

79<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 63

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IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1946

Ordered to be printed with the amendments of the House of Representatives

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## AN ACT

To amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        ~~That the Communications Act of 1934, as amended, is~~  
4        ~~amended by inserting, after section 329 of such Act, a new~~  
5        ~~section as follows:~~

6        ~~“SEC. 330. It shall be unlawful for any person, or any~~  
7        ~~person representing an organization or group, to interfere~~  
8        ~~with, intimidate any person or persons, hinder, extort, delay,~~  
9        ~~prevent, or conspire with other persons for the purpose of~~  
10       ~~hindering, delaying, interfering with, or stopping the produc-~~

1 tion or transmission, by means of any radio station of any  
2 noncommercial education or cultural program presented by  
3 any academically accredited and tax-exempt educational in-  
4 stitution, prepared and planned for presentation by radio or  
5 in the process of being transmitted by radio stations, and it  
6 shall likewise be unlawful for any person as a part of a  
7 group or organization to threaten or intimidate any other  
8 person for the purpose of preventing by group action the  
9 operation of any broadcasting station while preparing for  
10 or in the operation of broadcasting such noncommercial edu-  
11 cational or cultural programs, unless such interference, work  
12 stoppage, or group action is part of a general action for other  
13 purposes and is of general and broader nature or purpose  
14 than to prevent or interfere with the broadcasting of such  
15 noncommercial educational and cultural programs: *Provided,*  
16 That such radio station or stations have agreed to broadcast  
17 such programs and that no service, money, or other valuable  
18 consideration is directly or indirectly paid or promised to,  
19 or charged or accepted by such station from any person for  
20 broadcasting or agreeing to broadcast such program and no  
21 service, money, or other valuable consideration is directly or  
22 indirectly paid or promised to, or charged or accepted by the  
23 persons producing or participating in such program from  
24 such station or from any commercial sponsor, for services  
25 rendered in producing or participating in such program.



1 persons, in connection with the conduct of the broad-  
2 casting business of such licensee, in excess of the number  
3 of employees needed by such licensee to perform actual  
4 services; or

5 “(3) to pay or agree to pay more than once for  
6 services performed in connection with the conduct of the  
7 broadcasting business of such licensee; or

8 “(4) to pay or give or agree to pay or give any  
9 money or other thing of value for services, in connec-  
10 tion with the conduct of the broadcasting business of such  
11 licensee, which are not to be performed; or

12 “(5) to refrain, or agree to refrain, from broadcast-  
13 ing or from permitting the broadcasting of a noncom-  
14 mercial educational or cultural program in connection  
15 with which the participants receive no money or other  
16 thing of value for their services, other than their actual  
17 expenses, and such licensee neither pays nor gives any  
18 money or other thing of value for the privilege of broad-  
19 casting such program nor receives any money or other  
20 thing of value on account of the broadcasting of such  
21 program; or

22 “(6) to refrain, or agree to refrain, from broad-  
23 casting or permitting the broadcasting of any radio com-  
24 munication originating outside the United States.

25 “(b) It shall be unlawful, by the use or express or

1 implied threat of the use of force, violence, intimidation  
2 or duress, or by the use or express or implied threat of  
3 the use of other means, to coerce, compel or constrain or  
4 attempt to coerce, compel or constrain a licensee or any  
5 other person—

6           “(1) to pay or agree to pay tribute for the privi-  
7       lege of, or on account of, producing, preparing, manu-  
8       facturing, selling, buying, renting, operating, using, or  
9       maintaining recordings, transcriptions, or mechanical,  
10      chemical, or electrical reproductions, or any other  
11      articles, equipment, machines, or materials, used or in-  
12      tended to be used in broadcasting or in the production,  
13      preparation, performance, or presentation of a program  
14      or programs for broadcasting; or

15           “(2) to accede to or impose any restriction upon  
16      such production, preparation, manufacture, sale, pur-  
17      chase, rental, operation, use, or maintenance, if such  
18      restriction is for the purpose of preventing or limiting  
19      the use of such articles, equipment, machines, or ma-  
20      terials in broadcasting or in the production, prepara-  
21      tion, performance, or presentation of a program or  
22      programs for broadcasting; or

23           “(3) to pay or agree to pay tribute on account  
24      of the broadcasting, by means of recordings or tran-  
25      scriptions, of a program previously broadcast, payment



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