

Public Law 101-239
101st Congress
[H.R. 3299]

An Act

To provide for reconciliation pursuant to section 5 of the concurrent resolution on the budget for the fiscal year 1990.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Omnibus Budget Reconciliation Act of 1989".

SEC. 2. TABLE OF CONTENTS.

Title I—Agriculture and related programs.
Title II—Student loan and pension fiduciary amendments.
Title III—Regulatory agency fees.
Title IV—Civil service and postal service programs.
Title V—Veterans programs.
Title VI—Medicare, medicaid, maternal and child health, and other health provisions.
Title VII—Revenue provisions.
Title VIII—Human resource and income security provisions.
Title IX—Offshore oil pollution compensation fund.
Title X—Miscellaneous and technical Social Security Act amendments.
Title XI—Miscellaneous.

TITLE I—AGRICULTURE AND RELATED PROGRAMS

SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This title may be cited as the "Agricultural Reconciliation Act of 1989".

(b) **TABLE OF CONTENTS.**—The table of contents is as follows:

Sec. 1001. Short title; table of contents.
Sec. 1002. Soybean, sunflower, and safflower planting program; feed grain acreage limitation program.
Sec. 1003. Reduction of deficiency payments for 1990 crops.
Sec. 1004. Repayment of advance deficiency payments.
Sec. 1005. Reduction of expenditures under the export enhancement program and for targeted export assistance.
Sec. 1006. Purchases of Financial Assistance Corporation stock by Farm Credit System institutions.
Sec. 1007. Adjustments in dairy price support program.

SEC. 1002. SOYBEAN, SUNFLOWER, AND SAFFLOWER PLANTING PROGRAM; FEED GRAIN ACREAGE LIMITATION PROGRAM.

(a) **PLANTING OF SOYBEANS, SUNFLOWERS, AND SAFFLOWERS ON PERMITTED ACREAGE.**—Effective only for the 1990 crops, subsection (e) of section 504 of the Agricultural Act of 1949 (7 U.S.C. 1464(e)) is amended to read as follows:

“(e) Notwithstanding any other provision of this Act—

TITLE III—REGULATORY AGENCY FEES**Subtitle A—Federal Communications
Commission Fees and Penalties****SEC. 3001. FEDERAL COMMUNICATIONS COMMISSION FEES.**

(a) **UPDATE OF FEE SCHEDULE.**—Section 8 of the Communications Act of 1934 (47 U.S.C. 158) is amended by adding at the end thereof the following:

“(g) Until modified pursuant to subsection (b) of this section, the Schedule of Charges which the Federal Communications Commission shall prescribe pursuant to subsection (a) of this section shall be as follows:

“SCHEDULE OF CHARGES

Service	Fee amount
PRIVATE RADIO SERVICES	
1. Marine Coast Stations	
a. New License (per station)	\$70.00
b. Modification of License (per station)	70.00
c. Renewal of License (per station)	70.00
d. Special Temporary Authority (Initial, Modifications, Extensions)	100.00
e. Assignments (per station)	70.00
f. Transfers of Control (per station)	85.00
g. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
2. Ship Stations	
a. New License (per application)	35.00
b. Modification of License (per application)	35.00
c. Renewal of License (per application)	35.00
d. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
3. Operational Fixed Microwave Stations	
a. New License (per station)	155.00
b. Modification of License (per station)	155.00
c. Renewal of License (per station)	155.00
d. Special Temporary Authority (Initial, Modifications, Extensions)	35.00
e. Assignments (per station)	155.00
f. Transfers of Control (per station)	85.00
g. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
4. Aviation (Ground Stations)	
a. New License (per station)	70.00
b. Modification of License (per station)	70.00
c. Renewal of License (per station)	70.00
d. Special Temporary Authority (Initial, Modifications, Extensions)	100.00
e. Assignments (per station)	70.00
f. Transfers of Control (per station)	85.00
g. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
5. Aircraft Stations	
a. New License (per application)	35.00
b. Modification of License (per application)	35.00
c. Renewal of License (per application)	35.00
d. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
6. Land Mobile Radio Stations (including Special Emergency and Public Safety Stations)	
a. New License (per call sign)	85.00

