmen most of the time.

The witnesses included three spokesmen from Federal agencies, the authors of the seven House bills, five representatives of educational television broadcasting operations, three representatives of universities where educational television development was underway, three representatives of the national educational television movement, two representatives of national education groups, and a commercial advertiser who appeared as an interested citizen. Half the witnesses had testified during previous hearings on educational television.

¹U.S. Congress, House of Representatives, Subcommittee of the Committee on Interstate and Foreign Commerce, Hearings, on H.R. 32, H.R. 1981, H.R. 3723, H.R. 4248, H.R. 4572, H.R. 2926, H.R. 3043, and S. 12: Educational Television, 86th Cong., 1st Sess., May 12, 13, 1959.

The breadth of representation at the Hearing, the increased participation by Subcommittee Members, and the lines of thought and argument which were developed during the proceedings, made this the most comprehensive of the four educational television hearings held to that time. For the first time, it became apparent that there was definite opposition to the proposals being discussed, both in principle and in practical aspects. The Hearing also revealed that opposition developed along party lines--the Republican (minority) Members of the Subcommittee opposed the legislation, almost without exception, and the Democratic (majority) Members, without exception, supported it.

The Hearing began on May 12, with an opening statement by Chairman Harris, in which he made it clear that the purpose of the hearing, from his point of view, was to indicate widespread support for the legislation, which could be then used to obtain passage of a bill in the House. He outlined three areas in which any case for educational television would have to be argued: (1) whether the Federal Government should enter the field in the face of budgetary considerations, (2) whether the cost was too high in view of the costs of government, and (3) where the revenues with which to undertake an aid program would come from.¹

Each of these concerns of the Chairman were related to one "internal" issue: whether or not the Federal

¹Hearings, H.R. 32 et al., p. 9.

Government should aid educational television with funds for its development. The Chairman stated his own view that television per se had a vast potential in the field of education, and he hoped that testimony would indicate that his view had widespread support.

The first six witnesses to appear in the Hearing were authors of the various bills under consideration. Most of their testimony, understandably, dealt with the practical "internal" concerns of getting the legislation passed by the House. Representative Roberts, for instance, pointed out that the "matching-funds" provision of his bill (H.R. 2926) was patterned after the Hill-Burton hospital construction program (Hospital Survey and Construction Act of 1946, P.L. 79-725), a policy which had received previous support in Congress because of its stimulating effect on private funds within the States.¹ Representative Moulder (H.R. 3043) reaffirmed the same intent even more forthrightly when he said, "My bill provides for matching funds . . . because I believe it has the best opportunity of passing through Congress and probably there would be far less danger of a veto by the President."² Representative Boggs hinted at the strategy of sending all of the pending educational television bills to the Commerce Committee rather than to the House Education Committee, where they would probably not have received such favorable attention.³

¹Ibid., p. 11.

²Ibid., p. 18.

³Ibid., p. 19.

Opposition to the proposals in the Hearing came primarily from the ranking minority Member of the Subcommittee, Representative John Bennett, who was supported by other minority Members from time to time. Bennett's contention was simply that a Federal aid program for educational television was not a wise proposal, especially when there were other areas of educational need, such as school construction and the improvement of teachers' salaries, which seemed to him to have greater priority. Bennett contended, furthermore, that there was no evidence of need for the Federal Government to assist the States in establishing more educational stations, that they were proceeding very well without Federal intervention.¹

Another question of particular concern to Representative Bennett was on the specific wording of the Boggs bill (H.R. 32), which would make nonprofit groups, such as community educational television organizations, eligible for Federal grants. Bennett wanted the control over any funds allocated placed with recognized State educational authorities or local-government subdivisions of education. Representative Boggs's contention (and he was supported by some Members on this point) was that such a provision would be too restrictive, and would deny funds to many of the leading educational television operations already in existence or in advanced-planning stages. It was recalled that

¹Ibid., pp. 13-22, passim.

the Committee had amended the Senate bill of the previous session (S. 2119) in such a way as to exclude nonprofit groups from being eligible to receive Federal aid, and Representative Bennett obviously thought that that policy ought to be continued.

If you leave this wide open, and I repeat again the phrase "educational television broadcasting," means different things to different people, and unless you can nail it down to a specific type of sponsorship, then I am afraid you would get into all sorts of controversies as to what private nonprofit foundation should be given consideration.¹

Congressman Bennett stated all of his opposition to the bills in a summary statement for the record. He reiterated the objections raised by the Department of Health, Education, and Welfare, to the previous legislative proposals, namely, that (1) regular progress was being made in educational television development, (2) the best Federal support of the movement could be made through the existing programs of reservation and the encouragement of new techniques by the Office of Education, and (3) there was still insufficient proof of the efficacy of television in education, although the provisions of Title VII of the NDEA might provide the additional research evidence needed to validate that contention. He then went on to raise three additional questions of a more philosophic nature:

If Congress should decide to get into the field by providing funds for the construction of educational television facilities, what basis would

¹Ibid., p. 28.

there be for Congress denying Federal funds for the construction of other college facilities that are very much needed in many of the colleges and universities throughout the country and are being held up because of a lack of funds?

.

No. 2, if Congress does get into this field of providing money for the construction of facilities, . . . will Congress then, having assumed an obligation in that field, be requested to provide the funds for maintenance, for administration, and carrying on the program thereafter? I think it presents a very basic question.

The third thing that concerns me is whether our record shows the need for Federal funds in this area and whether there has been a serious lack of progress in this field on the part of the States themselves to such an extent that this program will fall by the wayside unless the Federal Government . . . provides the necessary funds.¹

These points and one other, that of the means of financing educational television facilities grants through increased taxes, or priorities, or whatever, were the main ones which Representative Bennett, supported mainly by Representative J. Arthur Younger, sought to develop throughout the two-day hearing. Nearly all of the witnesses were asked questions about these concerns. They were asked in particular if there was evidence that there was a lack of interest at the local level, or at the State level, sufficient to be certain that educational television would not develop except through Federal aid. Wherever possible, Representatives Bennett and Younger tried to indicate that where educational television growth had slowed it was because of unwillingness, not inability, to support the movement at the

¹ Ibid., pp. 43-44.

local level, and to show that the Federal Government could afford far less than the States to become involved in a program which the States themselves were unwilling to support.¹

The witnesses who favored the proposals attempted to convince the Subcommittee that Federal aid would bring about more rapid development of educational television, but none was able to refute positively the contention that educational television growth would not altogether stop without it. The proponents stressed the immediacy of the need for educational television expansion, and recounted the values and virtues of the medium as a vital tool with which to improve the quality of education. Much of what was said in these regards had been said in virtually the same ways (by many of the same people) in the course of earlier hearings and debate.

For the first time at any of the educational television hearings, a representative of the Department of Health, Education, and Welfare, testified in person. Lawrence G. Derthick, United States Commissioner of Education, appeared to justify the Department's opposition to the legislative proposals in general.

Much of his testimony, however, dealt, not with the bills at hand, but with the provisions of the recently enacted National Defense Education Act, and especially with the research grants in the field of educational media

¹See especially the testimony of William G. Harley (Ibid., pp. 70-79), Leland Hazard (Ibid., pp. 138-47), and L.D. Haskew (Ibid., pp. 147-53).

(including television) which were then being made under provisions of Title VII. Commissioner Derthick was the only witness to oppose the bills, and Representatives Bennett and Younger attempted to use his testimony to substantiate their own position that there was not enough known about the value of television in education, and that Federal money was being best spent through the investigative programs of the NDEA. Through Derthick's testimony the implication was made that educational television interests at present did not know what they were doing.

At this point Chairman Harris interrupted the testimony with an observation about the testimony being developed by the opponents. Speaking to Commissioner Derthick, he said,

I am not impressed at all with the statement that there is a lack of organization and ability to accomplish the purpose. In the hearing thus far, we have had some very great men, outstanding educators, before this committee. They testified . . . that there is not any question of having the ability to accomplish it. It is rather the question of getting the facilities to make possible further accomplishments. There has not even been any indication of the lack of any ability on the part of the institutions or the organizations that are to be responsible for this program of carrying it out. So, for that reason, it looks to me like the position that is presented here is pretty much out of tune with what has been said here all day yesterday and today.¹

Harris's remarks summarized well the scope and the overall point of view expressed during the Hearing. The bulk

¹Ibid., pp. 200-201.

of testimony had, in fact, been devoted to supporting the contention that educational television was a valuable asset and needed to be expanded--not investigated--to achieve its greatest potential.

Further Committee Action on Educational Television

The Subcommittee adjourned its hearing and met on June 3, 1959, with the full Interstate and Foreign Commerce Committee of the House to review the testimony in executive session. There was not enough support at that time, in spite of the overwhelming testimony in favor of Federal aid, to bring a bill out of the Committee. Therefore, the Committee voted to defer action on all of the proposals until a field study could be completed by the Subcommittee.¹ That study, which took the form of public hearings, was not conducted until late in the fall of 1959.

Educational Television Field Hearings²

The specific areas which the House Committee's study attempted to develop were (1) the uses of educational

¹Congressional Record, CV, Part 17, p. D283.

²Hearings were conducted by members of the Interstate and Foreign Commerce Committee in the following cities: Topeka, Kansas (Representatives Brock and Avery), November 3; San Francisco, California (Representatives Moss and Avery), November 12; Seattle, Washington (Representatives Brock and Avery), November 14; Denver, Colorado (Representatives Flynt, Brock, Avery, and Rogers), November 16; Raleigh, North Carolina (Representatives Roberts, Rostenkowski, and Collier), December 1; Atlanta, Georgia (Representatives Flynt, Roberts, Rostenkowski, and Collier), December 3; Birmingham, Alabama

television in various parts of the country, (2) the need for expansion of educational television facilities, and (3) the respective roles which the Federal, State, and local governments and private groups and institutions ought to play in the continuing development of the medium.¹

The Study revealed that there was virtually unanimous support of the principles of educational television in all of the communities visited, and that the development of the movement in these areas had been achieved in a variety of ways and under several forms of organization and support.² There was, however, no such unanimity of opinion on how the Federal Government ought to participate in the future development of educational television, beyond the continued reservation of the noncommercial educational channels, for which

(Representatives Roberts, Rostenkowski, Collier, and Huddleston), December 4; New Orleans, Louisiana (Representatives Roberts, Rostenkowski, Collier, Boggs, and Hebert), December 7; Tampa, Florida (Representatives Rostenkowski, Collier, and Cramer), December 8; and Miami, Florida (Representatives Rostenkowski, Bennett, and Collier), December 8. A summary of these hearings, which provides the information for this section was published in 1960: U.S. Congress, House of Representatives, Subcommittee of the Committee on Interstate and Foreign Commerce, Summary of Supplemental Field Hearings on H.R. 32, H.R. 1981, H.R. 3723, H.R. 4248, H.R. 4572, H.R. 2926, H.R. 3043, and S. 12, Educational Television, 86th Cong., 1st Sess., November 3, 12, 14, 16, December 1, 3, 4, 7, and 8, 1959.

¹ Ibid., p. 3.

² Ibid., pp. 1-8, passim.

there was universal support.¹ Views ranged from a position that the Federal Government should both establish and operate educational television facilities, on the one hand, to a complete disavowal of Federal assistance of any sort, on the other. Most witnesses, however, seemed to favor "a long-term program of construction aid, but wanted no operational aid, and some of these witnesses advocated a 'one shot' program of construction aid . . . as a matter of expediency or last resort."²

Witnesses differed in their views of the specific legislative proposals before the Committee as to whether Federal aid should be in the form of matching grants (various formulas were proposed by those who supported this position) or outright grants.³ There seemed to be general agreement, however, that nonprofit community educational television organizations should be eligible to receive Federal aid (as

¹As a result of this concern about reservations, Representative William Avery subsequently introduced a bill (H.R. 9448--January 7, 1960) "to amend the Communications Act of 1934 with respect to the allocation and continuing reservation of noncommercial educational broadcast channels" (Congressional Record, CVI, Part 1, p. 158). A discussion of the rationale of this bill and Avery's opposition to other forms of Federal educational television support may be found in William H. Avery, "A Congressman Looks at ETV," NAEB Journal, XIX (May-June, 1960), pp. 13-17.

²House Interstate and Foreign Commerce Committee, Summary of Supplemental Field Hearings, p. 8.

³Ibid., p. 11.

proposed in the Boggs and Magnuson bills) and that credit should be allowed for the amount of capital already invested in their operations. Some witnesses felt, however, that the overall control of educational television development within any State should be vested in a State commission of some sort.¹

Issues and Questions Before the Committee

Early in the Second Session of the Eighty-Sixth Congress (1960), the House Committee met to reconsider the educational television question in the light of its field investigation. The main questions and issues which had been raised during the Washington Hearing and the subsequent field study included both "internal" and "external" considerations. The main internal questions seem to have been these:

1. Should the Federal Government aid educational television financially at all, or was such assistance to be construed as Federal intervention in education, the traditionally inviolable preserve of the States?
2. Was financial assistance the best policy which the Government ought to follow in aiding educational television, or should the Government limit itself to the encouragement of educational television--the continued reservation of channels for educational

¹Ibid., pp. 11-12.

broadcasting, and the stimulation of research and utilization of the medium?

3. Should the Federal government aid educational television even though progress (however slow) was being made, especially when State and local governments were financially unwilling to support the development of the medium?
4. Could Federal aid for facilities construction be limited to a "pump-priming" enterprise--a one shot proposal--or would Federal construction aid lead to a perpetuation of the program through operational and maintenance subsidies as well?
5. Should the Federal government undertake even a limited financial program, such as that proposed, at the risk of deficit financing and an unbalanced Federal budget?
6. Should Federal aid be bestowed on educational television facilities at the expense of other Federal aid to education, such as increased classroom construction, and the raising of teachers' salaries?
7. What form of legislation would have the best chance of being approved by the House of Representatives--i.e. matching grants or outright grants; control vested in the State superintendent of instruction, or in a State educational television commission; eligible recipients of Federal grants limited to

State-supported and/or supervised educational institutions, or these plus nonprofit educational television corporations and community-operated stations?

The external questions remained the same as they had been through all the previous hearings and discussion of the various educational television proposals to date:

1. Could the expansion of educational and instructional television alleviate the continuing educational "numbers crisis" and the shortage of teachers and classrooms?
2. Could educational television improve the quality of education in the United States.
3. Was there a need to accelerate the steady growth of educational television facilities--i.e. was there an imminent threat from commercial broadcasting interests seeking the educational reservations; was there a decline in the amount of non-government subsidy of the movement; was the movement in danger of failing?
4. Was educational television a good "economic" investment compared to other areas of educational need?
5. Could educational stations, once they had received initial capital for the acquisition and installation of equipment, continue to find operational support.
6. Did the educational television movement have "grass roots" support, or was interest in the medium centered primarily among a small, special-interest group?

A Committee Bill

Not all questions raised during the investigation had been satisfactorily answered, but there had been enough opinions expressed and pieces of evidence introduced into the transcripts of the various hearings to enable the Interstate and Foreign Commerce Committee to make a new try at educational television legislation. An attempt to incorporate some of the facts, opinions, and suggestions developed during the hearings was made, at the suggestion of the Committee, in a "clean" bill (i.e. a proposal which, in effect, made a "fresh start" on the problem) which was introduced by Representative Roberts on February 23, 1960 (H.R. 10609),

To amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes.¹

It was this second Roberts bill (rather than H.R. 2926) which was discussed by the Committee and ordered reported favorably with amendments, in an executive session on March 24.² Chairman Harris submitted the Report to the House of Representatives on April 7, 1960.³

H.R. 10609 was a compromise bill, drawn with the intention of satisfying as many of the "internal" objections as possible, while still attempting to meet the needs

¹Congressional Record, 86th Cong., 2nd Sess., 1960, CVI, Part 3, p. 3297.

