

104TH CONGRESS  
2D SESSION

# H. R. 3334

To amend the Communications Act of 1934 to require broadcasters to participate in drug and substance abuse information and education efforts as a part of their public service obligations.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 1996

Mr. MICA (for himself, Mr. RANGEL, Mr. SOUDER, and Mr. ZELIFF) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend the Communications Act of 1934 to require broadcasters to participate in drug and substance abuse information and education efforts as a part of their public service obligations.

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. FINDINGS.**

4       The Congress finds that—

5               (1) television broadcasters are required to serve  
6       the public interest, convenience, and necessity be-  
7       cause their medium of communication, the electronic  
8       spectrum, is a scarce public resource;

1           (2) television has a great impact on American  
2 society, often more than family life, school, or reli-  
3 gious institutions;

4           (3) current drug abuse prevention and edu-  
5 cation efforts have failed to curb the demand for de-  
6 structive and ruinous illicit drugs because we are not  
7 taking full advantage of our most effective medium,  
8 television;

9           (4) there are approximately 7,000 drug abuse  
10 related deaths, and 400,000 drug-related accidents  
11 reported in the United States every year;

12           (5) 49 percent of all State prison inmates re-  
13 ported that their crimes were committed while under  
14 the influence of illicit drugs or alcohol, or both;

15           (6) intravenous drug use is the second leading  
16 cause of existing HIV infection cases, and the lead-  
17 ing direct and indirect cause of new HIV cases;

18           (7) 64 percent of all child abuse cases involve  
19 illicit drug use;

20           (8) 20 percent of all newborn children in the  
21 United States have been exposed to illicit drugs;

22           (9) the Federal Government spends over  
23 \$13,000,000,000 per year on drug-related domestic  
24 law enforcement, international border control, drug  
25 treatment programs, and demand reduction efforts;

1 (10) \$50,000,000,000 worth of illicit drugs are  
2 sold in the United States each year;

3 (11) in 1991, students in grades 6 through 12  
4 spent \$276,000,000 on cocaine, \$343,000,000 on  
5 marijuana, and \$32,000,000 on other illicit sub-  
6 stances;

7 (12) it is cheaper and more effective to prevent  
8 people from using drugs in the first place, or to stop  
9 early experimentation before drug use progresses to  
10 dependency, than it is to treat an addict or incarcer-  
11 ate drug users;

12 (13) reducing the future demand for drugs is  
13 widely acknowledged as the key to solving our Na-  
14 tion's drug crisis; and

15 (14) therefore, the Federal Government, acting  
16 on behalf of the people, and in the interest of na-  
17 tional security, has a right to require broadcasters to  
18 dedicate a portion of their commercial airtime to ad-  
19 dressing this matter of urgent national concern.

20 **SEC. 2. AMENDMENT TO THE COMMUNICATIONS ACT OF**  
21 **1934.**

22 Section 311 of the Communications Act of 1934 is  
23 amended by adding at the end the following new sub-  
24 section:

1       “(e)(1) As part of its obligations to ensure that  
2 broadcast licenses are issued consistent with the public in-  
3 terest, convenience, and necessity, the Commission shall,  
4 in its review of any application for renewal of a commer-  
5 cial or noncommercial television broadcast license, con-  
6 sider the extent to which the licensee has participated in  
7 efforts to educate and inform the public as to the dangers  
8 of drug and substance abuse and appropriate methods for  
9 obtaining treatment. The Commission shall not find that  
10 a renewal of such a license is consistent with the public  
11 interest, convenience, and necessity unless the applicant  
12 demonstrates that the station has broadcast public service  
13 announcements concerning drug and substance abuse and  
14 treatment during each hour of its broadcasting day, and  
15 that the duration of such announcements is equal to not  
16 less than 5 percent of the duration of the commercial ad-  
17 vertisements broadcast by that station during that hour.

18       “(2) The Commission shall, in each annual report  
19 submitted under section 4(k) after the date of enactment  
20 of this subsection, include an analysis of broadcasters’  
21 progress in meeting the requirements of this subsection.  
22 Such report shall include statistics concerning the propor-  
23 tion of broadcast time devoted to public service announce-

1 ments generally, and to meeting the requirements of this  
2 subsection.”.

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