b. Modification of License (per call sign).....	35.00
c. Renewal of License (per call sign).....	35.00
d. Special Temporary Authority (Initial, Modifications, Extensions)....	35.00
e. Assignments (per station).....	35.00
f. Transfers of Control (per call sign).....	35.00
g. Request for Waiver	
(i) Routine (per request).....	105.00
(ii) Non-Routine (per rule section/per station).....	105.00
h. Reinstatement (per call sign).....	35.00
i. Specialized Mobile Radio Systems-Base Stations	
(i) New License (per call sign).....	35.00
(ii) Modification of License (per call sign).....	35.00
(iii) Renewal of License (per call sign).....	35.00
(iv) Waiting List (annual charge per application).....	35.00
(v) Special Temporary Authority (Initial, Modifications, Extensions).....	35.00
(vi) Assignments (per call sign).....	35.00
(vii) Transfers of Control (per call sign).....	35.00
(viii) Request for Waiver	
(1) Routine (per request).....	105.00
(2) Non-Routine (per rule section/per station).....	105.00
(ix) Reinstatements (per call sign).....	35.00
j. Private Carrier Licenses	
(i) New License (per call sign).....	35.00
(ii) Modification of License (per call sign).....	35.00
(iii) Renewal of License (per call sign).....	35.00
(iv) Special Temporary Authority (Initial, Modifications, Extensions).....	35.00
(v) Assignments (per call sign).....	35.00
(vi) Transfers of Control (per call sign).....	35.00
(vii) Request for Waiver	
(1) Routine (per request).....	105.00
(2) Non-Routine (per rule section/per station).....	105.00
(viii) Reinstatements (per call sign).....	35.00
7. General Mobile Radio Service	
a. New License (per call sign).....	35.00
b. Modifications of License (per call sign).....	35.00
c. Renewal of License (per call sign).....	35.00
d. Request for Waiver	
(i) Routine (per request).....	105.00
(ii) Non-Routine (per rule section/per station).....	105.00
e. Special Temporary Authority (Initial, Modifications, Extensions)....	35.00
f. Transfer of control (per call sign).....	35.00
8. Restricted Radiotelephone Operator Permit.....	35.00
9. Request for Duplicate Station License (all services).....	35.00
10. Hearing (Comparative, New, and Modifications).....	6,760.00

EQUIPMENT APPROVAL SERVICES/EXPERIMENTAL RADIO

1. Certification	
a. Receivers (except TV and FM receivers).....	285.00
b. All Other Devices.....	785.00
c. Modifications and Class II Permissive Changes.....	35.00
d. Request for Confidentiality.....	105.00
2. Type Acceptance	
a. All Devices.....	370.00
b. Modifications and Class II Permissive Changes.....	35.00
c. Request for Confidentiality.....	105.00
3. Type Approval (all devices)	
a. With Testing (including Major Modifications).....	1,465.00
b. Without Testing (including Minor Modifications).....	170.00
c. Request for Confidentiality.....	105.00
4. Notifications.....	115.00
5. Advance Approval for Subscription TV System.....	2,955.00
a. Request for Confidentiality.....	105.00
6. Assignment of Grantee Code for Equipment Identification.....	35.00
7. Experimental Radio Service	
a. New Construction Permit and Station Authorization (per application).....	35.00
b. Modification to Existing Construction Permit and Station Authorization (per application).....	35.00
c. Renewal of Station Authorization (per application).....	35.00

d. Assignment or Transfer of Control (per application).....	35.00
e. Special Temporary Authority (per application).....	35.00
f. Additional Charge for Applications Containing Requests to Withhold Information From Public Inspection (per application).....	35.00