²Ibid., Part 17, p. D146.

³Ibid., Part 6, p. 7702.

manifested by the "external" conditions and considerations. It was virtually identical to the earlier Roberts bill (H.R. 2926), with a few significant exceptions. H.R. 10609 stipulated that all requests for Federal grants were to be approved at the State level and submitted to the Secretary of Health, Education, and Welfare through a State educational television agency, which alone was to be responsible for conducting a State-wide survey (with Federal funds being provided up to \$10,000 per State). The State plan had to be submitted within three years after the passage of the amendment, whereupon a State would be eligible for construction funds, on a matching basis, of up to \$1 million for three years from the date of submission of the State plan (thus the six-year termination part of the program was retained). In addition, an allowance of twenty-five per cent of the capital investment of operating educational television facilities was to be allowed as a credit toward the matching funds needed for a grant. The bill retained the features of the earlier Roberts (and Moulder) bill which placed the administration of the program with the Secretary of Health, Education, and Welfare, and which permitted grantees to be nonprofit community groups (however it carefully spelled out the definition of that category). The bill also (1) required assurances that operating funds would be provided by the grantee, (2) authorized the FCC to give assistance as needed in administering the Act, and (3) authorized an

appropriation of \$520,000 for development surveys and \$52 million for construction grants.¹

When the bill was reported by Chairman Harris, it was accompanied by amendments which altered the proposal in five ways: (1) a stipulation was added that the survey grants to States should also be made on a matching-funds basis up to the maximum Federal grant of \$10,000; (2) assurances were required that a State would provide matching funds for each Federal grant (a strengthening of the language of the bill); (3) the authorized appropriation for construction funds was reduced to \$39 million; (4) a maximum ceiling of seventy-five per cent of the cost of a project " or \$150,000, whichever is the lesser sum" was placed on the amount of Federal aid to an existing educational television operation, and (5) a ceiling of \$750,000 (rather than \$1 million) was placed on the total of grants available to any State.² These modifications were intended to meet still further some of the objections of the fiscal-minded opponents of Federal aid programs in three ways: by (1) reducing the Government's commitment by \$11 million, (2) by forcing the States to guarantee that they would provide an equal amount of capital and would continue to meet

¹U.S. Congress, House of Representatives, H.R. 10609, 86th Cong., 2nd Sess., February 23, 1960.

²U.S. Congress, House of Representatives, Report on H.R. 10609, Educational Television, House Report No. 1466, 86th Cong., 2nd Sess., April 7, 1960, p. 1.

the operating costs and maintenance of any facilities constructed by the matched grants, and by (3) permitting existing television operations to obtain Federal aid, but placing a limitation on the amount of credit they might obtain for the earlier investment.

A minority report was filed, signed by Representatives Avery, Milton W. Glenn, Samuel L. Devine, and Archer Nelson. The views expressed by this minority bloc emphasized (1) the evils of launching new Federal programs which would be "extended and continued indefinitely," resulting in ultimate Federal control of education, and a dislocation of educational priorities, (2) that there was no need for Federal funds, in spite of the relatively slow progress of educational television development, and (3) that the Federal Government's responsibility in the field of educational television was being adequately met by the encouragement of Title VII media research, by the Office of Education, and by the reservation of noncommercial channels by the FCC.¹ The last two arguments were the main objections raised by the Administration against the legislation.

Two points are worth noting about the authors of the minority report. The first is that, of the four dissenting Committee Members (who were relatively junior Members at that), only Representative Avery had participated in any of the hearings on the legislation. Second, although Congressman

¹Ibid., pp. 42-44.

Avery had attended four of the field hearings (at Topeka, San Francisco, Seattle, and Denver), he had not participated in any of the Washington hearings. Furthermore, it is significant to note that Representatives Younger and Bennett, who had been most vocal in opposing the legislation during the Washington hearings, did not join in the minority report.

Educational Television and the Rules Committee

The majority report of the Committee was accepted with the amendments proposed and referred to the Rules Committee of the House of Representatives for a ruling on the conditions of debate; and on May 12, the Rules Committee met to consider H.R. 10609.¹

At the time when educational television legislation was before the House, the Rules Committee was generally felt to have strong feelings against education bills of any sort--

¹Congressional Record, CVI, Part 17, p. D261. The Rules Committee of the House serves the function of establishing the rules and conditions by which a particular bill may be debated on the House floor. It has, therefore, extraordinary power because it is able to stipulate the conditions and procedures by which amendment and debate on a bill may be conducted. When the Rules Committee fails to issue a ruling on a bill, it is not usually possible to bring the bill to the House floor for any discussion (See Clapp, pp. 308-12). Senator Joseph S. Clark has called the Rules Committee of the House "the single most powerful committee of the Congress," and notes that "the perverse power it exercises today is to veto floor consideration of legislation a majority would pass" (Joseph S. Clark, Congress: The Sapless Branch [New York: Harper and Row, Publishers, 1964], pp. 135, 131).

even those cloaked in the guise of communications bills.¹ Furthermore, under the strict rules of the Committee, only those persons with a direct interest in H.R. 10609 itself were permitted to testify before the Committee. Therefore, since "outside" witnesses, who had presented a strong case in support of the "general" proposals in open hearings before the Interstate and Foreign Commerce Committee, were excluded, the success of educational television legislation rested squarely on the presentation of a case by the House supporters themselves.²

The Rules Committee heard three witnesses in its consideration of H.R. 10609. Representative Roberts, sponsor of the bill, who was the first to testify, attempted to convince the Committee of the merits of his proposal; but, according to one source (who was present at the Hearing), he was not able to present a good case for the measure, and had particular difficulty in answering questions raised by Representative Clarence J. Brown, a Member of the Rules Committee.³

The next witness was Representative Avery. As the ranking Member of the dissident vocal minority on the Commerce Committee his position was clear--he was opposed to the educational television bill on grounds of principle.

¹See Clark, p. 132.

²Ibid., pp. 130-36.

³Information obtained from an interview with a source requesting anonymity. See supra, chap. v, p. 188.

Representative Harris, who was not present at the opening of the hearing and who, apparently, was "sent for" when the bill seemed to be in trouble, was the final witness. He testified in favor of the bill, but was not able to convince the Committee that it should be presented to the House for debate. The vote was a tie--five Democrats voted in favor of the bill; all four Republican Members of the Committee and one Democrat voted against it--and the Committee did not grant a rule on H.R. 10609.¹

Educational television legislation thus became a "dead issue" in the Eighty-Sixth Congress. On June 23, 1960 Senator Magnuson introduced a statement for the Record lamenting the House's action on H.R. 10609 and calling for renewed efforts to obtain passage of an educational television facilities act.²

An Interpretative Summary

General Considerations

No appreciable changes occurred in 1959 and 1960 to lessen either the nature or condition of the educational

¹New York Times, May 13, 1960, p. 15:6. This action by the Committee tends to reinforce the opinion of Senator Clark that "it is easier to pass a bill on the floor of the House than in the Senate; but it is a good deal harder to get it to the floor for passage" (Clark, p. 130). Some consideration was apparently given to bringing H.R. 10609 to the floor of the House on Calendar Wednesday (when bills may be presented without Rules Committee approval) but the plan was dropped because of the problems involved (See Ibid., pp. 133-34, and Clapp, p. 311.

²Congressional Record, CVI, Part 11, p. 14006.

problems of the United States, which remained in a "crisis" state throughout the period. Nor were there any significant achievements at the Federal Government level toward alleviating the problems. After the passage of the National Defense Educational Act of 1958, the Federal Legislature reverted to its more usual reluctance to legislate in areas of education--in spite of the continuing need for Federal aid and the urgings of national educational spokesmen. Technology in education continued to develop, especially with the promulgation of the so-called "teaching machine" and the continued expansion of the use of educational television.

The commercial television industry began to level off in its growth as the VHF spectrum became relatively saturated; but the business of broadcasting continued to grow at a rapid rate, with television revenues and profits increasing about ten per cent annually. The two major occurrences which most affected broadcasting during the period were the quiz-show scandals (and their related consequences), which were revealed to the public in 1959, and the series of "Great Debates" between Presidential candidates of the two major political parties during the campaign of 1960. The former drew attention to a laxity in public responsibility by the networks (and also a laxity in the moral attitudes of the public), which the industry made an effort to rectify; the latter provided a "dramatic" opportunity to perform a public service in the area of national affairs.

Educational broadcasting continued to grow at relatively the same rate at which it had been developing since 1956, but there was some expressed concern that it was beginning to show signs of levelling off by the end of 1960. A total of fifty-four noncommercial educational television stations were operating at the end of that year--an increase of seventeen during the two-year period.

Instructional television continued to receive widespread attention, and was aided in many areas of the country by commercial broadcasters' support. There were, however, warnings sounded in some educational quarters that television--and other technological innovations as well--were still largely in the experimental stages, and that enthusiastic claims by advocates of the media should be scrutinized carefully if the best interests of education as a whole were to be served by the new technology. The most dramatic instructional television development to date--and one of the most controversial--was the announced plan to operate an airborne television station, flying high over Indiana, serving a vast in-school audience with instructional television programs.

Congressional Activity

In Congress, renewed efforts were made (by Senator Magnuson, in the Senate, and Representative Roberts, in the House of Representatives) to have an educational television facilities bill enacted. As it had in the Eighty-Fifth

Congress, the Senate passed the Magnuson proposal. In the House, following hearings in Washington and in ten other cities, a compromise bill was drafted and submitted by the Committee on Interstate and Foreign Commerce, only to be defeated in the Rules Committee of the House.

The Senate Discourse on ETV

Several factors are worth noting with respect to the educational television facilities proposal in the Senate and the legislative discourse which attended it. The first is that the Eighty-Sixth Congress marked the first time that opposition to the educational television facilities proposal was evident in either the Senate or House. In the Senate, the bipartisan measure (S. 12) met token opposition from the Republican Minority Leader (whose job in the Senate it was, after all, to support the Administration's opposition to the bill). The Administration had opposed it through the Department of Health, Education, and Welfare and the Budget Bureau; and Senator Dirksen opposed the bill on virtually the same bases as did these agencies.

On the other hand, the Magnuson bill had strong bipartisan support in the Senate Commerce Committee (it was co-sponsored by the ranking Minority Member of the Committee); and the Senate's treatment of the bill reflects clearly the reliance of that body on the work of its committees in formulating policy and positions on most legislative

matters.¹ The fact that the Committee had unanimously approved the bill was probably an important factor in bringing about Senate passage.

The issues at stake in the Senate were primarily external in nature--the bill was advocated on the basis of national need and the responsibility of the Federal Government to meet the needs of the nation. Educational need was not stressed, however, so much as were the need to develop educational television as a valuable natural resource, and the need to preserve the educational sector in television, as manifested by the reserved noncommercial channel allocations. The bill was opposed primarily on internal grounds--i.e. it was not a budgeted program, the Federal Government would have to increase its deficit in order to finance it, and a Federal program of initial aid to educational television would lead to the perpetuation of Federal aid, at least, or possibly Federal control, in the extreme.

With respect to the speaking in the Senate, there was nothing especially characteristic about the form or structure of remarks made in the course of debate--there was no apparent "Senate style" of speaking. Each speaker who participated in the brief discussion of the bill expressed his views in his own way. Senator Magnuson argued for the bill on a logical basis, emphasizing the report of the Committee's investigation of the subject, refuting some of the

¹See Clark, pp. 66-69, passim.

possible objections to the bill, and appealing for the Senate's approval in the interests of alleviating a strong social need. Senator Schoeppel spoke in a more "colorful" vein, used a more "eloquent" style of language and imagery, appealed more to the philosophic and emotional natures of the Members of the Senate than to the logical and factual bases of the question. Senator Yarborough used analogy, examples, statistics, and comparison in supporting his argument in favor of the bill.

In opposing the bill, Senator Dirksen relied heavily on his well-recognized profundity of language, on the "expert testimony" of the Secretary of Health, Education, and Welfare, and on logical refutation. In short, the Senate debate on educational television facilities legislation was characterized by a variety of speech modes and methods, reflecting the speaking manner of the respective participants.

The House Discourse on ETV

In the House of Representatives opposition to the educational television facilities legislation was developed in the committee hearings, rather than on the floor, where, of course, there was no debate. There was no strong, bipartisan support for the measures, as there was in the Senate--opposition developed primarily along party lines in both the Committee on Interstate and Foreign Commerce and the Rules Committee (the Republicans opposed; the Democrats favored).

The progress of the various House bills through all the hearings, field work, compromise proposals, and amendments reflects to some extent the more independent nature of the House of Representatives as compared with the Senate. More strategy was used in meeting minority objections through compromise, and in seeking local "grass roots" support throughout the Nation. Considerably more emphasis was placed on the language of the proposals, and on the specific implications of each term and condition within the bills. Other internal considerations, such as the Federal Government's rightful role in education, the degree of support which ought to be expected from the respective States, the priorities of the television proposals in the scheme of Federal legislative concerns--all of these were of more importance in the House activity than they had been in the Senate (in fact, most of the internal considerations were not even discussed in the Senate).

Finally, of course, the conditions of debate in the House, the power of the Rules Committee to thwart legislative proposals no matter how carefully planned and presented, introduces another element of difference between the two Congressional bodies. Educational television legislation in the House was unsuccessful, not because of a lack of adequate research by the investigating committee, not because it lacked support, not because it was poor legislation, but because of a single circumstance--the inability of one or two

Congressmen to convince their colleagues on the Rules Committee, on a particular morning, that the bill should be debated on the floor of the House.

Thus, educational television facilities legislation failed of enactment a second time in the United States Congress. But the important "spade-work" had been thoroughly accomplished in both Houses. Another attempt was in the offing, and a change in the political circumstances of the Federal Government would make all the difference.

CHAPTER VII
EDUCATIONAL TELEVISION AND THE
EIGHTY-SEVENTH CONGRESS

Introduction

This chapter, which concludes the substantive portion of this report, contains a discussion of the "climate" and events in Congress which led to the final passage of the Educational Television Facilities Act of 1962 (P.L. 87-447), and an interpretation of the Congressional discourse which attended the legislative proposals leading to the Act.

The National Climate

In 1961 the nation confronted several "new frontiers." A victory by the Democratic party in the national elections of 1960, launched the New Frontier, as the National Administration in Washington was called, which was backed by Democratic majorities in the Senate and House of Representatives. Americans watched the national space program cross a new frontier as well, as the first American astronaut was hurled in a capsule to the fringes of space and back again.¹

¹New York Times, May 6, 1961, passim.

And America continued to face, not a "new" frontier, but an awesome one all the same, in the increasing complexity and severity of its educational problems.

The Educational Scene

In 1961, for the seventeenth consecutive year, enrollments increased at all levels of America's educational system. The total number of students approached fifty million by 1962, and there was still no end in sight to the increasing school population.¹ New school construction was not sufficient to offset the increasing school population; and even though more teachers were entering the school systems, the continuing shortage of qualified teachers seemed to be a problem for which no immediate relief was in sight.

The biggest increases in enrollments had by 1962 shifted to the high schools, where the costs of education were more expensive than in the lower grades. The National Education Association (NEA), in its 1962 Report, estimated that the costs of public school education had risen 146 per cent in the preceding decade, and could be expected to rise above the present \$18.1 billion per year figure at the rate

¹This and subsequent information, unless otherwise noted, developed in this section from Encyclopedia Britannica: Book of the Year, 1962, pp. 218-22.

of about \$1 billion per year for most of the forthcoming decade.¹

To meet these various problems, educators continued to turn to a variety of innovations and technological aids. Thousands of students attended split-shifts, early-morning classes, and longer school terms, and, also, participated in accelerated programs. Team teaching, independent study techniques, differentiated assignment practices, programmed instruction, and television were all used with greater frequency than ever before. Educators reacted to these in a variety of ways: there were those who opposed "technological devices" of any sort, as threatening "to destroy diversity," and those who expressed cautious skepticism about the efficacy of such devices; the serious "scientists" sought proof of their value, and the extremist advocates thought technology was the much sought after "panacea" to all education's problems.²

By 1961, the "revolution" in American education had veered away from the "post-Sputnik" emphasis on the sciences and languages; and the position of the humanities and arts in school curriculums was more in balance. "Continental Classroom," for instance (NBC's nationwide, early-morning

¹New York Times, January 6, 1962, p. 54:1.

