

# Union Calendar No. 66

97TH CONGRESS  
1ST SESSION

# H. R. 3239

[Report No. 97-84]

To amend the Communications Act of 1934 to authorize appropriations for the administration of such Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1981

Mr. WIRTH (for himself, Mr. COLLINS of Texas, Mr. MOTTL, Mr. SCHEUER, Mr. MARKEY, Mr. TAUZIN, and Mr. RINALDO) introduced the following bill; which was referred to the Committee on Energy and Commerce

MAY 19, 1981

Additional sponsors: Mrs. COLLINS of Illinois, Mr. LUKEN, and Mr. SWIFT

MAY 19, 1981

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert in lieu thereof the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 10, 1981]

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## A BILL

To amend the Communications Act of 1934 to authorize appropriations for the administration of such Act, and for other purposes.



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*IMPOSITION OF FEES*

2

*SEC. 3. Title IV of the Communications Act of 1934*  
*(47 U.S.C. 401 et seq.) is amended by adding at the end*  
*thereof the following new section:*

5

*"IMPOSITION OF FEES*

6

*"SEC. 417. (a)(1) The Commission shall impose a fee*  
*upon any person regulated by the Commission under this*  
*Act. Such fee shall be based upon—*

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*"(A) in the case of a license application, any*  
*costs incurred by the Commission in connection with*  
*processing such application;*

12

*"(B) in the case of a tariff filed by a common*  
*carrier, any costs incurred by the Commission as a*  
*result of such filing;*

15

*"(C) in the case of any application for a con-*  
*struction permit, for an equipment approval or authori-*  
*zation, or for any certification issued by the Commis-*  
*sion, and in the case of any petition for the waiver of*  
*any rule or for other relief, any costs incurred by the*  
*Commission as a result of any such application or pe-*  
*tition; and*

22

*"(D) any costs incurred by the Commission*  
*which are directly or indirectly attributable to the reg-*  
*ulation of such person, including the cost of providing*

24

1       *any service necessarily rendered by the Commission to*  
2       *a license applicant as a result of such application.*

3       “(2) *No portion of the fee specified in paragraph (1)*  
4       *may be based upon—*

5               “(A) *the value to the person involved of any li-*  
6       *cence issued to such person by the Commission or any*  
7       *service performed for such person by the Commission;*

8               “(B) *any public policy assessment made by the*  
9       *Commission with respect to the regulation of such*  
10       *person; or*

11               “(C) *any estimate by the Commission of the*  
12       *value to the general public which results from the regu-*  
13       *lation of such person.*

14       “(3) *The total amount of funds which the Commission*  
15       *may receive through the imposition of fees under this subsec-*  
16       *tion for any fiscal year may not exceed 50 percent of the*  
17       *amount appropriated by the Congress under section 6 for*  
18       *such fiscal year.*

19       “(b) *The Commission may waive the fee specified in*  
20       *subsection (a), in the case of governmental entities, public*  
21       *telecommunications entities, and noncommercial users of the*  
22       *electromagnetic spectrum, if the Commission determines that*  
23       *any such waiver is in the public interest. The Commission*  
24       *also may waive any such fee which is less than \$100.*



1       (2) *Such uniform system shall require that each*  
2 *common carrier shall maintain a system of accounting meth-*  
3 *ods, procedures, and techniques (including accounts and sup-*  
4 *porting records and memoranda) which shall ensure a proper*  
5 *allocation of all costs to and among telecommunications serv-*  
6 *ices, facilities, and products (and to and among classes of*  
7 *such services, facilities, and products) which are developed,*  
8 *manufactured, or offered by such common carrier.*

9       (b) *The Commission shall submit a report to each*  
10 *House of the Congress not later than one year after the date*  
11 *of the enactment of this Act. Such report shall include a sum-*  
12 *mary of actions taken by the Commission in connection with*  
13 *the rulemaking proceeding specified in subsection (a), togeth-*  
14 *er with such other information as the Commission considers*  
15 *appropriate.*

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