

mission or omission of such act, irrespective of any intent to violate any provision of this chapter or any rule or regulation of the Commission authorized by this chapter or by a treaty ratified by the United States.

(2) The term “repeated”, when used with reference to the commission or omission of any act, means the commission or omission of such act more than once or, if such commission or omission is continuous, for more than one day.

(g) Limitation on silent station authorizations

If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness. Any broadcast license revoked or terminated in Alaska in a proceeding related to broadcasting via translator, microwave, or other alternative signal delivery is reinstated.

(June 19, 1934, ch. 652, title III, §312, 48 Stat. 1086; July 16, 1952, ch. 879, §10, 66 Stat. 716; Pub. L. 86-752, §6, Sept. 13, 1960, 74 Stat. 893; Pub. L. 92-225, title I, §103(a)(2)(A), Feb. 7, 1972, 86 Stat. 4; Pub. L. 97-259, title I, §117, Sept. 13, 1982, 96 Stat. 1095; Pub. L. 104-104, title IV, §403(l), Feb. 8, 1996, 110 Stat. 132; Pub. L. 106-554, §1(a)(4) [div. B, title I, §148(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-251; Pub. L. 108-447, div. J, title IX [title II, §213(3)], Dec. 8, 2004, 118 Stat. 3431.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(4), (b), and (f)(1), was in the original “this Act”, meaning act June 19, 1934, ch. 652, 48 Stat. 1064, known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

CODIFICATION

In subsec. (e), “section 558(c) of title 5” substituted for “section 1008(b) of title 5” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

2004—Subsec. (g). Pub. L. 108-447 inserted before period at end “, except that the Commission may extend or reinstate such station license if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness. Any broadcast license revoked or terminated in Alaska in a proceeding related to broadcasting via translator, microwave, or other alternative signal delivery is reinstated”.

2000—Subsec. (a)(7). Pub. L. 106-554 inserted “, other than a non-commercial educational broadcast station,” after “use of a broadcasting station”.

1996—Subsec. (g). Pub. L. 104-104 added subsec. (g).

1982—Subsec. (f). Pub. L. 97-259 added subsec. (f).

1972—Subsec. (a)(7). Pub. L. 92-225 added par. (7).

1960—Subsecs. (a), (b). Pub. L. 86-752 inserted provisions referring to sections 1304, 1343 and 1464 of title 18.

1952—Act July 16, 1952, amended section generally to provide for revocation of licenses and permits only for

acts willfully and knowingly committed or for disregarding cease and desist orders, and to authorize the Commission to issue cease and desist orders.

REPEALS

Repeal of title I of Pub. L. 92-225, cited as a credit to this section, by Pub. L. 93-443, title II, §205(b), Oct. 15, 1974, 88 Stat. 1278, has been construed as not repealing the amendment to this section made by section 103(a)(2)(A) of such title I.

DECLINATION OF POLITICAL ADVERTISING BY
EDUCATIONAL BROADCAST STATIONS

Pub. L. 106-554, §1(a)(4) [div. B, title I, §148(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A-251, provided that: “The Federal Communications Commission shall take no action against any non-commercial educational broadcast station which declines to carry a political advertisement.”

§312a. Revocation of operator’s license used in unlawful distribution of controlled substances

The Federal Communications Commission may revoke any private operator’s license issued to any person under the Communications Act of 1934 (47 U.S.C. 151 et seq.) who is found to have willfully used said license for the purpose of distributing, or assisting in the distribution of, any controlled substance in violation of any provision of Federal law. In addition, the Federal Communications Commission may, upon the request of an appropriate Federal law enforcement agency, assist in the enforcement of Federal law prohibiting the use or distribution of any controlled substance where communications equipment within the jurisdiction of the Federal Communications Commission under the Communications Act of 1934 is willfully being used for purposes of distributing, or assisting in the distribution of, any such substance.

(Pub. L. 99-570, title III, §3451, Oct. 27, 1986, 100 Stat. 3207-103.)

REFERENCES IN TEXT

The Communications Act of 1934, referred to in text, is act June 19, 1934, ch. 652, 48 Stat. 1064, as amended, which is classified principally to this chapter (§151 et seq.). For complete classification of this Act to the Code, see section 609 of this title and Tables.

CODIFICATION

Section was enacted as part of the Anti-Drug Abuse Act of 1986, and also as part of the National Drug Interdiction Improvement Act of 1986, and not as part of the Communications Act of 1934 which comprises this chapter.

§313. Application of antitrust laws to manufacture, sale, and trade in radio apparatus

(a) Revocation of licenses

All laws of the United States relating to unlawful restraints and monopolies and to combinations, contracts, or agreements in restraint of trade are declared to be applicable to the manufacture and sale of and to trade in radio apparatus and devices entering into or affecting interstate or foreign commerce and to interstate or foreign radio communications. Whenever in any suit, action, or proceeding, civil or criminal, brought under the provisions of any of said laws or in any proceedings brought to enforce or to