²Ibid., July 2, 1961, Sec. IV, p. 8:1. See also Ibid., March 2, 1961, p. 24:6; March 4, p. 12:7; May 14, Sec. III, p. 7:1; October 27, p. 6:4.

network educational television series), departed from its science-oriented offerings to present a course in Economics, and later History and the Social Sciences.¹ The broadcast series was joined in 1961 by a competing network television series originating with CBS, called "College of the Air," which presented Biology as its initial course offering. The competition between the networks for early-rising scholars aroused some criticism from observers, who thought the respective educational offerings should be coordinated rather than competitive.²

The Broadcasting Scene

The broadcasting industry's main concern in 1961 stemmed from its relations with the "New Frontier" in Washington. In May, the newly installed chairman of the FCC, Newton Minow, addressed the national convention of the National Association of Broadcasters (NAB) in Washington, and delivered his first official speech since taking office. It was a blistering attack on the industry's programming practices, directed primarily at the television industry; and it became one of the most talked-about and controversial addresses ever directed to the industry. The epithet "vast wasteland" (which was the phrase Minow used to describe

¹Ibid., March 9, 1961, Sec. IV, p. 9:4.

²See Ibid., June 2, 1961, p. 63:5; September 17, Sec. IV, p. 9:1; September 24, Sec. IV, p. 9:5; September 26, p. 79:4.

commercial television) resounded throughout the nation from editorial columns to Congress, and became a descriptive adjective in many everyday references to television.¹

Minow's speech, which was followed by some Commission actions against licensees for "unsatisfactory" programming practices, brought charges from the industry of "censorship by the raised eyebrow" (as the FCC's concern over programming was termed); and the controversy raged for nearly two years.

More fuel was added to the coals of denunciation of television broadcasters by a Senate investigation of network programming practices in June, 1961, which was held in New York City. Many writers, producers, artists, and other "creative" employees of the industry, complained about having their creativity "stifled" by the "play it safe" demands of advertisers and program sponsors.²

In spite of its troubles with the Government, however, broadcasting continued to be a thriving, profitable, and sometimes even a philanthropic industry. In New York City, the three major networks and several independent

¹Newton N. Minow, Speech to the Thirty-Ninth Annual Convention of the National Association of Broadcasters, Washington, D.C. May 9, 1961. See, for instance, New York Times, May 11, 1961, p. 75:1; Saturday Evening Post, July 1, 1961, pp. 13ff; Broadcasting, May 15, 1961, passim, and succeeding issues; Commonweal, August 11, 1961, p. 445; and many other publications.

²Encyclopedia Britannica: Book of the Year, 1962, p. 579.

television stations contributed more than one-quarter of a million dollars each to enable educational interests to purchase a commercial station to be converted to educational television purposes.¹

The FCC, still trying to find a solution to the UHF dilemma, began operating a UHF station in New York City to test the effects of skyscrapers on UHF transmission characteristics. The FCC also requested Congress to pass legislation requiring manufacturers in interstate commerce to produce all-channel (VHF and UHF) television receivers, to improve the operational "climate" of prospective television broadcasters, a proposal which also had significant implications for prospective educational television broadcasters.²

Educational Television Developments

Probably the biggest single event affecting educational television during this period (other than the Congressional activity which will be discussed below) was the late 1961 purchase by an educational television group of a commercial VHF television station (WNTA) in New York City. The sale, which involved the FCC, the State Government of New Jersey, the Educational Television and Radio Center (NETRC), and many cultural and philanthropic organizations, took nearly a year to negotiate. The station, renamed WNDT,

¹New York Times, June 30, 1961, pp. 1:5, 55:1; December 23, p. 41:3.

²See Ibid., October 24, 1961, p. 1:1.

began operation as a noncommercial educational television facility early in 1962--it was New York City's first educational television outlet, and it left Los Angeles as the only major metropolitan area without an educational television allocation. NETRC viewed the New York facility as a potential "key station" for the national educational television network it continued to envision.¹

In other educational television developments, South Carolina inaugurated a State-wide, closed-circuit, educational television system early in 1961, which proposed to link all of the State's 413 high schools within five years.² The Midwest Program on Airborne Television Instruction (MPATI) began experimental programming in May, 1961, and, in September, followed with regular programming to a five-State service area containing more than one million students.³ The Council on Medical Television, a branch of the American Medical Association, reported the use of television for medical education in twenty-seven medical schools and nineteen dental schools, and laid plans for teaching post-graduate students and continuing the education of doctors by means of open-

¹See Ibid., February 22, 1961, p. 1:6; March 30, pp. 1:5, 59:2; May 4, p. 75:1; June 30, pp. 1:5, 55:1; August 16, p. 63:2; October 26, p. 37:1; December 23, p. 41:3.

²Ibid., January 29, 1961, Sec. IV, p. 9:4.

³Ibid., May 15, 1961, p. 57:1; September 10, Sec. IV, p. 9:4.

circuit television broadcasts.¹ The Ford Foundation continued its support of the NETRC in New York City, and extended its earlier grant of video tape recording facilities for NETRC affiliates to an additional twenty-five new educational television stations (at a cost of \$1.9 million) as soon as they should become affiliated with the "network." The Minnesota Mining and Manufacturing Company complemented the Ford grant with \$250,000 worth of video tape.² Finally, 1961 was the year in which Pope John named St. Ambrose, a fourth century Bishop of Milan, the patron saint of educational television, because "he knew well the art of moving the spirit and conscience of men by his word and his pen."³

In spite of all these developments, however, educational television was still not a commonplace. While there were fifty-four noncommercial educational stations on the air at the end of 1960, and by mid-1962 this number had increased to sixty-two, there were still vast areas of the nation which had never seen educational television. John L. Burns, President of RCA, estimated that only two per cent of American students were receiving any "significant portion" of their education from television. Burns felt a massive effort should be launched to establish a nation-wide educational television system (at an estimated cost of \$2.5

¹Ibid., November 19, 1961, Sec. IV, p. 7:3.

²Ibid., January 11, 1961, p. 94:8.

³Ibid., December 8, 1961, p. 74:5.

billion) which could "solve our basic national education problem within a decade."¹ Fred Hechinger, education editor of the New York Times, wrote that, in contrast to the heat of debate which had often surrounded educational television, the medium itself had had "only a modest impact" on education, but it had, without "revolutionizing" it, added "a new dimension to education" in those situations where television was effectively used. He pointed out that in the ten years of the educational television movement the "pathological fear" in the minds of teachers, of being replaced by television, had proved to be groundless, but a more real and significant impact was being made by television on teachers through the comparative and competitive relationships between classroom teachers and "television teachers."²

Educational Television and the Eighty-Seventh Congress

Legislative activity in Congress regarding educational television facilities, which resulted for the first time in the enactment of a law, grew out of the previous efforts in both the Senate and House of Representatives to aid the educational television movement. Behind the Congressional "scenes," well organized but "unofficial" efforts of the NAEB and the JCET were directed toward marshalling educational television support around the country and focusing it on the center of legislative activities in Washington.

¹Ibid., April 29, 1961, p. 47:4.

²Ibid., March 26, 1961, Sec. IV, p. 9:1.

One such venture took place during the Presidential election campaign of 1960. In October, William G. Harley, President of the NAEB, sent both Presidential candidates a letter soliciting their comments on Federal aid to educational television. Replies were received from both candidates endorsing, though in somewhat different ways, the educational television movement. The position of then-Senator Kennedy was consistent with the previous support he had given to the educational television bills in the Senate (he had voted for the Magnuson bills, but had not spoken on the issues), and was very specific regarding the need as he saw it and the urgency of the situation:

Two-thirds of the population still has no access to educational television service. This is not for lack of zeal or interest on the part of educators or State or local officials, but, primarily, for lack of funds for the initial capital investment required for construction of stations.

Since education is a matter of national concern, the Federal Government should assist in expediting and accelerating the use of television, as a tested aid to education More should be done to assist the development of educational television for the benefit of all our people. I pledge you that I will back actively suitable legislation aimed at this objective in the next session of the Congress and will urge its support by my Democratic colleagues.¹

Vice President Nixon's reply was less specific, but still reflected the support of educational television in

¹Letter from Senator John F. Kennedy to William Harley, October 14, 1960, entered as testimony and reproduced in U.S. Congress, Senate, Communications Subcommittee of the Committee on Interstate and Foreign Commerce, Hearings, on S. 205, Educational Television, 87th Cong., 1st Sess., 1961, pp. 4-5.

principle, a position which Mr. Nixon had held during the time he had been presiding officer of the Senate:

I pledge my cooperation in the development of a national educational television policy to help realize the goal of the fullest possible educational opportunity for every American.

This policy should . . . define respective roles of the Federal and other levels of government, broadcasters, educational institutions and others concerned. Within its assigned role Federal assistance in the stimulation of the use of television as an aid to education will have my sympathy and support.¹

With Senator Kennedy's election to the Presidency, educational television interests launched renewed efforts at Federal legislation in the Eighty-Seventh Congress with considerable optimism.

The Senate--First Session

Three days after the opening of the new Congress, on January 6, 1961, Senator Warren Magnuson introduced S. 205, for himself and Senator Schoeppel:

To expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.²

The bill was identical to the bill passed by the Senate during the previous Congress (S. 12--86th Congress). Senator Magnuson pointed out this fact, and emphasized the

¹Letter from Vice President Richard M. Nixon to William Harley, October 10, 1960, entered as testimony and reproduced in Ibid., p. 5.

²U.S. Congressional Record, 87th Cong., 1st Sess., 1961, CVII, Part 1, p. 262.

continuing urgency of the need to activate the unused reserved educational television channels which had been set aside by the FCC in 1952. His brief speech, which accompanied the introduction of the bill, included most of the points which he had stated in an article written for the NAEB Journal,¹ plus quotations from earlier reports to the Senate on his past bills, and hearing testimony. The bill was referred to the Commerce Committee for hearings.

Hearings on S. 205

The Subcommittee on Communications held a two-day hearing on the legislation on March 1 and 2, 1961.² Seventeen witnesses, some of whom had appeared at earlier hearings, testified on the bill. They included Senators, Federal Communications Commissioners, national educational television representatives, a commercial network executive, local and regional educational television broadcasters, and spokesmen for various community and citizens' groups interested in educational television.

Senator Magnuson, who presided during most of the sessions, made it clear at the outset that the purpose of the Hearing was not to determine the values of educational television--those facts, he felt, had been sufficiently

¹Senator Warren G. Magnuson, "A Case Against Waste," NAEB Journal, XIX (May-June, 1960), pp. 21-25.

²Hearings on S. 205, Educational Television, 87th Cong., 1st Sess., 1961.

established previously--but to develop "a complete record" so that the specific legislation before the Committee could be reported and quickly passed by Congress. He expressed hope that Members of Congress and the public would examine the record carefully:

Once they do, I am confident we will find additional support for this legislation. We need it. We cannot afford to be too little, too late. Let us move ahead while there is time.¹

As the Hearing progressed, there were no surprises in the testimony of the witnesses, all of whom supported the legislation. No new issues or points of contention were developed--virtually all of the statements, whether made orally or submitted for the record, reiterated the long-since familiar chronicle of the effectiveness of educational television in this situation or that, and how much and how urgently the proposed Federal legislation was needed to continue the development and to exploit the full potentials of the medium.

There seemed to be slightly more emphasis during this hearing than in previous ones, on multi-station operations--State-operated educational television networks, regional planning, and the prospects of a national educational network television service. There were only a few witnesses, especially among those who represented operating facilities, who spoke of only one installation; most talked of the

¹Ibid., p. 3.

interconnection of several stations, and they saw in S. 205 the means whereby this might be accomplished.

The only opposition which occurred in the Hearing--and it was more skepticism than outright opposition--came from Senator Frank Lausche, a Committee Member, who was concerned with the "need" for Federal funds to finance educational television, an area which he thought should be the priority concern of State and local authorities. He took exception, he said, to

what I believe to be an erroneous conclusion that the only way it can be done is through Federal financing.

.

My position is that local governments and State governments ought to undertake using their resources in the fullest capacity and not come constantly to the Federal Government.¹

Many of the witnesses, in contradiction to Senator Lausche's position, clung to a conviction that Federal money was needed at the outset in order to stimulate the later flow of State and local financial support. It was stated most clearly by James T. Aubrey, Jr., President of CBS Television, who said:

In some communities the need for an educational television station is often not apparent to the general public before the fact. The public doesn't quite know what educational television is and what it can do. They are unwilling to give this unknown infant their support. When an educational channel comes on the air, however, the picture changes. A station's programming becomes its best advertisement. By attracting viewers, . . . a station can marshal public support and raise the funds

¹Ibid., pp. 100-101.

necessary for its continued operation. In short, it has always proved easier to raise money for an accomplished fact than for a dream on paper.¹

The only "new twist" to the arguments advanced during the Hearing on behalf of educational television came from Federal Communications Commissioner Rosel Hyde, who testified as an individual, rather than as a spokesman for the Commission, when he said:

I believe that our communications system no less than our educational system needs a nationwide, adequately supported educational television service. . . .

In connection with the mandate of the Communications Act to study new uses for radio and assisting in the effort to assign frequency channels to such uses as will best serve the public interest, I have talked to many professional educators.

.

There is no doubt . . . as to the importance of television techniques to education, but . . . I firmly believe that an extensively available and adequately financed noncommercial television service is the single most important addition needed to improve our communications institutions in the public interest. . . .

Starting with a different economic base, educational television is not under the pressing need to equate public interest with maximum sales It can take the long view; it can recognize that the educational level of our country is rising and that the leisure time available to our citizenry is increasing.²

Commissioner Hyde's view of the legislative proposal embodied in S. 205 as a stimulant to the communications sector, rather than the educational sector, was unique in the

¹Ibid., p. 19.

²Ibid., p. 121.

Hearing, which was generally an updated repetition of the previous hearings held by the Committee. It was, in short, as Senator Magnuson had intended it should be, a hearing in which the record of past achievements, present capabilities, and future potentials were compiled for Congress's use in treating the legislation.

The full Commerce Committee met on March 8, 1961, in executive session, to review the Hearing and it voted to approve S. 205 with an amendment suggested by the General Accounting Office of the Comptroller General (that recipients of Federal grants under the bill be required to keep records of expenditures under the grants, and make them available for audit).¹ The bill was reported to the Senate with the Committee's amendment on March 14,² and placed on the Senate Calendar. It was made unfinished business on March 16, called up on March 20, and reached the floor on March 21.³

Senate Debate on S. 205⁴

The debate on S. 205 consumed about two hours, during which time seventeen Senators spoke on the bill--twelve

¹Congressional Record, CVII, Part 19, p. D79.

²U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, Educational Television, 87th Cong., 1st Sess., March 14, 1961, S. Rept. No. 67 to accompany S. 205, Calendar No. 65.

³Congressional Record, CVII, Part 4, pp. 4209-10, 4285, 4351-52.

⁴Ibid., 4353-68.

in favor of the proposal, five against it. The debate was characterized by a thorough analysis of the proposal, but it was not a heated controversy. In fact, at the outset, it was somewhat lighthearted.

