

The Secretary may modify his findings as to the facts and order by reason of the additional evidence so taken, and shall file with the court such modified findings and order. The judgment of the court affirming or setting aside, in whole or in part, any order under this section shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 18 of the United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order. The court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this section."

Review by U.S.
Supreme Court.

SEC. 5. The first sentence of section 8.b. of said Act (61 Stat. 170; 7 U.S.C. 135f. (b)) is hereby amended by deleting that part beginning with the second proviso therein down to, but not including, the period at the end thereof.

Penalties.

SEC. 6. Section 3.a.(1) and section 9.a.(1)(b) of said Act (61 Stat. 166, 170; 7 U.S.C. 135a.(a)(1), 135g.(a)(1)(b)) are hereby amended by changing the phrase "has not been registered" wherever it appears therein, to read "is not registered".

SEC. 7. This Act and the amendments made hereby shall become effective upon enactment, and all existing registrations under protest issued under said Federal Insecticide, Fungicide, and Rodenticide Act shall thereupon terminate.

Effective date.
Termination of
certain existing
registrations.

Approved May 12, 1964.

Public Law 88-306

AN ACT

May 14, 1964
[S. 1193]

To amend section 309(e) of the Communications Act of 1934, as amended, to require that petitions for intervention be filed not more than thirty days after publication of the hearing issues in the Federal Register.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 309(e) of the Communications Act of 1934, as amended, is amended to read as follows:

Communications
Act of 1934,
amendment.
Petitions for
intervention.
74 Stat. 891.
47 USC 309.

"(e) If, in the case of any application to which subsection (a) of this section applies, a substantial and material question of fact is presented or the Commission for any reason is unable to make the finding specified in such subsection, it shall formally designate the application for hearing on the ground or reasons then obtaining and shall forthwith notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. When the Commission has so designated an application for hearing, the parties in interest, if any, who are not notified by the Commission of such action may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest not more than thirty days after publication of the hearing issues or any substantial amendment thereto in the Federal Register. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate. The burden of proceeding with the introduction of evidence and the burden of proof shall be upon the applicant, except that with respect to any issue presented by a petition to deny or a petition to enlarge the issues, such burdens shall be as determined by the Commission."

Approved May 14, 1964.