MASS MEDIA SERVICES

1. Commercial TV Stations	
a. New or Major Change Construction Permits.....	2,535.00
b. Minor Change.....	565.00
c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal).....	6,760.00
d. License.....	170.00
e. Assignment or Transfer	
(i) Long Form (Forms 314/315).....	565.00
(ii) Short Form (Form 316).....	80.00
f. Renewal.....	100.00
g. Call Sign (New or Modification).....	55.00
h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
i. Extension of Time to Construct or Replacement of CP.....	200.00
j. Permit to Deliver Programs to Foreign Broadcast Stations.....	55.00
k. Petition for Rulemaking for New Community of License.....	1,565.00
l. Ownership Report (per report).....	35.00
2. Commercial Radio Stations	
a. New and Major Change Construction Permit	
(i) AM Station.....	2,255.00
(ii) FM Station.....	2,030.00
b. Minor Change	
(i) AM Station.....	565.00
(ii) FM Station.....	565.00
c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal).....	6,760.00
d. License	
(i) AM.....	370.00
(ii) FM.....	115.00
(iii) AM Directional Antenna.....	425.00
(iv) FM Directional Antenna.....	355.00
(v) AM Remote Control.....	35.00
e. Assignment or Transfer	
(i) Long Form (Forms 314/315).....	565.00
(ii) Short Form (Form 316).....	80.00
f. Renewal.....	100.00
g. Call Sign (New or Modification).....	55.00
h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
i. Extension of Time to Construct or Replacement of CP.....	200.00
j. Permit to Deliver Programs to Foreign Broadcast Stations.....	55.00
k. Petition for Rulemaking for New Community of License or Higher Class Channel.....	1,565.00
l. Ownership Report (per report).....	35.00
3. FM Translators	
a. New or Major Change Construction Permit.....	425.00
b. License.....	85.00
c. Assignment or Transfer.....	80.00
d. Renewal.....	35.00
e. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
4. TV Translators and LPTV Stations	
a. New or Major Change Construction Permit.....	425.00
b. License.....	85.00
c. Assignment or Transfer.....	80.00
d. Renewal.....	35.00
e. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
5. Auxiliary Services (Includes Remote Pickup stations, TV Auxiliary Broadcast stations, Aural Broadcast STL and Intercity Relay stations, and Low Power Auxiliary stations)	
a. Major Actions.....	85.00
b. Renewals.....	85.00
c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00

6. FM/TV Boosters	
a. New and Major Change Construction Permits.....	425.00
b. License.....	85.00
c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
7. International Broadcast Station	
a. New Construction Permit and Facilities Change CP.....	1,705.00
b. License.....	385.00
c. Assignment or Transfer (per station).....	60.00
d. Renewal.....	95.00
e. Frequency Assignment and Coordination (per frequency hour).....	35.00
f. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
8. Cable Television Service	
a. Cable Television Relay Service	
(i) Construction Permit.....	155.00
(ii) Assignment or Transfer.....	155.00
(iii) Renewal.....	155.00
(iv) Modification.....	155.00
(v) Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
b. Cable Special Relief Petition.....	790.00
c. 76.12 Registration Statement (per statement).....	35.00
d. Aeronautical Frequency Usage Notifications (per notice).....	35.00
e. Aeronautical Frequency Usage Waivers (per waiver).....	35.00
9. Direct Broadcast Satellite	
a. New or Major Change Construction Permit	
(i) Application for Authorization to Construct a Direct Broadcast Satellite.....	2,030.00
(ii) Issuance of Construction Permit & Launch Authority.....	19,710.00
(iii) License to Operate Satellite.....	565.00
b. Hearing (Comparative New, Major/Minor Modifications, or Comparative Renewal).....	6,760.00
c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00

COMMON CARRIER SERVICES

1. All Common Carrier Services	
a. Hearing (Comparative New or Major/Minor Modifications).....	6,760.00
b. Development Authority . . . Same charge as regular authority in service unless otherwise indicated	
c. Formal Complaints and Pole Attachment Complaints Filing Fee.....	120.00
2. Domestic Public Land Mobile Stations (includes Base, Dispatch, Control & Repeater Stations)	
a. New or Additional Facility (per transmitter).....	230.00
b. Major Modifications (per transmitter).....	230.00
c. Fill In Transmitters (per transmitter).....	230.00
d. Major Amendment to a Pending Application (per transmitter).....	230.00
e. Assignment or Transfer	
(i) First Call Sign on Application.....	230.00
(ii) Each Additional Call Sign.....	35.00
f. Partial Assignment (per call sign).....	230.00
g. Renewal (per call sign).....	35.00
h. Minor Modification (per transmitter).....	35.00
i. Special Temporary Authority (per frequency/per location).....	200.00
j. Extension of Time to Construct (per application).....	35.00
k. Notice of Completion of Construction (per application).....	35.00
l. Auxiliary Test Station (per transmitter).....	200.00
m. Subsidiary Communications Service (per request).....	100.00
n. Reinstatement (per application).....	35.00
o. Combining Call Signs (per call sign).....	200.00
p. Standby Transmitter (per transmitter/per location).....	200.00
q. 900 MHz Nationwide Paging	
(i) Renewal	
(1) Network Organizer.....	35.00
(2) Network Operator (per operator/per city).....	35.00
r. Air-Ground Individual License (per station)	
(i) Initial License.....	35.00
(ii) Renewal of License.....	35.00
(iii) Modification of License.....	35.00