Senator Magnuson, who was the first speaker, as sponsor of the bill and chairman of the investigating committee, did little more than explain the previous history of the legislation, pointing out that the bill was identical to previous measures which had passed the Senate, and reiterating that there was no substantial opposition to the bill either, in the Committee or by witnesses before the Committee. He was interrupted, however, by Senator Dirksen, the Minority Leader, who took issue with the bill's proposed appropriation, exclaiming that "\$50 million is a lot of seed corn for States ranging all the way from Rhode Island to Texas or Alaska or Hawaii." Dirksen went on to point out in addition that the bill had been opposed in the previous Congress by the Secretary of Health, Education, and Welfare, and that the new Secretary (under the Kennedy Administration) was also opposing it.¹

Senator Dirksen's reference was to a letter from Secretary of Health, Education, and Welfare, Abraham Ribicoff, dated March 17, to the Commerce Committee, in which the Department commented on the bill from the Administration's point of view. The Department agreed with the

¹Ibid., p. 4355.

worthiness of the proposal contained in S. 205, but felt that the President's proposals for Federal assistance to other areas of educational concern had greater priority. In addition, the letter specified other objections to the proposal which were somewhat different from those raised by the previous administration, but which resulted in the same end: the Department recommended against passage of the bill. This caused Senator Dirksen to remark, with a touch of humorous irony, that he found himself "holding up the hands of the new Secretary of Health, Education, and Welfare."¹

Senator Ribicoff's letter, or more specifically the date on which it had been written, set off a colloquy in the Senate which was the only really animated portion of the debate on S. 205. Senator Lausche, who was opposed to the bill, attempted to cast doubt on the Committee's actions in reporting a measure before it had received official comments from the Administrative agency most directly involved-- in this case Health, Education, and Welfare. (It will be recalled that the Committee report was made on March 14, three days before the Ribicoff letter was written, which resulted in the absence of an official comment in the printed Report distributed to the Senate, usually a routine inclusion.)

¹Ibid., p. 4356.

The dispute was settled to the apparent satisfaction of all concerned when Senator Magnuson explained that the Department had been invited to testify before the Committee on two separate occasions, but it had waited six weeks (presumably to give the matter a full investigation) before replying. He pointed out further that the Committee's omission was not a unique phenomenon in the Senate's action on bills, and then went on to conclude his opening statement in support of S. 205.

There were some questions by various Senators which interrupted Senator Magnuson, some lighthearted banter with Senator Dirksen about the problems of reading the "fine print" in the Report, and several congratulatory statements by Senators who commended Senator Magnuson for his persistence and skill in handling the educational television legislation.¹ Overall, however, the Magnuson remarks were very much like his remarks on previous occasions pertaining to the same legislation--a recapitulation of the history of the educational television movement, brief excerpts from the Committee Report, extractions from the Hearing testimony, an explanation of the provisions and safeguards of the bill,

¹Senator Dirksen referred to himself as a "trifocal and bifocal" person who had trouble reading the insertions in the Record. He also observed that Ribicoff's letter had been written on St. Patrick's Day. There was laughter in the Senate when Senator Magnuson replied that he did not know why Mr. Ribicoff (who the Senate knew was of the Jewish faith) had sent his letter on St. Patrick's Day (Ibid., pp. 4355, 4357).

and a refutation of the Health, Education, and Welfare opposition to the bill (on the grounds that the Department wanted to put the measure off for further study; whereas Senator Magnuson maintained that "We have now lost ten years in regard to the proposal All the Department has to do is to read the testimony.")¹ There was little structural argument contained in the speech, and the tenor was more like an informative report than an affirmative advocacy. However, there was a clearly discernible line of thought throughout the speech, in spite of the number and variety of interruptions which occurred as various other Senators asked for clarification of details on the proposal.

Of the sixteen Senators who followed Senator Magnuson in speaking on the bill, about half were actually prepared to speak on the bill, on one side or another; the remainder participated in a peripheral fashion, asking questions or making comments prior to voting on the bill. Those who spoke at some length in favor of the measure were Senators Cooper, Schoepfel, Cotton, Keating (who proposed a clarifying amendment which was subsequently adopted), Yarbrough, and Randolph. Senators Dirksen and Lausche opposed the bill.

Both "external" and "internal" considerations were made part of the debate. The proponents relied, as in previous debate on the same legislation, on "external"

¹Ibid., p. 4357.

considerations for the most part, with particular emphasis on the educational potential of television and the need for developing the reserved noncommercial channels for the greater good of the Nation. There were also some attempts made by the proponents to meet objections of an "internal" nature by stressing the local-support provisions of the bill and the fiscal considerations involved.

The opposition speakers concentrated, as they had similarly in the previous Congress, on the "internal" issues of promoting a new Federal program, the likelihood of continuing such a program beyond its intended "seed money" intent, and, most emphatically, the opposition of both the past and the present Administrations (through Department of Health, Education, and Welfare comments). Senator Lausche was the opposition spokesman who forcefully contended that there was no need for the legislation--that the States could, if they would, finance the development of educational television by themselves without Federal intervention.

As in previous debate on the proposal, there was no controversy over the merits of educational television, or the need to continue to encourage its development; what conflict there was (and it was very slight) arose with respect to whether the encouragement should be in the form of a Federal aid program.

The main "external" topics raised during the brief Senate consideration of the educational television facilities proposal were the following:

1. The power of television and the efficacy of television for educational purposes.
2. The relatively slow progress of noncommercial educational television channel activation, and the financial considerations which had created that situation.
3. The dimensions of the educational crisis in America, the urgency of the condition which necessitated Federal assistance, and the degree to which S. 205 would provide aid in meeting the crisis.
4. The competition between commercial television interests and educational interests for the as-yet unused channels, especially in view of the intensive efforts by the FCC to broaden the television sphere through better utilization of UHF and the all-channel receiver proposal.
5. The need to broaden the programming base of American television, to introduce new levels of programming, and to generally uplift the state of the art.

The main "internal" considerations which were raised and discussed in the Senate were these:

1. The grounds on which both the past and present Administrations had opposed educational television legislation.
2. The condition of the Federal budget, the amount of money to be appropriated, and various controls on the way funds were to be spent and by whom.

3. The language of the bill insofar as intent and statement were concerned, the specific terms used, and the clarification of meaning (the Keating amendment, for instance, strengthened the language to clarify the intent of the bill that control over television development should remain at the State level).¹
4. The relationship between the Federal Government and the State governments as it affected the proposal, the degree of local commitment which ought to be required, and the reciprocal degree of Federal control which ought to be exercised.
5. The institution of a new Federal spending program, and the degree to which it was thought to be "necessary."
6. The manner of distribution of funds contained in the bill, including possible inequities among applicants.
7. The limitations by which a Federal program ought to abide, particularly in regard to continuing, operational support of the facilities proposed by the bill.
8. The role of the Federal Government in the field of educational television, that is, whether or not it should be considered a matter of interstate commerce by which the Federal Government had any Constitutional right to intervene.

¹ Ibid., pp. 4362-63.

It can be seen from the above that the internal considerations outweighed the external in sheer diversity and number. However the emphasis, especially by the proponents, was heavily in favor of the external considerations of (1) the educational crisis and (2) the efficacy of television to help alleviate that crisis. In the long run those two matters carried the debate for the proponents, even though it might be quite legitimately recognized that there was no "clash."

When a roll-call vote was finally taken on the bill, S. 205 was passed, as amended, by an easy 67-13 majority.¹

On March 22, S. 205 was referred to the House of Representatives for its consideration.²

The House--First Session

The House of Representatives took up educational television legislation independent of the Senate, and concurrent with it, at the beginning of the First Session of the Eighty-Seventh Congress. On January 3, 1961, the opening day of the Session, three educational television bills were filed in the House:

H.R. 132 (by Representative Roberts), To amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes.

¹Ibid., pp. 4367-68.

²Ibid., p. 4613.

H.R. 647 (by Representative Boggs), To amend the Communications Act of 1934 to assist in the establishment and improvement of certain television broadcasting facilities.

H.R. 965 (by Representative Harris), to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.¹

H.R. 132 was similar in virtually all respects to the amended version of H.R. 10609 (which had received Committee approval in the previous Congress, but had failed to win Rules Committee approval and had therefore died) except that the appropriation contained in H.R. 132 was restored to \$1 million per State. H.R. 645 was nearly identical to the Boggs bill (H.R. 32) of the previous Congress. H.R. 965 was identical to the Magnuson bill (S. 205), which had not yet been introduced in the Senate, and was also virtually identical to the previous Senate-passed legislation.

These three bills were followed very shortly by H.R. 2910 (January 18, by Representative McIntire), which was identical to H.R. 965, and by H.R. 5099 (March 1, by Representative Byron Rogers), H.R. 5536 (March 13, by Representative McDowell), and H.R. 5602 (March 14, by Representative Moss), all substantively identical to H.R. 132. These seven bills, in all, were joined on March 22, by the Senate-passed S. 205.² All were referred to the Committee on Interstate and Foreign Commerce.

¹Ibid., Part 1, pp. 37, 49, 55.

²Ibid., p. 990; Part 3, pp. 3000, 3332, 3945; Part 4, p. 4613.

Educational Television Hearings

Hearings were held before the Subcommittee on Communications and Power on March 20, 21, 22, and 23, and again on May 17, and 18, 1961.¹ Thirty-two witnesses appeared to testify before the Subcommittee, which was presided over by Representative Morgan Moulder. The witnesses included eight Congressmen, representatives of the FCC and the Department of Health, Education, and Welfare, national educational television organizations, educational representatives, educational television broadcasters, commercial organizations, and representatives of educational television community groups. Sixteen members of the Subcommittee or the parent Committee participated from time to time during the six days, making it (quantitatively at least) the largest of the educational television hearings to date.

The objective of the Hearing, as expressed by Chairman Moulder, was similar to the purpose of the Senate hearing which preceded it: to compile a complete record, in order to obtain the greatest amount of support for the specific measure which would be selected for presentation in the House.² The major emphasis during the Hearing was,

¹U.S. Congress, House of Representatives, Subcommittee of The Committee on Interstate and Foreign Commerce, Hearings on H.R. 132, H.R. 5099, H.R. 5536, H.R. 5602, H.R. 645, H.R. 965, H.R. 2910, and S. 205, Educational Television, 87th Cong., 1st Sess., 1961.

²Ibid., p. 2.

therefore, as far as the committee Members were concerned, placed on the practical aspects of the various pieces of proposed legislation--very much an "internal" consideration. Representative Harris, Chairman of the parent Committee, who appeared as a witness, focused on this point very early in the Hearing, by his contention that there had not been sufficient evidence obtained during previous hearings, in spite of the number and diversity of investigations in both the House and Senate, field hearings, and correspondence, indicating to his satisfaction that the States would avail themselves of Federal aid to educational television if it were made available to them.¹ The Subcommittee sought to obtain these assurances through the testimony of witnesses appearing before it, and also by means of a letter from Chairman Harris to each of the fifty governors of the States, the replies to which were included in the Hearing record.²

Much of the testimony, and many of the exhibits introduced into the record, related, as similar information had in the Senate Hearing on S. 205, to the establishment of State and Regional networks, and there was correspondingly little discussion or emphasis devoted to the problems of individual station growth.

There was much interest shown by the Members, through their comments and questions of witnesses, in the details of

¹Ibid., pp. 38-40.

²Ibid., pp. 235-297, passim.

particular bills--in the specific wording used and the implications of meaning intended. There was also considerable discussion about the respective differences between the bills, as they might affect acceptance in the House. Some of the more significant questions which were raised were the following:

1. Whether to treat the proposals as communications matters--the broadcasting spectrum being a natural resource in need of development--rather than as educational legislation, and, as the former seemed to be more acceptable (and strategic in the light of the fate of previous education measures in the House) how to minimize the obvious educational (in the strict sense) implications of the bills in favor of a broader educational interpretation.¹
2. Whether to stipulate matching-fund grants (as the Roberts bill and its companions did) or outright grants (as the Senate bill and the Harris bill did).
3. Whether Federal aid should be limited to broadcasting facilities, or whether closed-circuit facilities should also be made eligible under the grants program.

¹ See especially in these regards, remarks of Representative Harris (Ibid., pp. 39-40), Representative Walter Rogers (Ibid., pp. 115-16), and Representative Younger (Ibid., pp. 184-85).

4. Whether funds should be made available for projects which involved the leasing of transmission lines for linking closed-circuit units or transmitters to studios, or whether these lines, if used, should be specifically owned by the applicant for Federal aid.

5. Whether there was any control over the programming of the aided facilities by the Department of HEW, or the FCC, and whether or not there ought to be.¹

These concerns, it can be readily seen, are mainly "internal" matters, arising out of the Subcommittee's desire to get an acceptable bill through the House. They were not, by and large, discussed during the Hearing by witnesses on their own initiatives.

The main opposition to all the educational television proposals came, not surprisingly, from Representative Avery (who it will be recalled played a significant part in defeating an earlier bill in the Rules Committee). It was his continued firm conviction that the States could develop educational television to its fullest potential without Federal aid if they had a mind to do it.² Representative Younger, on the other hand, who had opposed the legislation in the hearing of the previous Congress, had

¹ See particularly the view of Representative Avery, who was especially concerned with FCC Chairman Minow's interest and belief in the programming responsibility of the FCC (Ibid., p. 185).

² Ibid., pp. 179-80.

apparently had his objections assuaged by assurances that the intention of all the pending legislation on this matter was to aid in the activation of reserved television channels, which had already been secured by the Federal Government and which were firmly in the Federal domain.¹ Representative Bennett, who had been the most outspoken opponent of the legislation in the previous hearing, did not participate in this one.

Probably the most significant testimony boding well for the future passage of educational television legislation was that of Health, Education, and Welfare Secretary Abraham Ribicoff. It will be recalled that the Secretary had not appeared at the Senate hearing, and that his comments in opposition to the passage of S. 205 had been a significant issue in the Senate debate on the bill. He had been invited to testify before the House Subcommittee by Representative Harris, and had been scheduled to appear on March 22, the third day of the Hearing. But on the afternoon of March 21, he asked to be excused, saying that he would testify later.²

It may have been no more than a coincidence, but the Senate had passed S. 205 on March 21, in spite of the Administration's objections to the bill as detailed in

¹Ibid., p. 3.

²Ibid., p. 89.

Ribicoff's letter to the Senate Commerce Committee of March 17. In other words, the Secretary had officially opposed educational television legislation only five days before he was scheduled to testify on the subject before the House Subcommittee. When the Senate passed the measure over his objections, the Secretary requested a postponement of his appearance before the House group.

According to one source who was involved with the proceedings at that time, there may have been a causal relationship between the Senate's passage of S. 205 and the Secretary's postponement. When the Senate bill was passed (by better than a five-to-one majority) a telephone call was made to the Department of Health, Education, and Welfare advising them of the result of the vote, and further informing the Department that the Magnuson forces would not be "put off" on educational television legislation. It was pointed out that the Department's opposition to the proposals was consistent with the previous (Republican) Administration's opposition to the same measure, that it reflected a serious deviation from Administrative policy as expressed by the campaign promise of President Kennedy in October, 1960, the President's support of the measure when he had been a Senator in previous Congresses, and that it was inconsistent with the President's Education message to Congress of the previous month.¹

¹ See House Document No. 92, Congressional Record, CVII, Part 2 (February 20, 1961), pp. 2429-31.

Whether this resulted in the postponement of Secretary Ribicoff's appearance before the Subcommittee or not cannot be stated as a certainty. However, it is a fact that the Department was silent on the educational television question until May 10, when Secretary Ribicoff reversed his opposition on the legislation and announced his support of the principles implicit in the measures pending before the House. The occasion was a speech before the National Association of Broadcasters on the day following the famous (or infamous) Minow "vast wasteland" speech.¹ In his address, the Secretary announced that the Administration was strongly in favor of educational television development, and that his Department was working out specific proposals by which it might be aided with Federal funds which would be presented to the Interstate and Foreign Commerce Committee of the House on May 17.

