

112TH CONGRESS
1ST SESSION

H. R. 1076

To prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2011

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

A BILL

To prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

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. PROHIBITION ON FEDERAL FUNDING OF NA-**
4 **TIONAL PUBLIC RADIO AND RADIO CONTENT**
5 **ACQUISITION.**

6 (a) IN GENERAL.—No Federal funds may be made
7 available—

8 (1) to an organization that is incorporated as of
9 the date of the enactment of this Act for each of the

1 purposes described in subsection (c), or to any suc-
2 cessor organization;

3 (2) for payment of dues to an organization de-
4 scribed in paragraph (1); or

5 (3) for the acquisition of radio programs (in-
6 cluding programs to be distributed or disseminated
7 over the Internet) by or for the use of a radio broad-
8 cast station that is a public broadcast station (as de-
9 fined in section 397(6) of the Communications Act
10 of 1934 (47 U.S.C. 397(6))).

11 (b) RULES OF CONSTRUCTION.—

12 (1) OTHER PURPOSES.—Paragraphs (2) and
13 (3) of subsection (a) shall not be construed to pro-
14 hibit the making available of Federal funds to any
15 entity, including an entity that engages in the pay-
16 ment described in such paragraph (2) or the acquisi-
17 tion described in such paragraph (3), for purposes
18 other than such payment or acquisition.

19 (2) RADIO CONTENT ACQUISITION BY BROAD-
20 CASTING BOARD OF GOVERNORS OR DEFENSE MEDIA
21 ACTIVITY.—Subsection (a)(3) shall not be construed
22 to apply to the acquisition of radio programs by the
23 Broadcasting Board of Governors or the Defense
24 Media Activity.

1 (c) PURPOSES DESCRIBED.—The purposes described
2 in this subsection are the following:

3 (1) To propose, plan and develop, to acquire,
4 purchase and lease, to prepare, produce and record,
5 and to distribute, license and otherwise make avail-
6 able radio programs to be broadcast over non-
7 commercial educational radio broadcast stations,
8 networks and systems.

9 (2) To engage in research study activities with
10 respect to noncommercial educational radio pro-
11 gramming and broadcasting.

12 (3) To lease, purchase, acquire and own, to
13 order, have, use and contract for, and to otherwise
14 obtain, arrange for and provide technical equipment
15 and facilities for the production, recording and dis-
16 tribution of radio programs for broadcast over non-
17 commercial educational radio stations, networks and
18 systems.

19 (4) To establish and maintain one or more serv-
20 ice or services for the production, duplication, pro-
21 motion and circulation of radio programs on tape,
22 cassettes, records or any other means or mechanism
23 suitable for noncommercial educational transmission
24 and broadcast thereof.

1 (5) To cooperate and participate with foreign
2 broadcasting systems and networks in all aspects of
3 international radio programming and broadcasting.

4 (6) To develop, prepare and publish informa-
5 tion, data, reports and other materials in support of
6 or relating to noncommercial educational radio pro-
7 gramming and broadcasting.

8 (7) To otherwise forward and advance the de-
9 velopment, production, distribution and use of non-
10 commercial educational radio programs, materials
11 and services, and to assist and support noncommer-
12 cial educational radio broadcasting pursuant to the
13 Public Broadcasting Act of 1967, as it may from
14 time to time be amended.

15 (d) FEDERAL FUNDS DEFINED.—

16 (1) IN GENERAL.—In this section, the term
17 “Federal funds” means, with respect to receipt by a
18 non-Federal entity from the Federal Government,
19 the following:

20 (A) Grants.

21 (B) Loans.

22 (C) Property.

23 (D) Cooperative agreements.

24 (E) Direct appropriations.

1 (2) GRANTS OR SUBGRANTS FROM NON-FED-
2 ERAL ENTITY.—Such term also includes grants or
3 subgrants from Federal funds made available to a
4 non-Federal entity.

5 (e) CHANGES TO FUNDING FORMULA.—Section
6 396(k)(3)(A) of the Communications Act of 1934 (47
7 U.S.C. 396(k)(3)(A)) is amended—

8 (1) in clause (iii), by striking “fiscal year” and
9 all that follows and inserting “fiscal year, such
10 amounts shall be available for distribution among
11 the licensees and permittees of public radio stations
12 pursuant to paragraph (6)(B).”; and

13 (2) in clause (v)(II), by striking “clause (ii)(II)
14 and (III)” and inserting “clause (iii)”.

15 (f) CONFORMING AMENDMENTS.—Section 396 of the
16 Communications Act of 1934 (47 U.S.C. 396) is amend-
17 ed—

18 (1) in subsection (g)(2)—

19 (A) in the matter before clause (i) of sub-
20 paragraph (B), by inserting “(except for the ac-
21 quisition of radio programs)” after “public tele-
22 communications services”; and

23 (B) in subparagraph (C), by inserting
24 “(except for the acquisition of radio programs)”
25 after “public telecommunications services”;

1 (2) in subsection (k)—

2 (A) in the 1st sentence of paragraph

3 (3)(B)(i)—

4 (i) by striking “and subparagraph
5 (A)(iii)(II)”;

6 (ii) by striking “or radio”;

7 (B) in the 3rd sentence of paragraph
8 (6)(B), by striking “paragraph (3)(A)(iii)(I)”
9 and inserting “paragraph (3)(A)(iii)”;

10 (C) in paragraph (7)—

11 (i) by striking “(iii)(I)” and inserting
12 “(iii)”;

13 (ii) by inserting “(except for the ac-
14 quisition of radio programming)” before
15 the period at the end; and

16 (3) in subsection (l)(4)—

17 (A) in the matter before clause (i) of sub-
18 paragraph (B), by striking “(iii)(II)” and in-
19 serting “(iii)”;

20 (B) in subparagraph (C), by striking “sub-
21 section (k)(3)(A)(iii)(III)” and inserting “sub-
22 section (k)(3)(A)(iii)”;

23 (C) in subparagraph (D), by striking “sub-
24 section (k)(3)(A) (ii)(III) or (iii)(II)” and in-

- 1 serting “subsection (k)(3)(A)(ii)(II) or sub-
- 2 section (k)(3)(A)(iii)”.

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