

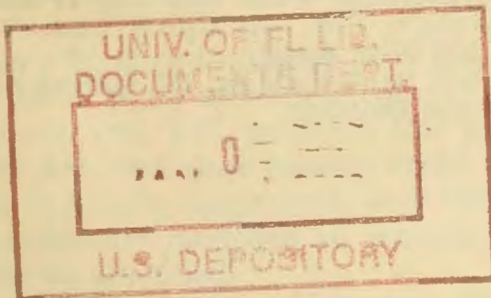
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION**


FOR THE

**RADIO BROADCASTING
INDUSTRY**

AS APPROVED ON MARCH 23, 1935



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Approved Code No. 129—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

RADIO BROADCASTING INDUSTRY

As Approved on March 23, 1935

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE RADIO BROADCASTING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of amendment to the Code of Fair Competition for the Radio Broadcasting Industry, which amendment is annexed hereto, and opportunity to be heard having been afforded to all members of said Industry, and the Deputy Administrator having rendered his report containing an analysis of the said amendment, together with his findings and recommendations with respect thereto, which said report, recommendations and findings are annexed hereto:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise, does hereby approve and adopt the said report, recommendations and findings, and does further find that said amendment and the Code as constituted, after being amended, comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said annexed amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

SOL A. ROSENBLATT,
Division Administrator.

WASHINGTON, D. C.,
March 23, 1935.

REPORT TO THE NATIONAL INDUSTRIAL RECOVERY BOARD

NATIONAL INDUSTRIAL RECOVERY BOARD,
National Recovery Administration,
Washington, D. C.

GENTLEMEN: This is a report on a proposed amendment to the Code of Fair Competition for the Radio Broadcasting Industry. An application was duly made by the Code Authority on behalf of the Industry for approval of the amendment, and opportunity to be heard was afforded to all members of the Industry.

The purpose of the amendment is to authorize the Code Authority, upon approval of the National Industrial Recovery Board, to incur and pay necessary obligations and to secure equitable contributions from members of the Industry for the support of administering the Code.

The amendment is administrative in nature and is proposed as a substitute for Article VI, Section 8 of the Code, which was designed to provide the Code Authority with a means of raising revenue to support the administration of the Code. However, this Section is couched in vague and uncertain language and it was deemed advisable by the Code Authority to submit this proposed amendment.

The Industry is composed of 550 members and there are approximately 10,000 employees. In order to properly administer the various provisions of the Code, it is necessary that the Code Authority incur reasonable obligations and raise funds with which to meet these obligations. It is desirable that the Code Authority continue with the administration of the Code since the Code and the administration of it by the Code Authority effectuates the purposes and policies of Title I of the National Industrial Recovery Act.

I find in conclusion that the amendment which is attached hereto was duly submitted by the Code Authority in conformity with Article VI, Section 10, Subsection (i) of the Code of Fair Competition for the Radio Broadcasting Industry and that said amendment complies in all respects with the pertinent provisions of Title I of the National Industrial Recovery Act, and that the amendment is well designed to effectuate the policies set forth in Title I of the Act.

I therefore recommend to the National Industrial Recovery Board the approval of the said amendment to the Code of Fair Competition for the Radio Broadcasting Industry.

Respectfully,

WILLIAM P. FARNSWORTH,
Deputy Administrator.

Approved:

SOL A. ROSENBLATT,
Division Administrator.

MARCH 22, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE RADIO BROADCASTING INDUSTRY

Amend article VI—Delete the present Section 8 and insert in lieu thereof the following new sections to be known as Section 8 (a), Section 8 (b) and Section 8 (c):

8 (a) It being found necessary in order to support the administration of this Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authority is authorized:

(1) To incur such reasonable obligations as are necessary and proper for the foregoing purposes and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code;

(2) To submit to the National Industrial Recovery Board, for its approval, subject to such notice and opportunity to be heard as it may deem necessary, (1) an itemized budget of its estimate expenses for the foregoing purposes, and, (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;


(3) After such budget and basis of contribution have been approved by the National Industrial Recovery Board to determine and obtain equitable contributions as above set forth by all members of the Industry and to that end, if necessary, to institute legal proceedings therefor in its own name.

8 (b) Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority determined as hereinabove provided and subject to rules and regulations pertaining thereto issued by the National Industrial Recovery Board. Only members of the Industry complying with the Code and contributing to the expenses of the administration, as hereinabove provided, (unless duly exempted from making such contribution), shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

8 (c) The Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the total amount contained in the approved budget, except upon approval of the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item or expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved.

Amend Articles VI, Section 10 by deleting subsections (f) and (g) and re-designate the subsequent subsections (h) and (i) as subsections (f) and (g) respectively.

Approved Code No. 129—Amendment No. 1.
Registry No. 742-09.



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