During the interim period between March 21 and May 10, two significant events took place. The Budget Bureau for one thing, changed its position on educational television legislation and approved the expenditure of some funds for that purpose.² The other, and perhaps more important, event,

¹Address by Abraham Ribicoff, Secretary of Health, Education, and Welfare, before the Thirty-Ninth Convention of the National Association of Broadcasters, Washington, D.C., May 10, 1961. See also New York Times, May 11, 1961, p. 75:3.

²See the letter from the Budget Bureau to Chairman Oren Harris, May 18, 1961, in Hearings: H.R. 132, et al, pp. 15-16.

or series of events, took the form of replies to Representative Harris's letter to the governors. By May 10, replies had been received from all but a few States; and the great majority of them, which were turned over to the Department of Health, Education, and Welfare, indicated that there was truly "grass roots" support of educational television throughout the country at the State and local level, and that the States were prepared to participate, even on a cooperative matching basis, with a Federal aid program.

When Secretary Ribicoff did appear before the House Subcommittee on May 17, he brought with him a detailed proposal for educational television legislation which included a reduction in the total amount of funds for facilities construction (to \$25 million), matching-grants provisions for both State surveys and construction, and the elimination of the \$1 million-per-State proposal in favor of a project-by-project proposal.¹

The Subcommittee received the Department's proposal, concluded the Hearing, and spent much of the summer of 1961 working over the transcript and other documents in its files on the educational television question. Finally, in an executive session held on August 7, the full Committee voted to approve H.R. 132 with massive committee amendments.² The Committee Report on H.R. 132, with the amendments, was

¹Ibid., pp. 355-90.

²Congressional Record, CVII, Part 19, p. 475.

submitted by Representative Moulder on August 21, and the bill was referred to the House Rules Committee, where it stayed through the remainder of the Session.¹

Analysis of H.R. 132, As Amended

The amended bill resembled H.R. 132 as Representative Roberts had submitted it only in its broadest outlines. The bill had been almost completely rewritten by the Committee to accomodate, insofar as possible, the various suggestions and objections expressed in the Hearing and within the Committee.² It was very specific in its intent and limitations, and the wording of the bill was extremely precise (especially when compared with the broad stipulations of some of the other proposals, such as S. 205). The major provisions advocated by the Committee compromise measure were these:

1. Provisions for closed-circuit television operations were deleted; only broadcasting facilities were eligible to receive Federal aid.
2. Funds for matching survey grants to the States totalling \$520,000 were to be appropriated over a three-year period and to be held available until 1967.
3. The total appropriation for construction grants was reduced from the original Roberts proposal (\$50

¹Ibid., Part 12, p. 16572.

²U.S. Congress, House, Committee on Interstate and Foreign Commerce, Educational Television, 87th Cong., 1st Sess., 1961, Report No. 999 to accompany H.R. 132.

million) to a total of \$25 million and this amount was, likewise, to be appropriated over a three-year period and held until 1967.

4. The States had to provide proof of their intent and adequacy to match the Federal funds for which they applied.
5. Applications for Federal grants had to be channeled to the U.S. Commissioner of Education through a legally authorized educational television agency of each respective State, which, in turn, had to certify that the applicant's proposal was consistent with the State's plan of educational television development.
6. Federal grants were to be made (on a matching basis) only for equipment to be used for television broadcasting, exclusive of building or other facilities, and exclusive of operating and maintenance costs.
7. A maximum amount of \$1 million could be requested by any one State.
8. Applicants who owned facilities at the time of their applications were eligible to receive a credit of up to twenty-five per cent of their capital investment in determining the amount of matching funds required.
9. The applicant had to be the authorized operator of the facility for which the Federal grant was intended.

10. Applicants who were eligible to receive Federal grants included the State supervisors of education, the State educational television agencies, tax-supported State universities or colleges, and non-profit educational television organizations.

The major differences between H.R. 132, as amended, and S. 205 were:

1. The House bill reduced by half the amount of the appropriation for construction grants, and further stipulated that these were to be matched with local or State funds, instead of being outright grants.
2. The House bill proposed a State survey (with matching funds) to aid the States in making the best use of Federal funds. This was not proposed in S. 205.
3. H.R. 132, as amended, proposed channeling the applications for Federal funds through State educational television agencies to the Commissioner of Education (thereby assuring the local control of educational television development in each State); S. 205 placed full discretion in the award of grants with the Secretary of Health, Education, and Welfare.
4. H.R. 132, as amended, was more specific in spelling out the eligibility requirements of applicants for Federal funds than was S. 205.

The House--Second Session

Soon after Congress reconvened for the Second Session of the Eighty-Seventh Congress, on February 6, 1962, the President sent his education message to both Houses. It contained a specific charge to Congress to expedite passage of the pending legislation relating to educational television, "to provide matching financial grants to the States to aid in the construction of State or other nonprofit educational television stations."¹

A short time later, on February 26, the Rules Committee of the House met to hear testimony from Representative Oren Harris relative to H.R. 132, and approved the bill for debate.² That decision was reported on February 27,³ and H.R. 132 was brought to the floor of the House on March 7, for debate.⁴

House Debate on H.R. 132⁵

By the procedure of the House of Representatives, the discussion of the educational television bill began with debate on H. Res. 552, the parliamentary vehicle by which H.R. 132 was brought to the floor for debate. Representative Elliot, of the Rules Committee, moved passage of the

¹House Document No. 330, Congressional Record, CVIII, No. 18 (February 6, 1962), pp. 1546-1606.

²Ibid., Part 19, p. D70.

³Ibid., Part 3, pp. 2987, 3040; Part 19, p. D72, H.Rept. No. 1390.

⁴Ibid., No. 33 (March 7, 1962), p. 3213.

⁵Ibid., pp. 3212-46.

Resolution, and traced the history of previous educational television legislation, stressing the urgency of the present need to activate unused educational television channels (which lacked funds with which to begin operation) in the light of the American competition with the educational system of the Soviet Union. He then explained in broad terms the nature and provisions of H.R. 132.

Representative Avery opposed the Resolution, and argued that H.R. 132 was not to be debated relative to its value to the nation, but rather should be considered as a matter of trespass by the Federal Government into an area of education which by rights ought to be left to the States. Secondly, he said, H.R. 132 would spend Federal money which was needed for other purposes. He attempted to refute the contention that there was a great need to activate the educational channels by pointing out that about the same proportion of commercial channels as educational channels remained inactive after nearly ten years of allocation. Finally, he raised the question of supervision of the channels, if they should be activated, alleging that the Federal Government would have no control over them to prevent their being used for "indoctrination" rather than "information."

The above exchange between Elliot and Avery, it will be recalled, was on the Resolution (H.Res. 552), and following Representative Avery's remarks that measure was brought

to a vote and passed. Debate now began on H.R. 132 itself, with the House dissolved to a Committee of the Whole. Representatives Harris and Bennett, as senior Majority and Minority Members of the investigating committee, respectively, were each granted one hour of time to dispense among those who wished to speak. Representative Harris spoke first.

He began, and stressed throughout, the importance of H.R. 132 as a piece of communications legislation, holding that broadcasting frequencies were a natural resource, under the Federal domain, and that it was the responsibility of the Government to see that equitable use was made of the broadcasting spectrum in the public interest. He pointed out that the bill had bipartisan support and had received the support of an overwhelming majority of the Committee. Next he discussed the slow rate of development of the reserved channels, and contended that they could not be reserved forever, especially in view of the impending further development of UHF television, and that therefore there was some urgency to the demand that Congress assist in the activation of the as-yet unused channels in the public educational interest.

These were the needs and justification for the legislation as presented by Representative Harris. The remainder of his speech was a very careful explanation of the provisions of the bill itself; and during this time he read,

almost word for word, item by item, from the Committee report of the previous year. He concluded with a very brief recapitulation of the need.

Representative Bennett was the next speaker; and he, like Harris, spoke in support of the bill. Bennett's speech probably carried considerably more weight in determining some votes than the text itself would indicate, because it, first of all, supported Harris's contention that the bill had strong bipartisan support. Bennett, it will be recalled, was the ranking Republican on the Interstate and Foreign Commerce Committee, and he had been given half the time of the debate as the opposition leader. The fact that he spoke for the bill minimized the opposition and indicated that the bill was not a partisan proposal.

The speech itself was a revelation because Representative Bennett began by relating how he had opposed the legislation in earlier hearings, but had changed his mind and become an advocate of the measure in the course of the Field Hearings of 1959, in which he had participated, and by which he had become an educational television "convert." He then went on to point out four reasons why he now supported educational television legislation: first that educational television enabled the educational system to make the best use of scarce teachers in the areas of science and languages, by making them available to greater numbers of students; second, that educational television was an

economical means by which schools could get more value for the educational dollar (these two reasons might be classified as "external" factors). Third, he said, the legislative proposal itself had been changed in the course of years of investigation, and now called for the States to match the Federal funds proposed on a dollar for dollar basis, stipulated that a State plan had to be submitted, and more clearly vested the control of educational television development with the States rather than with the Federal Government. And finally, he said, the amount of Federal money allocated had been reduced by almost half the original amount (these last two reasons could properly be classified as "internal" considerations). And so, Representative Bennett concluded, he was in favor of the legislation and urged its adoption.¹

Representative Springer was the next speaker, also in support of H.R. 132. He called for support of the measure because, he said, educational television had proven itself to be both economical and effective in meeting the needs of the schools, because the development of educational television was consistent with the Commission on Goals' recommendations of 1960, and because educational television would benefit all people of the land, not just a special interest group.²

¹Ibid., p. 3217.

²Ibid., pp. 3217-18.

Representative Springer's remarks were followed by twenty statements from other Congressmen, many of them very brief (and many of them extended and otherwise altered in the Record), of which only two were opposed to H.R. 132. Representative Hugh Carey said that he regretted the Committee's amendment which would deny Federal aid to non-public schools, and he was, therefore, forced to oppose the bill solely on the basis of that amendment. Representative Thomas Ashley, on the other hand, was the only speaker other than Representative Avery to oppose the bill on the grounds of principle--that the Federal Government ought not to intrude in an educational matter. He maintained, furthermore, that there was no need for Federal aid to educational television, that there was no support for it from leading educational agencies and organizations (such as the National Educational Association) and he proposed that if, as had been said by the proponents of the bill, educational television saved money, then educational television could pay for itself. He concluded,

Because no need is apparent, because other means of financing is available and being used, and because ETV is "the fastest growing mass media means of communication"--without direct Federal aid, I ask your support in rejecting this unnecessary additional burden to an already strained Federal budget.¹

The other eighteen statements (it is questionable whether or not they were speeches, most questionable whether

¹ Ibid., p. 3225.

or not they could be considered part of a "debate")¹ were enthusiastic declarations of what value the proposed legislation would have for this or that State (represented by the speaker), and what was being done and would be done with funds available under H.R. 132.

When the time for debate ended and amendments to the bill were in order, two amendments were offered. One was a clarification of the language of the bill (presented by Representative Hemphill of South Carolina) to make certain that closed-circuit equipment would not be completely eliminated from consideration in the bill, providing that its use was "incidental" to broadcasting purposes. Representative Harris accepted and supported the amendment as part of the bill.

The other amendment (by Representative Griffin of Michigan) proposed a significant modification in the eligibility conditions of applicants, which materially affected the entire purpose of the proposal; and this became the only subject of controversy in the entire discussion.

¹The Congressional Record is not at all clear as to the source of these remarks, because at least half of those who obtained the floor as "speakers," obtained permission to extend and revise their remarks in the Record, and there is no distinction made in the printed transcript between oral statements and the subsequent insertions, corrections, or substitutions. The absence of opposing views on the legislation does not necessarily mean that everyone was for it, but perhaps that there was very little flexibility--the voting had been decided beforehand. See, in these regards, Neuberger, "The Congressional Record is Not a Record," New York Times Magazine, April 20, 1958, pp. 14ff, and Clapp, pp. 144-149.

The Griffin amendment originated as a result of a question asked of Representative Harris concerning whether the "non-profit groups" specified as eligible applicants would include factional groups (such as the AFL-CIO's Committee on Political Education--known as COPE--or the Chamber of Commerce). Harris answered that they would not be eligible because they would have to meet the FCC's definition of an educational organization as well as that of the proposed law. That answer would probably have been sufficient to allay the fears of the House that vested interests might obtain control of educational television facilities.

However, a few minutes later, Representative Harris corrected himself and admitted that, under certain circumstances, such an organization might establish a "non-profit educational agency" which would meet the terms of the proposed legislation and the FCC's requirements. This statement raised a new issue, one which, it seems clear, the Committee managers of the bill had not intended to be raised on the floor (the matter had been discussed in hearings, and had been resolved to the Committee's satisfaction). Several questions were directed to Harris asking for clarification, and he attempted to assure his colleagues that there were adequate controls to ensure against "special interest" groups obtaining Federal funds for educational television facilities.

The amendment which Representative Griffin presented shows his lack of understanding of the bill and of the history

of the proposed legislation which preceded it (and he was rather severely castigated by some of his more knowledgeable colleagues subsequently), for he moved to strike the clause from the bill which enabled a "nonprofit community educational television organization" to be an eligible applicant, and to substitute in its stead an organization consisting solely of educational institutions. This meant, in effect, that all community-operated television stations (such as those in Pittsburgh, Boston, San Francisco, Chicago, New York City, and so on) would not be eligible to apply for Federal grants with which to improve their facilities.

The Members of the investigating committee rallied against the amendment; Representative John Moss called it "a most mischievous amendment," since it would deny funds to the most outstanding of the educational stations then on the air; Representative Younger attempted to show that the amendment was unnecessary and actually harmful to the purpose of the bill by explaining the context of the questionable passage; Representative Harris enumerated the list of twelve of the nation's most successful and outstanding educational stations, most of them pioneers in the movement, who would be denied Federal aid if the amendment were passed, pointing out that "the very organizations that must be given the credit for the miserly progress that we have made in this field now would be the very ones that would be disqualified."¹

¹Congressional Record, CVIII, No. 33, pp. 3235-37.

Representative Griffin countered that there was not enough money in the bill to develop educational television completely in any case, and, since the term "nonprofit organization" was unclear, it would be just as well to limit the beneficiaries of the act to recognized educational institutions or groups of them joined together for broadcasting purposes. He was supported by House Minority Leader Halleck, who expressed "very serious misgivings about this broad language contained in the bill," and said further that Congress should not get itself "spread too far too fast."¹

A vote on the amendment was subsequently passed, by voice. Harris, hoping to defeat the amendment in a "division," asked for a revote and called for tellers. The vote was retaken; and it passed again--69-66.²

The House dissolved the Committee of the Whole, the bill was reported, as amended, and then passed by a roll-call vote of 337 to 68. Representative Harris immediately moved consideration of S. 205 and amended it by substituting the title and language of H.R. 132, just passed, in place of the wording of the Senate bill. This passed by voice; and H.R. 132 was subsequently tabled.

¹Ibid., p. 3237.

²There was not a quorum voting on the amendment; but since the House was in Committee of the Whole, such was not necessary.

The effect of this parliamentary move was simply to clear one bill for resolution by a conference between the House and the Senate. The Senate had passed one version of educational television legislation (in S. 205), while the House had agreed to a different version (in H.R. 132). In order to resolve the differences between the two versions it was necessary that they be related to the same piece of legislation. The House, therefore, amended S. 205 by deleting all the Senate language and substituting the House language of H.R. 132. S. 205 was then passed by the House in a substantially different form than by the Senate and could be taken to a joint conference between the two bodies for resolution of the differences between the two versions of the same bill. Conferees for this purpose were appointed immediately.¹

Issues of the Debate

The major concern of the House debate on H.R. 132, insofar as it generated any discussion among Congressmen on the floor, was the fear that some "improper" organizations (such as organized Labor or the Chamber of Commerce) might, under certain conditions included in the wording of the bill, obtain control of educational television facilities, and might become eligible for Federal aid. The Griffin amendment was proposed and passed to prevent such an occurrence, although the amendment itself created more harm than good.

