

vision station elects under paragraph (3)(C) to exercise its right to grant retransmission consent under this subsection with respect to a satellite carrier, section 338 of this title shall not apply to the carriage of the signal of such station by such satellite carrier.”

Subsec. (b)(5). Pub. L. 106-113, §1000(a)(9) [title I, §1009(a)(4)], substituted “338, 534, or 535 of this title” for “534 or 535 of this title”.

Subsec. (b)(7). Pub. L. 106-113, §1000(a)(9) [title I, §1009(a)(5)], added par. (7).

Subsec. (e). Pub. L. 106-113, §1000(a)(9) [title I, §1009(b)], added subsec. (e).

1992—Subsecs. (b) to (d). Pub. L. 102-385 added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-175 effective Feb. 27, 2010, see section 307(a) of Pub. L. 111-175, set out as a note under section 111 of Title 17, Copyrights.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-385, §28, Oct. 5, 1992, 106 Stat. 1503, provided that: “Except where otherwise expressly provided, the provisions of this Act [enacting sections 334, 335, 534 to 537, 544a, 548, and 555a of this title, amending this section and sections 332, 522, 532, 533, 541 to 544, 546, 551 to 555, and 558 of this title, and enacting provisions set out as notes under sections 521, 531, 543, and 554 of this title] and the amendments made thereby shall take effect 60 days after the date of enactment of this Act [Oct. 5, 1992].”

REGULATIONS

Pub. L. 113-200, title I, §103(e), Dec. 4, 2014, 128 Stat. 2062, provided that: “Not later than 9 months after the date of the enactment of this Act [Dec. 4, 2014], the [Federal Communications] Commission shall promulgate regulations to implement the amendments made by this section [amending this section].”

Pub. L. 108-447, div. J, title IX [title II, §207(b)], Dec. 8, 2004, 118 Stat. 3428, provided that: “The Federal Communications Commission shall prescribe regulations to implement the amendment made by subsection (a)(5) [amending this section] within 180 days after the date of enactment of this Act [Dec. 8, 2004].”

SAVINGS CLAUSE REGARDING DEFINITIONS

Pub. L. 111-175, title II, §208, May 27, 2010, 124 Stat. 1254, provided that: “Nothing in this title [enacting section 342 of this title, amending this section and sections 335 and 338 to 340 of this title, and enacting provisions set out as notes under sections 338 and 340 of this title] or the amendments made by this title shall be construed to affect—

“(1) the meaning of the terms ‘program related’ and ‘primary video’ under the Communications Act of 1934 [47 U.S.C. 151 et seq.]; or

“(2) the meaning of the term ‘multicast’ in any regulations issued by the Federal Communications Commission.”

SEVERABILITY

Pub. L. 106-113, div. B, §1000(a)(9) [title I, §1010], Nov. 29, 1999, 113 Stat. 1536, 1501A-543, provided that: “If any provision of section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)), or the application of that provision to any person or circumstance, is held by a court of competent jurisdiction to violate any provision of the Constitution of the United States, then the other provisions of that section, and the application of that provision to other persons and circumstances, shall not be affected.”

GOOD FAITH

Pub. L. 113-200, title I, §103(c), Dec. 4, 2014, 128 Stat. 2062, provided that: “Not later than 9 months after the date of the enactment of this Act [Dec. 4, 2014], the

[Federal Communications] Commission shall commence a rulemaking to review its totality of the circumstances test for good faith negotiations under clauses (ii) and (iii) of section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)).”

DIGITAL TRANSITION SAVINGS PROVISION

Pub. L. 108-447, div. J, title IX [title II, §212], Dec. 8, 2004, 118 Stat. 3431, provided that: “Nothing in the dates by which requirements or other provisions are effective under this Act [probably means title IX of div. J of Pub. L. 108-447, see Short Title of 2004 Amendment note set out under section 101 of Title 17, Copyrights] or the amendments made by this Act shall be construed—

“(1) to impair the authority of the Federal Communications Commission to take any action with respect to the transition by television broadcasters to the digital television service; or

“(2) to require the Commission to take any such action.”

§ 326. Censorship

Nothing in this chapter shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication.

(June 19, 1934, ch. 652, title III, §326, 48 Stat. 1091; June 25, 1948, ch. 645, §21, 62 Stat. 862.)

REFERENCES IN TEXT

This chapter, referred to in text, 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.

AMENDMENTS

1948—Act June 25, 1948, repealed last sentence relating to use of indecent language. See section 1464 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF 1948 AMENDMENT

Amendment by act June 25, 1948, effective as of Sept. 1, 1948, see section 20 of that act.

§ 327. Naval stations; use for commercial messages; rates

The Secretary of the Navy is authorized, unless restrained by international agreement, under the terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the control of the Navy Department, (a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages between ships, between ship and shore, between localities in Alaska and between Alaska and the continental United States: *Provided*, That the rates fixed for the reception and transmission of all such messages, other than press messages be-