3. Cellular Systems (per system)	
a. New or Additional Facilities	230.00
b. Major Modification	230.00
c. Minor Modification	60.00
d. Assignment or Transfer (including partial)	230.00
e. License to Cover Construction	
(i) Initial License for Wireline Carrier	595.00
(ii) Subsequent License for Wireline Carrier	60.00
(iii) License for Nonwireline Carrier	60.00
(iv) Fill In License (all carriers)	60.00
f. Renewal	35.00
g. Extension of Time to Complete Construction	35.00
h. Special Temporary Authority (per system)	200.00
i. Combining Cellular Geographic Service Areas (per system)	50.00
4. Rural Radio (includes Central Office, Interoffice, or Relay Facilities)	
a. New or Additional Facility (per transmitter)	105.00
b. Major Modification (per transmitter)	105.00
c. Major Amendment to Pending Application (per transmitter)	105.00
d. Minor Modification (per transmitter)	35.00
e. Assignments or Transfers	
(i) First Call Sign on Application	105.00
(ii) Each Additional Call Sign	35.00
(iii) Partial Assignment (per call sign)	105.00
f. Renewal (per call sign)	35.00
g. Extension of Time to Complete Construction (per application)	35.00
h. Notice of Completion of Construction (per application)	35.00
i. Special Temporary Authority (per frequency/per location)	200.00
j. Reinstatement (per application)	35.00
k. Combining Call Signs (per call sign)	200.00
l. Auxiliary Test Station (per transmitter)	200.00
m. Standby Transmitter (per transmitter/per location)	200.00
5. Offshore Radio Service (Mobile, Subscriber, and Central Stations; fees would also apply to any expansion of this service into coastal waters other than the Gulf of Mexico)	
a. New or Additional Facility (per transmitter)	105.00
b. Major Modifications (per transmitter)	105.00
c. Fill In Transmitters (per transmitter)	105.00
d. Major Amendment to Pending Application (per transmitter)	105.00
e. Minor Modification (per transmitter)	35.00
f. Assignment or Transfer	
(i) Each Additional Call Sign	35.00
(ii) Partial Assignment (per call sign)	105.00
g. Renewal (per call sign)	35.00
h. Extension of Time to Complete Construction (per application)	35.00
i. Reinstatement (per application)	35.00
j. Notice of Completion of Construction (per application)	35.00
k. Special Temporary Authority (per frequency/per location)	200.00
l. Combining Call Signs (per call sign)	200.00
m. Auxiliary Test Station (per transmitter)	200.00
n. Standby Transmitter (per transmitter/ per location)	200.00
6. Point-to-Point Microwave and Local Television Radio Service	
a. Conditional License (per station)	155.00
b. Major Modification of Conditional License or License Authorization (per station)	155.00
c. Certification of Completion of Construction (per station)	155.00
d. Renewal (per licensed station)	155.00
e. Assignment or Transfer	
(i) First Station on Application	55.00
(ii) Each Additional Station	35.00
f. Extension of Construction Authorization (per station)	55.00
g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request)	70.00
7. Multipoint Distribution Service (including multichannel MDS)	
a. Conditional License (per station)	155.00
b. Major Modification of Conditional License or License Authorization (per station)	155.00
c. Certification of Completion of Construction (per channel)	455.00
d. Renewal (per licensed station)	155.00
e. Assignment or Transfer	
(i) First Station on Application	55.00
(ii) Each Additional Station	35.00