¹Ibid., p. 3240.

The concern was an "internal" one, reflecting, as it did, the conservative attitude of the House toward "vested interests" and their relationships toward Federal aid programs (the same kind of conservatism can be readily observed in other educational legislation, particularly as it affects private and parochial schools).

The particular issue to which the Griffin amendment was directed had been discussed in hearings on the legislation, and had been satisfactorily eliminated as a concern by the men who knew most about broadcasting legislation in the House--the Members of the Committee. It was an unnecessary amendment, first of all, and a harmful one besides. That it passed the House is probably an indication of the House's general lack of understanding of what was actually contained in the bill and implicit in its language. While this may be understandable, considering the size of the body and the diversity of interests represented, it still reflects the basis of some contemporary criticism of the House, namely, that Members do not very often understand the proposals on which they are called to vote.¹

It is probably safe to say that most of the information by which voting behavior was determined on the educational television issue in the House was obtained from the explanation by Representative Harris of the specific

¹See Clapp, p. 145.

nature, extent, and conditions of the legislative proposal. These were definitely "internal" considerations. The glowing tributes to educational television (even those which were not inserted later into the Record) were probably not listened to, and were irrelevant in any case--there was hardly a State or district represented in the House which had not seen some educational television activity, and there was general consensus as to its efficacy.

The bipartisan support of Representative Bennett probably added to the bill's strength--again as an "internal" consideration. In the same way, the argument of Representative Halleck (which did not of itself show much understanding of the bill or its history) probably had considerable influence in obtaining passage of the Griffin amendment, since it is conceded that, except on extremely significant legislation (which, in the opinion of the House at that time, this was not) many votes are determined by who speaks and on what position, rather than the nature of the argument.¹

The argument in favor of the bill (as differentiated from the tributes by Congressmen who joined the "bandwagon" in support of the legislation) was presented by the ten Members of the Interstate and Foreign Commerce Committee. Their remarks ranged across a wide spectrum, and included both "internal" and "external" considerations; but the

¹See Ibid., p. 125.

greatest emphasis was given to the need to speed up the utilization of reserved educational channels, and the values and virtues of television in education--both "external" matters--and the factors of controls, economy, precedent legislation (notably the Hill-Burton Act), bipartisanship, and the legislative history of the proposal in the Senate and House over a period of years--all "internal" concerns.

The opposition to the bill, what there was of it, stemmed from only two Congressmen who spoke; and it was directed primarily toward the "internal" considerations of Federal and States' rights in the sphere of education, the fiscal wisdom of the grants program proposed, and the dangers of Federal control of education which seemed to be (to the dissenters) implicit in the bill. None of the issues or questions raised by either Representative Avery or Representative Ashley was answered directly by the proponents of the bill.

In sum, the question of H.R. 132, except for the brief scuffle over the Griffin amendment, was not a subject of real debate in the House of Representatives. It would seem that the Members were generally willing to accept the recommendations of the investigating committee, and recognized that the subject, about which personal knowledge undoubtedly varied from Member to Member, had been thoroughly discussed in the course of three Congresses and four years of investigation.

Conference Committee on S. 205

The amended version of S. 205--that is, the wording of H.R. 132 under the legislative designation S. 205--was reported back to the Senate on April 9, 1961; and conferees were appointed by that body to meet with the House conferees and resolve the differences between the two versions of educational television legislation.¹

It is traditional in both the House and Senate that conferees to a joint legislative conference be selected from the respective committees who handled the bill. So it was with S. 205--the House appointed Representatives Harris, Roberts, Moulder, Moss, Springer, Younger, and Schenck, while Senators Magnuson, Pastore, Monroney, Cotton, and Case were appointed from the Senate. The conferees met in executive session on April 12, to work out a compromise proposal, and agreed to file a unanimous conference report on the resolution of their differences.² That report was submitted in both Houses on April 16.³

The Compromise proposal was not significantly different from H.R. 132, as it had been proposed by the House

¹Congressional Record, CVIII, No. 45 (April 9, 1962), pp. 5652-53.

²Ibid., No. 56 (April 12, 1962), p. D275.

³Ibid., No. 58 (April 16, 1962), pp. 6115-17, 6164-66; U.S. Congress, House, Committee of Conference, Educational Television, 87th Cong., 2nd Sess., April 16, 1962, H. Report No. 1609 to accompany S. 205.

Committee. The Senate conferees agreed to accept the House version of educational television legislation with, however, several major amendments:

1. The amount of money to be appropriated for the total project was set at \$32 million, a compromise between the Senate proposal of \$50 million and the House proposal of \$25 million.
2. The duration of the program was extended to 1968, rather than 1967 as proposed by the House.
3. The stipulation that each State had to complete a survey of its educational television needs and develop a plan before becoming eligible to receive Federal construction grant funds was dropped altogether.
4. The Griffin amendment to H.R. 132 was dropped, thus enabling community-operated noncommercial educational television facilities to become eligible applicants for Federal aid. The language of the bill was clarified, however, to ensure that "private interest groups" would not be eligible.
5. The Hemphill amendment was retained, thus permitting facilities purchased and installed under the provisions of the program to be used "incidentally" for closed-circuit television use as well as broadcasting.
6. The language of the measure was clarified and simplified with respect to the channeling of applications

through State educational television agencies to the Federal Government.

7. The administration of the program was placed with the Secretary of Health, Education, and Welfare, rather than with the Commissioner of Education as designated by H.R. 132.
8. A section was added to the Conference Committee proposal which had not been in either of the Congressional proposals, but which had had some discussion during the House Hearing of 1961, namely, that not more than fifteen per cent of any grant made under the program would be used for inter-connecting educational television broadcasting facilities, such as networks.

The rationale for the various changes in the legislation, as expressed in the Report, revolved generally around the premise that expediency was needed in activating the reserved noncommercial educational television channels.¹ The State survey provision was dropped because such surveys, it was felt, were no longer needed in the light of a recent nationwide NAEB facilities need survey, which had been completed a few months earlier under a special grant from the Office of Education and the provisions of Title VII of the National Defense Education Act of 1958.²

¹Ibid., pp. 6-9.

²See U.S. Department of Health, Education, and Welfare, The Needs of Education for Television Channel Allocations, A survey by the National Association of Educational Broadcasters (Washington: U.S. Government Printing Office, 1962).

The amount of Federal funds was increased because the Committee recognized the urgent need for construction of new educational television facilities. The Secretary of Health, Education, and Welfare was designated as the administrator of the program in order to give it the proper priority among other educational programs within his jurisdiction. The fifteen per cent limit on inter-connection facilities was introduced in the compromise proposal, the Report said, to assure that most of the Federal money appropriated for the program would be used to establish new stations, rather than linking existing ones. Finally, the proposal retained the designation as an amendment to the Communications Act of 1934 to keep the program in its proper perspective as a communications matter rather than a Federal education program.

Passage of S. 205

The Report was introduced in the Senate on April 16 by Senator Magnuson, who moved immediately for adoption, and the conference Report was agreed to.¹ House rules prevented the Report from being considered there until April 18, when it was discussed in some detail by Representative Harris, with the motion that the Report be agreed to.² The only concern expressed in the House during this discussion

¹Congressional Record, CVIII, No. 58 (April 16, 1962), p. 6117.

²Ibid., Part 5, pp. 6933-37.

was that the intent of the Griffin amendment, which had been deleted in the conference bill, was retained in the provisions of the proposal. Representative Clarence Brown, in particular, wanted some discussion in the Record on the purpose of the bill to expedite the utilization of "a highly important natural resource"--the reserved noncommercial television frequencies--and to give assurances that the bill "will protect the American people from these so-called special incorporated nonprofit organizations that are set up for some particular purpose or other which they may claim is to educate the listeners. . . ." ¹

When these assurances had been made a part of the Record, the Report was called for a vote; and the committee recommendations were agreed to. ²

On May 1, 1962, President John F. Kennedy signed into law the Educational Television Act of 1962 (P.L. 87-447).

In a statement accompanying the signing, the President observed that it had been one hundred years since the passage of the Morrill Land Grant College Act had "reduced old barriers to education and offered new opportunities for learning." The new Act, he continued, "gives equal promise

¹ Ibid., p. 6935.

² Ibid., p. 6937. See also New York Times, April 19, 1962, p. 1:4.

of bringing greater opportunities for personal and cultural growth to every American."¹

Summary and Interpretation

The passage of the Educational Television Facilities Act of 1962 followed a decade of Federal concern with educational television, and climaxed five years of intensive efforts by legislators and educational groups, working largely behind the scenes, to expand the utilization of television for the broad and diverse purposes of education throughout the nation.

The conditions under which the passage of legislation was brought about in both Houses of Congress in the Eighty-Seventh Congress do not seem to have been created by any single, "dramatic" event, but rather by a slow and somewhat labored process of evolution of attitudes and legislative proposals throughout three Congresses, which eventually brought the House to a vote on H.R. 132. The factors which contributed to this process are innumerable, but some which appear to stand out as being significant from the standpoint of their effect on the House of Representatives include the following (the Senate is not of concern in this particular respect since it had passed virtually the same legislative proposal in each Congress):

¹"Statement by the President upon signing of the Educational Television Act--May 1, 1962," (Office of the White House Press Secretary, May 1, 1962).

1. The problems of education throughout the nation continued throughout the period without abatement. There were continuing shortages of qualified teachers, especially in areas critical to the national welfare--science, languages, and mathematics--and there was continual pressure on Congress to aid education in some tangible way exerted by national educational interest groups.
2. The Eighty-Seventh Congress operated in a new, and quite different, political climate from the one which preceded it. The "New Frontier," with its intellectual and spiritual vitality, and its active attempts at innovation and new techniques in policy and legislation, brought new vigor to many legislative areas. When the Department of Health, Education, and Welfare repudiated the opposition of the previous Administration to educational television legislation, the chances of passage of such a bill in the House were obviously improved.
3. Educational television continued to grow and improve, aided in many instances by the commercial television industry, which, over the course of a decade had come to accept educational television as a worthy adjunct to its commercial services. There were more educational television stations broadcasting (sixty-five by the end of 1961) and many more educational programs on commercial stations.

An almost unending flow of educational television research and utilization techniques, virtually all of it testifying to the efficacy of television in a host of educational applications, had been pouring forth throughout the country. Most States had investigated educational television through some agency or other, and many had initiated plans to proceed with educational television facilities construction as soon as Federal funds would become available.

As educational television developed, it was apparent to many observers that there was need to develop it faster. In other words, the more developments there were, the greater the opportunity there was to witness the need for still further development.

It was obvious, furthermore, that the chief reason for the relatively slow development of educational television throughout the sparsely populated, economically less well off areas was a lack of initial capital. Congress, therefore, and particularly the House, had many more opportunities to become aware of the local developments in the movement, and particularly of the local needs.

4. There was considerably more able leadership in the handling of H.R. 132 than there had been of earlier bills. Representative Roberts, whose original

proposals H.R. 132 most closely resembled, and who was given the credit for writing the bill (although, in fact, it was a committee bill) had been in the forefront of educational television legislation since the Eighty-Sixth Congress. But he was not really the "key man" in piloting the bill through the House. It has, in fact, been alleged that he did not really understand the problems of the medium or the nature of the legislation needed;¹ he represented the State (Alabama), which in 1958 had the largest single investment, and most far-reaching State-planned and controlled educational television system, and he was pressured by educational television interests into continuing his drive for Federal legislation. Pressure may also have been exerted, perhaps to a lesser degree, on Representatives Boggs and Moss by the districts they represented, both of which had active educational television stations operating.

Oren Harris, Chairman of the very powerful and influential Interstate and Foreign Commerce Committee, however, took over the control of the educational television legislations at the beginning of the Eighty-Seventh Congress, starting with his

¹Information derived from an interview source requesting anonymity. See also supra, chap. vi, p. 188.

acquiescence to Senator Magnuson's request that he introduce counterpart legislation in the House (H.R. 645), in spite of his personal reservations about the Magnuson bill. It was Harris's idea to canvass the governors of the States to elicit "grass roots" support, and it was he who turned the replies to his letter over to the Department of Health, Education, and Welfare, for its edification and enlightenment. Harris piloted the committee bill through executive sessions of the Committee, saw that it was properly amended, supported it in the Rules Committee, was the main authority for the bill in the House debate, sought an equitable compromise in the Conference Committee, and again urged its passage by the House. In fact, the passage of educational television legislation in the House may very well have been more due to the prestige and influence of Representative Harris than to any other single person. It should also be noted that this zeal on Harris's part was, apparently, due to his own interest in the measure, as opposed to any pressure from educational television interests in his State or home District. Arkansas was among the very few States, even at the time of the passage of the Act, in which educational television had not made a great deal of headway, except in local situations.

5. There was general public acceptance of educational television throughout the country. "ETV" became a familiar term to one-third of the population of the nation, and most legislators were probably aware of this attitude of acceptance. When the attitude became incorporated with a proposal which was economical, Constitutionally valid (i.e. did not infringe on States' Rights), involved a minimal amount of Federal expenditures (especially when compared with other Federal spending programs such as Defense, or even other education legislation), was not a political issue, and in fact had widespread bipartisan support, and had been investigated by Congress for five years in both Houses, opposition crumbled.
6. Behind the Congressional scene there were the workings of organized educational television organizations--the NAEB and the JCET, in particular--who saw to it that Congressmen were kept informed on educational television developments. They were active in rallying local support from around the country on behalf of the legislation before Congress. They kept in close touch with the Committee Counsels of both the Senate and the House, arranged for some witnesses at the hearings, and even, on occasion, helped in the writing of particular proposals.

All of these factors contributed to the successful passage of H.R. 132, but it would be impossible to determine

the degree to which any of them, or any others for that matter, actually "swung the votes" to pass the bill.

In the Conference Committee the "unofficial" but nonetheless real influence of the educational broadcasters was again brought into play, particularly with regard to the administration of the Act. Everyone who was familiar with the history of the movement, including the conferees, realized that the Griffin amendment to H.R. 132 was a disastrous proposal, penalizing, as it did, those very stations which had been the leaders of the educational television movement throughout the country. The NAEB voiced extreme objections to it, and also to the House-approved proposal to administer the Act through the Office of Education.

Their concern, in regard to the latter, stemmed from the fact that the administrative officer in the Office of Education, under H.R. 132, would have been Ralph C.M. Flynt, Assistant Commissioner for Legislation, who had been the chief opponent of the various educational television proposals in the Office of Education during the Eisenhower Administration. Flynt's opposition, apparently, stemmed from a feeling that there were other educational needs having greater priority for the limited amount of funds available to the Department and the Office of Education.

The broadcasters, knowing his earlier feelings about the Federal support proposal, felt that he would not pursue the implementation of the Act with as much vigor as they would like, and so they worked through the Senate Members of the

Conference Committee and through the Communications Counsel of the Senate Commerce Committee to have the administration of the Act vested directly with the Secretary of Health, Education, and Welfare.

Also, under administration by the Office of Education, the management of the Act would have been decentralized throughout the nation through the regional offices of the Office of Education. The broadcasters, again, felt that their best interests would be served by having centralized administration in Washington.

The power of the respective Committees of Congress is shown very clearly by the history of educational television legislation, and especially the power of the Conference Committee, which Senator Joseph Clark and others have called "The Third House."¹ Their importance is perhaps most clearly shown by what is not a part of the public record of legislation.

