

103^D CONGRESS
1ST SESSION

H. R. 352

To amend the Communications Act of 1934 to expand the broadcasting of information on election campaigns.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SLATTERY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to expand the broadcasting of information on election campaigns.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Campaign Information
5 Improvement Act”.

6 **SEC. 2. NONPREEMPTIBLE ADVERTISING; LOWEST UNIT**
7 **CHARGES.**

8 Section 315 of the Communications Act of 1934 (47
9 U.S.C. 315) is amended—

10 (1) in subsection (b)(1)—

1 (A) by striking “forty-five” and inserting
2 in lieu thereof “30”;

3 (B) by striking “sixty” and inserting in
4 lieu thereof “45”; and

5 (C) by striking “lowest unit charge of the
6 station for the same class and amount of time
7 for the same period” and insert “lowest charge
8 of the station for the same amount of time for
9 the same time of day and day of week”;

10 (2) by redesignating subsections (c) and (d) as
11 subsections (d) and (e), respectively;

12 (3) by inserting immediately after subsection
13 (b) the following new subsection:

14 “(c)(1) Except as provided in paragraph (2), a li-
15 censee shall not preempt the use, during any period speci-
16 fied in subsection (b)(1), of a broadcasting station by a
17 legally qualified candidate for public office who has pur-
18 chased and paid for such use pursuant to the provisions
19 of subsection (b)(1).

20 “(2) If a program to be broadcast by a broadcasting
21 station is preempted because of circumstances beyond the
22 control of the broadcasting station, any candidate adver-
23 tising spot scheduled to be broadcast during that program
24 may also be preempted.”; and

1 (4) in subsection (d) (as redesignated by para-
2 graph (2) of this section)—

3 (A) by striking “and” at the end of para-
4 graph (1);

5 (B) by striking the period at the end of
6 paragraph (2) and inserting “; and”; and

7 (C) by adding at the end thereof the fol-
8 lowing new paragraph:

9 “(3) a station’s lowest charge for purposes of
10 paragraph (1)—

11 “(A) with respect to a primary or primary
12 runoff election, is determined for the interval
13 beginning 60 days before such election and end-
14 ing on the date of that election; and

15 “(B) with respect to a general or special
16 election, is determined for the interval begin-
17 ning 90 days before such election and ending on
18 the date of that election.”.

19 **SEC. 3. FREE BROADCAST TIME FOR POLICY DEBATES.**

20 (a) **CONDITION OF LICENSE RENEWAL.**—Section
21 309(h) of the Communications Act of 1934 (47 U.S.C.
22 309(h)) is amended by inserting before the period at the
23 end thereof the following: “; and (4) every broadcast sta-
24 tion license issued under this Act shall be subject to the

1 free broadcast time obligations imposed by section
2 315(c)”.

3 (b) FREE-TIME OBLIGATIONS.—Section 315 of the
4 Communications Act of 1934 (47 U.S.C. 315) is amend-
5 ed—

6 (1) by redesignating subsections (c) and (d) as
7 subsections (d) and (e), respectively; and

8 (2) by inserting after subsection (b) the follow-
9 ing new subsection:

10 “(c)(1) Each license for a broadcasting station shall
11 annually make available free broadcast time for policy de-
12 bates in accordance with the requirements of this sub-
13 section. The Commission shall not renew the license of any
14 licensee who substantially fails or refuses to comply with
15 the requirements of this subsection, but such licensee shall
16 not be subject to any other sanction or remedy for such
17 failure or refusal.

18 “(2) A licensee subject to this subsection shall allot
19 free broadcast time for policy debates in accordance with
20 the following standards:

21 “(A) Such licensee shall allot not less than 30
22 minutes of free broadcast time during each even-
23 numbered year to—

24 “(i) the candidates for the House of Rep-
25 resentatives of each qualified political party for

1 any congressional district that falls within the
2 grade B contour of such stations signal; and

3 “(ii) the candidates for the Senate of each
4 qualified political party of the State within
5 which the preponderance of the station’s audi-
6 ence resides.

7 “(B) The broadcast time allotted by any li-
8 censee shall be allotted so that—

9 “(i) the broadcast is during the hours of 7
10 to 10 p.m. on weekdays; and

11 “(ii) the broadcast is during the four
12 weeks immediately preceding election day.

13 “(3) A political party shall be treated as a qualified
14 political party for purposes of paragraph (2) if the can-
15 didate for President of such party in the most recent presi-
16 dential election received more than 5 percent of the total
17 number of votes cast by individuals for that office.

18 “(4) A licensee allots free broadcast time as required
19 by this subsection by broadcasting the joint appearance
20 by each of the candidates described in paragraph (2)(A)
21 (i) or (ii) at a forum for the discussion of political issues,
22 or, if any such candidate refuses to so appear, the appear-
23 ance by the remainder of such candidates not refusing to
24 appear.

1 “(5) Nothing in this subsection, and no use of free
2 broadcast time allotted under this subsection, shall be con-
3 strued to restrict or otherwise affect the purchase of ad-
4 vertising time under subsection (b) of this section.”.

5 (c) FREE CABLE TIME.—Section 611 of the Commu-
6 nications Act of 1934 (47 U.S.C. 531) is amended—

7 (1) by redesignating subsection (f) as sub-
8 section (g); and

9 (2) by inserting after subsection (e) the follow-
10 ing new subsection:

11 “(f) A cable operator shall annually make available
12 free cable time for policy debates in accordance with the
13 requirements of regulations prescribed by the Commission.
14 Such regulations shall, to the extent practicable, require
15 each such cable operator to provide such free cable time
16 in the same amounts and manner, to the same candidates,
17 and subject to the same conditions as free broadcast time
18 is required to be provided by broadcast station licensees
19 under section 315(c) of this Act. No franchise authority
20 shall renew the franchise of any cable operator who sub-
21 stantially fails or refuses to comply with such regulations,
22 but such operator shall not be subject to any other sanc-
23 tion or remedy for such failure or refusal.”.

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