The public testimony and examination of witnesses is enlightening, to the extent that it shows the information available to the respective Committees; but hearings are usually very calm and orderly, polite and formal. When the committee proposals and amendments, and compromise proposals (in the case of the Conference Committee) are compared with the original bills and with the testimony on those bills, the "nonpublic" work of the committees may be better appreciated--the compromises which have been made, the personal influence

¹Clark, p. 69.

brought to bear, and the resolution of differences between individuals. It is in these situations, away from the public gaze, that legislation is produced; and probably here more than on the floor of Congress interpersonal relations and the power of persuasion through speech has its greater influence.

With respect to the speaking on the bills, as they were debated on the floor of Congress, it is difficult to find any particular characteristics which might be "labelled" as "Congressional discourse." In the Senate there was a lively exchange of views of S. 205, in which both "external" and "internal" issues were discussed. Argument was well rounded, with a variety of types of speech supports used. There seems to have been strong emphasis placed on the personal prestige of the Speakers, especially with regard to their seniority and the official position or rank they held in the Senate. This was an influence which was more felt than stated, but it seemed clear throughout the debate. The actual manner of speaking of the respective Senators, and the arguments they selected, shows no consistency, and reflects the individual and personal qualities of each man.

It is difficult to generalize any conclusions about the "debate" in the House of Representatives because there was no real conflict over the educational television question. The "internal" considerations seemed to be of paramount importance to the Members; but once the conditions, limitations, and controls of the proposal had been established by Harris's

explanation of the bill, to the satisfaction of the House, there was no longer any evident concern about the "internal" matters, and the discussion gave way to the encomiums on educational television, which were chiefly concerned with "external" materials.

In the one area where there was conflict--that of the Griffin amendment--the argument was primarily an "internal" matter. Perhaps, had a more full explanation of the provisions of that particular section of the bill been developed, there would have been no dispute, and no amendment.

CHAPTER VIII

SUMMARY AND CONCLUSIONS

Introduction

This chapter will conclude the report of this study by summarizing the highlights of the legislative history of educational television facilities proposals, and will attempt to draw conclusions from the study relative to the hypotheses discussed in the first chapter.

Summary of the Legislative History of Educational Television Proposals

The chronicle of events which led to the 1962 passage of the Educational Television Facilities Act reflects the continuation of Federal concern with the public welfare in the development and use of American natural resources. The direct antecedent of P.L. 87-447 was the Morrill Land Grant Act of 1862, which gave to the States parcels of Federal land, the revenue from the sale of which was to be invested and the income derived therefrom to be used to establish and maintain public colleges in the respective States.

The parallels between the Morrill Act and the Educational Television Facilities Act are striking: both grew out of a concern for the public welfare in the area of education; both involved a portion of what was recognized as the Federal

domain (land in one case, the television frequency spectrum in the other); both involved Federal financial support (the land in the one case was to be converted to cash; in the other the monies were to be allocated directly); both involved Federal-State cooperation--even to a "matching" relationship in one sense--since the States were expected to maintain and operate the colleges aided by the Federal grants; and, in the latter case, the States were required to certify that the television facilities to be constructed would be operated and maintained with local funds. Thus, in the structure and underlying premises of both acts there seems to lie the same basic philosophic attitude--that the Federal Government has the obligation to promote the public welfare through the use of public resources in the field of education.

The same philosophy was evident in the enactment of the Communications Act of 1934. At that time, however, Congress became convinced (in spite of strong representations by organized educational interests) that a "free-enterprise" system of commercial broadcasting could effectively promote the educational and cultural interests of the nation, and that specific action by Congress to promote the use of a portion of the radio frequency resource for educational purposes was unnecessary. (This attitude might be considered analagous to permitting private interests to develop public power resources.)

However, at the end of World War II, when the development of frequency modulation broadcasting (FM) was proceeding,

the basic philosophy was reasserted (through the FCC, which, of course, derives its authority from Congress) and a portion of the "new" FM frequency spectrum was allocated specifically for "educational noncommercial" broadcasting.

The development of television, which burst on the American scene as a broadcasting reality just after the war, and which appeared to be in some ways a totally new natural resource, provided once again an opportunity to implement the traditional "public welfare" philosophy. This was not, however, an uncomplicated matter, because of several factors which had to be reconciled.

Educational broadcasters, on the one hand, were eager to expand their cultural and educational services through the television medium, and wanted the same kind of "preferred" treatment which they enjoyed with FM. Some educators (not necessarily broadcasters) viewed television as a new kind of teaching tool--an extension of the "visual aids" technology which grew out of wartime research; others saw it as a "multiplier" of the influence of great teachers; some saw it as a means of "moving back the walls" of the traditional classroom for enrichment of curricula and for other purposes; while still others (including some foundations) saw in television an opportunity to advance adult education programs.

The difficulty was that the educational interests were not sufficiently "aligned" in their objectives to present a "united front." Thus, Congress was not presented with a

specific need or plan by which educational television legislation might be formulated.

On the other hand, the commercial broadcasting interests were deeply involved with the technological development of the medium; and they felt that they had prior claim to its exploitation as a general communications instrument.

The problem was temporarily alleviated, and the public welfare principle enunciated in specific terms, with the FCC's actions of 1952, by which specific television channels were set aside and reserved for noncommercial educational television purposes. This action by a Federal agency, in particular, was widely recognized as continuing the tradition of the Morrill Act.

It soon became apparent, however, that the allocation and reservation of frequency space alone were not sufficient to guarantee that educational television would develop into a nationwide service. Several factors contributed to this realization, among them (and perhaps most important of all) being the lack of funds needed by educational interests to establish and operate television facilities on a noncommercial basis.

Most of the earliest noncommercial educational television stations were established where the conditions insuring continuing support were good or even ideal--large metropolitan areas where financial and cultural resources were plentiful (such as in Pittsburgh, San Francisco, Boston, Chicago, Miami, and Denver). In addition, most of these

early "pioneers" in the educational television movement were established on VHF channels, where audiences were readily available to receive their services without expensive set-conversion. Finally, most of them were given capital funds aid by the Fund for Adult Education of the Ford Foundation.

On the other hand, educational broadcasters were confronted with the same problem as commercial broadcasters where UHF station activation was concerned--a lack of potential audiences because of the transmission and reception characteristics of UHF--and, consequently, the development of UHF reserved frequency assignments lagged far behind that of VHF.

At least two other factors complicated the growth of educational stations: (1) the emergence of the concept of instructional television (ITV), direct teaching by television, which in many cases could be accomplished by means of much less expensive closed-circuit television equipment, and without the encumbrances of licensing, transmitters, and full-time operation; and (2) increased attention to educational television by commercial broadcasters, who cooperated with educational organizations and school systems from the local to the national network levels in producing instructional and enrichment television fare.

Finally, when the Fund for Adult Education announced in 1956 that it was discontinuing its grants to foster new educational television station growth, the need for new sources of capital funds with which to continue the development of the movement became even more apparent.

The progress of the educational television movement was accompanied by several other factors which added an element of urgency to the need for a widespread noncommercial television service. The in-school population increased each year, as the "baby boom" of the post World War II period flooded the educational scene. Educators, faced with shortages of every kind--money, facilities, teachers, buildings, everything except pupils--were receptive to any and all new technology which would aid them. More and more research indicated television's efficacy as a valuable educational tool, but the cost involved was still a deterrent in most areas of the nation.

Experience had shown that once educational television stations had been established, they had stayed on the air. Furthermore, there was evidence to indicate that if stations could pool their resources, through program exchange, they could both improve the breadth and quality of each individual station's service, and sometimes could reduce costs as well, by eliminating duplication. Therefore, it was thought by some planners, if more educational television stations could be established, and perhaps interconnected into national or regional networks, local communities might be able to obtain the benefits to be derived from the broad resources of a nationwide educational television service.

The UHF problem was a factor to be considered, as well. The FCC wrestled with it from 1953 on, but without much hope of an easy or early solution. There was, therefore,

as noted above, not much incentive to activate UHF educational stations, particularly in communities where the audience (and consequently the financial support) would be limited at best. In addition, because UHF was generally considered to be a less desirable type of television operation (for both educational and commercial broadcasters) there were pressures in some areas of the country by commercial television interests to have some of the unused reserved VHF channels reassigned (especially those in remote areas) and activated as commercial channels--the argument being that a commercial service in the public interest was better than no service at all.

All of these conditions were part of the "climate" of 1957, when Senator Warren Magnuson introduced the first bill proposing that the Federal Government enter into a program of direct financial assistance in establishing educational television facilities (S. 2119--85th Congress). Senator Magnuson's proposal, which was passed by the Senate in substantially the same form in three Congresses, was fully commensurate with the philosophic principle of the Federal Government's development of natural resources for the public welfare. It considered the television spectrum as a national resource, a portion of which should be developed for the educational and cultural advancement of the nation. It was not without precedents in the areas of other natural resources; and it proposed a nationwide disbursement of Federal funds, available to each of the States and territories, for the initial construction of educational television stations, with the

understanding that the States would provide the support needed to perpetuate their operation.

The hearings on the Magnuson bill, during the Eighty-Fifth Congress, and hearings on its counterparts in the House of Representatives, centered on three areas of concern:

(1) the nature of television as a medium which was capable of aiding education--that is, television's inherent value as a cultural and educational medium--and, therefore, its deserving of Federal support; (2) the development of educational television facilities and the need for Federal assistance--that is, whether or not educational television could continue to develop by its own initiative, without Federal support; and (3) whether Federal activity in the area of educational television subsidies was a proper concern of the Government--that is, whether it would jeopardize States' Rights in educational concerns, and whether it was an area where continuing support by the Federal Government might be needed, or where Federal control might be extended into an area of education. The first two above concerns, of course, were of a practical nature; the last was more of a philosophic issue.

While educational television legislation was pending in Congress, the nation's attention was sharply focused on the inadequacies of American education by the Soviet Union's successful launching of an earth-orbiting satellite. (It was implied that the advantages of the Soviet educational system over the American system had made possible the Soviet scientific and technological superiority.) For very nearly

the first time, the American public itself recognized the educational system of the nation as a vital factor of national security; and this was reflected in Congress, where "dramatic" legislation was quickly formulated and enacted in the form of the National Defense Education Act of 1958.

The Act included one section (Title VII) which provided funds for the development of television and other technological aids, but it was not really comparable to the much broader purposes of the educational television facilities proposals espoused by Senator Magnuson or his supporters in the House. It may have diverted, however, to some extent, some of the support which might otherwise have been directed toward passage of an educational television facilities bill during the Eighty-Fifth Congress. As it was, the Magnuson bill passed the Senate; but Congress adjourned before floor action on the measure could be taken in the House.

In the Eighty-Sixth Congress, bills for educational television facilities construction aid were among the earliest legislative proposals submitted in either House, and they received prompt and thorough investigation by the respective Congressional committees.

In the Senate, the questions and issues were generally the same as had been raised during the previous Congress, but with a slightly different emphasis. The efficacy of television for education gave way to the consideration of the Federal Government's "need" to aid educational television with direct financial assistance, especially while the

movement seemed to be progressing (slowly but steadily) under its own impetus and resources. On the other hand, there was a greater awareness of the value of television, illustrated by a variety of applications of television to education; and these seemed to stress the urgency with which the medium should be developed on a much more widespread basis.

When the Magnuson bill reached the Senate floor, it was opposed on the grounds that the Administration did not see any need for the legislation, and had also recommended against its enactment because of the expenditure of funds which had not been budgeted for that purpose. The opposition was only token, however, and the measure passed easily by a voice vote.

In the House, an extensive record was compiled by the Interstate and Foreign Commerce Committee over a six-month period. Hearings were held in Washington, and to allay fears that the pending educational television proposals might not have widespread support, in several cities throughout the country. Following these hearings, early in 1960, the Committee reported a bill to the House (H.R. 10609), but it failed to win the approval of the House Rules Committee and hence died without being considered by the House at large.

The main concerns of the House Committee in treating the subject during the Eighty-Sixth Congress were to establish whether there was truly a national "need" for educational television facilities legislation, and to determine what form of Federal support that legislation should take, which would

meet the needs as they existed and would satisfy the basically conservative and budget-conscious House. The Committee bill failed to win the approval of the Rules Committee, partly because of the financial considerations involved, partly because it appeared to be an education bill (traditionally opposed by the conservative leadership of the Rules Committee) in the guise of a communications bill, and also because there did not appear to be a great need for the legislation.

In 1960, Senator John F. Kennedy was elected President; and as the Eighty-Seventh Congress convened in January, 1961, the "New Frontier" was established in Washington. The Kennedy administration was characterized by a youthful, liberal vitality; and its legislative concerns included sweeping domestic programs in the area of education. Educational television facilities legislation was reintroduced, therefore, in both Houses of Congress, early in the Session, with considerable optimism that it would finally be approved.

In the Senate, a brief hearing was held on the Magnuson proposal, to make a record rather than to study the proposal, which had already had two previous hearings. The emphasis during the Hearing was on the need to activate the reserved educational television channels in the public interest more than it was on education's need to use television to meet its continuing problems (although those continued to exist). Commercial broadcasters, who had taken virtually no part in previous hearings on educational television facilities legislation, entered this one in strong

support of educational television as a "complementary service" to their own television offerings. The FCC testified concerning its most recent efforts to solve the UHF problems, which included proposed legislation to force manufacturers to produce all-band receivers, UHF propagation research, and proposed "deintermixture" in some areas of the country--all of which had implications for educational television development. Educational broadcasters stressed multi-station operations and State and regional networks, more than they did individual station activation.

When the bill (S. 205) reached the Senate floor, it enjoyed a limited debate in which the proponents argued the urgent need to activate educational television channels as a natural resource which had not been fully developed. The opponents (and they were very few) argued that there was no need for the Federal Government to enter the area, since it was being developed, however slowly, on its own initiative. It was also pointed out, quite correctly, that the Democratic Administration, like its Republican predecessor, opposed the proposal on the grounds that there was no need for it, and that the matter had too low a priority for the Federal expenditures involved. In spite of these objections the debate and the subsequent vote on the measure were heavily in favor of the Magnuson bill, and it passed by better than a five-to-one majority.

In the House of Representatives an extensive hearing was held to "make a record" on the several educational

television facilities bills introduced in that body. The testimony of witnesses was very much like that of the Senate hearing testimony, although the House committee was more concerned with internal details of the respective bills than with the overall principles of the legislation. One of the most significant aspects of the Hearing was the testimony of the Department of Health, Education, and Welfare, representing the Administration, which, between the passage of the Senate bill (which it had opposed) and the close of the Hearing on the House versions, had reversed its position on the proposals and offered detailed and affirmative suggestions for implementing educational television facilities legislation. The Hearing also revealed considerable "grass roots" support for the legislation, as indicated by replies to a letter sent by Committee Chairman, Oren Harris, to each State governor.

A committee bill was reported to the House late in the First Session, and the Rules Committee approved it for debate early in the Second Session. That bill (H.R. 132), which reflected the best compromises the Committee could make, with respect to the amount of Federal funds involved, various controls and guarantees of freedom from Federal domination, cooperative arrangements between the States and the Federal Government, and the uses to which the Federal funds were to be put, did achieve a considerable amount of bipartisan support, both in the Committee and on the floor of the House. It was debated briefly and easily passed.

The proponents in the House stressed the need to develop educational television as a natural resource: and they emphasized the various stipulations of the bill which would facilitate that end without incurring other problems or trammeling the States' rights. The token opposition to the bill was presented in arguments that the legislation was a Federal trespass into the educational domain of the States, and that the program would become a measure perpetuating Federal aid to educational television beyond the instant conditions of the proposal.

A joint Senate-House conference committee agreed unanimously to compromises between the two versions of educational television facilities legislation which had been passed by the respective bodies, and these were subsequently approved by both Houses. The Educational Television Facilities Act (P.L. 87-447) was signed into law by President Kennedy on May 1, 1962.

Comparative Analysis of Senate and House Discourse

The Senate

The discussion of educational television legislation was conducted in the Senate during three Congresses in a rather routine fashion. The Magnuson bills were not recognized as "headline" legislation, and there was not much controversy engendered over them either in or out of Congress.

The educational television proposal in the Senate (essentially all three Senate bills were the same), while it gained bipartisan support, originated with one Senator, Warren Magnuson, who was the key figure in all the discourse attendant to the proposal. His power and prestige in the Senate, as well as the strong "case" which he developed over a five-year period in support of his proposal, had much to do with the treatment the bills received, and his influence was important each time the measure was passed by the Senate.

There was very little opposition to the bills in any Senate session. It would seem from the limited amount of debate which occurred in 1959 and 1961 that most of the Senators who were on the floor and voting tended to rely on the judgment of the Senate investigating committee (the Commerce Committee, which Senator Magnuson chaired). They seemed to be satisfied to accept both the report of the Committee as to the validity of the bill and the Committee's recommendations.

The opposition to the bills was rather perfunctory, and came primarily from the Senate Minority Leader (Senator Dirksen) who, both in 1959 and 1961, opposed the bill on the Administration's recommendations that it not be enacted. This is not a particularly surprising position for the Minority Leader to take, especially in 1959, when he was the chief spokesman in the Senate for the Republican Administration which opposed the measure.

The bill was opposed on the same grounds in 1961, but it was seemingly ironic that the "New Frontier" should also oppose the bill, as Senator Dirksen pointed out, for substantially the same reasons as the preceding Administration had. The Administration's opposition in 1961 was probably either an oversight (which was rectified by the time the bill reached the House) or due to the fact that the new Administration had not had time to establish policy on the matter. In any case, Dirksen's opposition was based, first, on the Administrations's opposition to the proposal, and, second, on a fiscal consideration--that the bill would upset the budget.

Only one other argument was used in the Senate in opposing the measure: that of the intrusion of the Federal Government into an area of education, which would eventually lead to either a perpetuation of the support program or to Federal control over the area of television programming. These arguments may be classified as primarily "internal" (especially the first two), since they were not prevalent issues outside the Congress or throughout the nation at large. The matter of Federal control was certainly of concern to some educational interests, but it was not made an issue outside Congress, and hence may be considered here to be "internal."

The proponents of the proposal, led by Senator Magnuson, took each of the above "internal" considerations into account (more as refutation than constructive argument) in

arguing for passage of educational television facilities legislation in each Senate session; but the major emphasis in the argument was placed on "external" concerns--considerations which originated outside Congress, and which were a part of the national "picture." Primarily, there were two such considerations: (1) the need to activate the reserved educational television channels because they were not being developed on a nationwide basis, as had been intended by the original reservation procedure of the FCC in 1952; and (2) the need to assist education at all levels through the use of television, and the efficacy of the medium for such purposes. A third point, and an "internal" one, played a minor, but successively greater role in the Eighty-Sixth and Eighty-Seventh Congresses: that of the precedent established by the proposal's having been passed in previous Senate sessions with strong bipartisan support and the unanimous recommendations of the Committee.

The floor debate in the Senate on the educational television proposal was, in general, characterized by relatively broad lines of argument. There was little reference to particular cases, as there had been in the Senate hearings; but there were many broad, and sometimes sweeping, generalizations, especially with reference to "National needs," the public welfare, and the responsibility of Congress to facilitate amelioration of both the apparent need (to develop the natural resource) and the implied need (to advance the cause of education).

The Senate hearings were more "informative" than persuasive, in the sense that they tended to reveal particular information about the current status of educational television developments in various parts of the country rather than to formulate lines of argument for or against the legislative proposal. The earliest of the three Senate hearings (held in 1958) saw slightly more emphasis placed on the philosophic principle of Federal assistance to the educational television movement than the later two, but not really enough to be significant.

There was no noticeable "clash of views" or argument on the merits of the proposal in the Senate hearings. This may have been partly due to the fact that there was strong bipartisan support of the measure, and also because there were not many Members of the Senate who took part in the hearing sessions. In short, the hearings provided the "raw" specific materials which the Committee spokesmen later absorbed and generalized in broad lines of argument in the subsequent Senate debates.

The House of Representatives

Treatment of the educational television proposals in the House (and there were altogether sixteen bills embracing essentially eight different proposals, in addition to the Senate-passed measure) reflected some of the Senate's treatment of the measures, but there were some marked differences as well.

The House relied (as did the Senate) on the judgment of its appropriate investigating committee (the Interstate and Foreign Commerce Committee); but the House was more critical of the Committee's recommendations, especially with regard to particulars--i.e. the specific intent and the meaning of certain language--in the bill which was finally brought to the floor for debate. The Griffin amendment and the support it received on the floor of the House is a case in point. It was proposed by a Congressman who obviously did not understand the context of the bill or the implications of what he proposed. Likewise, the support for the amendment came from Members who were knowledgeable neither of the bill nor the problems which it purported to alleviate.

There was not really much debate on the final bill in the House, either on the Committee version of H.R. 132, or on the later Conference Committee compromise. The only issue which provoked a division in the House was that with which the Griffin amendment was concerned, and that was on a matter of specific language--the eligibility requirements of applicants.

The only opposition to the proposal as a whole came from Representatives Avery and Ashley, both of whom argued against it with "internal" concerns being paramount--i.e. that (1) the Federal Government had no right to respass in the area of education, (2) the grant program proposed would cost too much and would be perpetuated forever, and (3) there was a lack of Federal control inherent in the legislation,

thus permitting "special interest" groups to obtain educational television facilities to "indoctrinate" the public under the guise of education.

The proponents of H.R. 132 did not answer any of the above arguments directly, but instead sought support of the legislation using other primarily "internal" materials:

(1) the matching-funds proposal (and the Hill-Burton Act precedent for it), (2) the specification of various conditions, controls, and safeguards in the bill's language, and (3) the reduction of the amount of Federal expenditure.

"External" considerations were hardly mentioned in the House debate, except during the long series of "testimonials" which occupied most of the debate time (or were later inserted in the Record), but these were much the same as those advanced in the Senate: (1) the great need to aid education in the competitive struggle with the Soviet educational system, (2) the efficacy of television for educational purposes, and (3) the need to activate the unused reserved educational television channels.

The passage of educational television legislation in the House of Representatives came about largely as a result of the leadership of Representative Oren Harris--revealed by the succession of hearings, field hearings, substitute legislation proposed by the Committee, a "grass roots" survey of support for the proposal, and finally the presentation and defense of the bill before the Rules Committee and on the floor of the House, all of which were within the scope of

Harris's personal influence. One by one, each of the above elements reflects the effort made by the Committee (under Harris's leadership) to "work out" compromises, and to garner enough committee support to get an acceptable bill past the Rules Committee and to the floor of the House. The Committee bill which was finally passed by the House (H.R. 132) bore Representative Roberts's name, but it was unquestionably primarily engineered, especially in the Eighty-Seventh Congress, by Oren Harris.

The House versions of educational television facilities legislation did not have, throughout the period of three Congresses, the same bipartisan support which was so evident in the Senate. Not until a bill finally reached the floor of the House for the final debate was there made a strong bipartisan statement in support of the proposal by the ranking minority Member of the Committee (Representative Bennett). Throughout the hearings there was consistent opposition to the principle of Federal aid to support educational television (from some Members; not the witnesses), and there was a minority report expressing opposition to the committee bill submitted to the Eighty-Sixth Congress (H.R. 10609), which may have had some influence in the Rules Committee's decision to withhold its approval of that bill.

The testimony of witnesses during the many House hearings served the function of "filling out the record" regarding the status of educational television developments and future plans ("external" materials). There was, however,

considerably more attention paid in the House hearings than there was in the Senate hearings, to "internal" matters, such as the cost of the proposed legislation, the respective responsibilities of the States and the Federal Government in such proposals, Federal aid programs in general, and the "strategy" of wording a bill to facilitate its passage. This was, perhaps, the main distinction between the Senate and House hearings.

In general, it may be concluded that, with respect to the educational television facilities legislation, the Senate discourse was characterized more by attention to "external" (i.e. outside Congress) concerns in the selection of materials and lines of thought; the House discourse was characterized by a greater emphasis on "internal" (i.e. within Congress itself) concerns, of a fairly specific nature which would affect the outcome of a House decision on the question.

Tests of Hypotheses

With reference to the hypotheses which were stated in the introductory chapter (and are here reproduced), the following statements can be made:

Hypothesis 1: The issues in the Congressional discussion and debate regarding educational television tended to follow, rather than lead, the issues concerning educational television which developed outside Congress (i.e. in the press and in public opinion).

Conclusion: With respect to "external" concerns, such as the educational crisis, the values of television for education, and the need for channel activation, the Congressional discourse did tend to follow rather than originate topics of discussion. With respect to "internal" concerns, such as the role of the Federal Government in this particular matter, and the particulars of conditions and stipulations in the legislative proposals themselves, Congress itself, particularly in the House, initiated the issues.

Hypothesis 2: Congressional discussion and debate on the subject of educational television tended to rely heavily on "external" materials (i.e. materials developed or prepared and presented to the Congress by agencies or individuals outside the Congressional ranks), rather than "internal" materials (those developed within Congress itself).

Conclusion: The Senate tended to rely more heavily on "external" considerations during the discussion of educational television facilities legislation; the House relied more heavily on "internal" concerns. Both types of materials, however, were evident in each body. In the debates which occurred, and also in the House hearings, the proponents of the legislation tended to stress "external" concerns; the opponents stressed "internal" matters.

Hypothesis 3: The issues which were developed in Committee sessions of the Congress tended to set the limits of the floor discussions which followed.

Conclusion: With respect to the subject of educational television legislation, the hypothesis is substantiated in both the Senate and the House. The Senate was more willing to "go along" with what its committee had recommended; the House raised far more questions, which had, for the most part, been foreseen during the course of committee work and were effectively answered.

Hypothesis 4: In the floor discussions and debates on educational television facilities legislation, the principal spokesmen on the respective bills (representing both sides of the question) tended to be members of the committees which previously handled the bills.

Conclusion: The hypothesis is sustained in general. However, the opponents of the legislation in the Senate were not members of the Commerce Committee exclusively; and in the House, where there were many more speakers, most of these were not members of the Interstate and Foreign Commerce Committee. Of the two Congressmen in the House who opposed the measure, one had been a Member of the Committee and the other had not. The argument for passage of the legislation in both bodies was carried chiefly by the respective committee Members.

Hypothesis 5: The House of Representatives contributed little to the discussion of the issues pertaining to educational television which had not previously been generated in the Senate.

Conclusion: Except for the facts that (1) House hearings in each Congress followed Senate hearings, and,

similarly, (2) House debate followed the Senate debates on the educational television proposals, and (3) many of the same witnesses appeared at the hearings of the respective committees, there is no evidence to indicate that the House investigations, and the discussion of the issues involved, were in any way related to the Senate's treatment of the subject. Both Congressional bodies proceeded independently of one another, developed sometimes similar and sometimes different approaches to the subject, and finally adopted rather distinctively different pieces of legislation, which were resolved in a joint conference. While there were undoubtedly communications between the two committees and between individual Members and staff members of the two bodies, there is no indication that either body was intentionally supplemental to the other in its investigation or treatment of the legislative proposals.

Hypothesis 6: The fact that educational television facilities legislation was being discussed in the Congress served as a deterrent to the development of educational television facilities throughout the country during those periods when such legislative proposals were prominent.

Conclusion: There is no evidence to indicate that such was the case. The number of educational television stations increased each year by almost the same number, whether or not legislation was pending in Congress. For instance, five stations were activated in 1956 (before legislation was proposed), six in 1957 (legislation pending), eight

in 1958 (legislation defeated), ten in 1959 (legislation pending), seven in 1960 (legislation defeated), and eleven in 1961 (legislation pending). Therefore, the hypothesis is rejected.

Hypothesis 7: The Congressional discourse--that is, the speaking which took place in the Congress--had relatively little influence on the outcome of the legislation at stake. That is to say, private influence played a greater part in bringing about the passage of enabling legislation than public discussion.

Conclusion: There seems to have been a great influence on the outcome of the educational television legislative proposals exercised through private discourse and unofficial communication. This is not, however, an unqualified observation.

First of all, there were not many Senators involved or differing viewpoints expressed at any stage of the public hearings when the proposals were before the Senate. The record thus compiled, however, provided much of the raw material on which the Committee based its reports to the Senate, and, therefore, the oral discourse of the hearings did have an influence on the outcome of the legislation in the Senate to a considerable degree. In the Senate itself, as has been noted repeatedly, the Committee's recommendations were accepted without much question, and the viewpoint of the Committee throughout all these discussions was very much that of the Chairman of the Committee, who was also the sponsor

of the legislation. Members of the Senate, insofar as they were interested at all in the legislation, were more interested with whether the Committee approved of the measure than they were in seeking out the issues individually (even the opposition relied heavily on the Committee record); and hence, it would seem that the speaking on the Senate floor was less important than the public record and the Committee recommendations in bringing about passage of the Magnuson bill on three separate occasions.

In the House a different situation prevailed. There was considerable discussion of the issues during the public hearings, both for and against the proposals, but nearly all of these issues and related questions had been resolved within the Committee by the time the final bill came to the House floor for debate. Certainly a great deal of compromise and personal persuasion occurred in the non-public executive committee sessions, and perhaps also through unofficial channels, as evidenced by the marked changes which occurred in the respective bills between the time the first bill was introduced in 1958 and the last one was debated in the House in 1962. There was very little discussion of crucial issues during the House floor debate, except on the matter of the Griffin amendment--which was in itself a relatively minor proposal.

Therefore, it must be concluded, with regard to both the House and the Senate, that the hypothesis is rejected insofar as the particular subject of educational television

is concerned, to the extent that (1) the hearings developed the materials of "external" evidence of need, proposed solutions, and (especially in the House) the "internal" issues which were subsequently treated by the respective committees prior to submitting final proposals to the Senate and the House; and (2) on a question which became an issue (i.e. the Griffin amendment in the House) the argument which occurred on the floor itself was the basis on which the outcome (of that particular amendment) was decided. In other words, when an issue was raised which had not been treated by the Committee, specifically and to the complete satisfaction of the House, the speaking in the House (and perhaps also the identity of the speakers) did have a significant influence on the outcome of the legislation at stake.

Conclusion

The educational television facilities legislation with which this study was concerned was the product of an evolutionary process, and emerged out of a complex of variables, including: (1) the need to implement the FCC's 1952 plan to provide the stimulus for a national educational television service, (2) the need to aid the educational interests of the nation with a technological instrument at a time of crisis, and (3) a resurgence of Congressional attitudes favoring the development of a national resource for the public welfare.

Viewed in this light, P.L. 87-447 was a logical second step toward the development of a national system of cultural and educational noncommercial television stations, in keeping with Congress's traditional philosophic principle concerning the development of natural resources. The first step had been the FCC's recognition of education's right to a portion of the television spectrum for educational (in the broad sense) purposes. Passage of the Educational Television Facilities Act attempted to implement that philosophy by providing funds to activate many such television facilities. A third step, which may lie ahead, would be for the Federal Government to subsidize the operation of such facilities. Time alone can tell when and whether that step will be taken.

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APPENDIX

APPENDIX

A SELECTIVE LIST OF UNPUBLISHED THESES IN SPEECH AND BROADCASTING RELATIVE TO CONGRESSIONAL RHETORIC, BROADCASTING HISTORY, AND/OR THE EDUCATIONAL TELEVISION MOVEMENT¹

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¹Except as noted, all studies cited here were conducted to fulfill the Ph.D. requirements at the respective institutions designated.

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