f. Extension of Construction Authorization (per station).....	110.00
g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request).....	70.00
8. Digital Electronic Message Service	
a. Conditional License (per nodal station).....	155.00
b. Modification of Conditional License or License Authorization (per nodal station).....	155.00
c. Certification of Completion of Construction (per nodal station).....	155.00
d. Renewal (per licensed nodal station).....	155.00
e. Assignment or Transfer	
(i) First Station on Application	55.00
(ii) Each Additional Station	35.00
f. Extension of Construction Authorization (per station).....	55.00
g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request).....	70.00
9. International Fixed Public Radio (Public and Control Stations)	
a. Initial Construction Permit (per station).....	510.00
b. Assignment or Transfer (per application)	510.00
c. Renewal (per license).....	370.00
d. Modification (per station).....	370.00
e. Extension of Construction Authorization (per station).....	185.00
f. Special Temporary Authority or Request for Waiver (per request)...	185.00
10. Fixed Satellite Transmit/Receive Earth Stations	
a. Initial Application (per station).....	1,525.00
b. Modification of License (per station)	105.00
c. Assignment or Transfer	
(i) First Station on Application	300.00
(ii) Each Additional Station	100.00
d. Developmental Station (per station).....	1,000.00
e. Renewal of License (per station).....	105.00
f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
g. Amendment of Application (per station)	105.00
h. Extension of Construction Permit (per station).....	105.00
11. Small Transmit/Receive Earth Stations (2 meters or less and operating in the 4/6 GHz frequency band)	
a. Lead Application	8,380.00
b. Routine Application (per station).....	35.00
c. Modification of License (per station).....	105.00
d. Assignment or Transfer	
(i) First Station on Application	300.00
(ii) Each Additional Station	35.00
e. Developmental Station (per station).....	1,000.00
f. Renewal of License (per station).....	105.00
g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
h. Amendment of Application (per station).....	105.00
i. Extension of Construction Permit (per station)	105.00
12. Receive Only Earth Stations	
a. Initial Application for Registration	230.00
b. Modification of License or Registration (per station).....	105.00
c. Assignment or Transfer	
(i) First Station on Application	300.00
(ii) Each Additional Station	100.00
d. Renewal of License (per station).....	105.00
e. Amendment of Application (per station)	105.00
f. Extension of Construction Permit (per station).....	105.00
g. Waivers (per request).....	105.00
13. Very Small Aperture Terminal (VSAT) Systems	
a. Initial Application (per system).....	5,630.00
b. Modification of License (per system).....	105.00
c. Assignment or Transfer of System.....	1,505.00
d. Developmental Station	1,000.00
e. Renewal of License (per system).....	105.00
f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
g. Amendment of Application (per system)	105.00
h. Extension of Construction Permit (per system)	105.00
14. Mobile Satellite Earth Stations	
a. Initial Application of Blanket Authorization	5,630.00
b. Initial Application for Individual Earth Station.....	1,850.00

c. Modification of License (per system).....	105.00
d. Assignment or Transfer (per system).....	1,505.00
e. Developmental Station.....	1,000.00
f. Renewal of License (per system).....	105.00
g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
h. Amendment of Application (per system).....	105.00
i. Extension of Construction Permit (per system).....	105.00
15. Radio determination Satellite Earth Stations	
a. Initial Application of Blanket Authorization.....	5,630.00
b. Initial Application for Individual Earth Station.....	1,350.00
c. Modification of License (per system).....	105.00
d. Assignment or Transfer (per system).....	1,505.00
e. Developmental Station.....	1,000.00
f. Renewal of License (per system).....	105.00
g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
h. Amendment of Application (per system).....	105.00
i. Extension of Construction Permit (per system).....	105.00
16. Space Stations	
a. Application for Authority to Construct.....	2,030.00
b. Application for Authority to Launch & Operate	
(i) Initial Application.....	70,000.00
(ii) Replacement Satellite.....	70,000.00
c. Assignment or Transfer (per satellite).....	5,000.00
d. Modification.....	5,000.00
e. Special Temporary Authority or Waiver of Prior Construction Au- thorization (per request).....	500.00
f. Amendment of Application.....	1,000.00
g. Extension of Construction Permit/Launch Authorization (per re- quest).....	500.00
17. Section 214 Applications	
a. Overseas Cable Construction.....	9,125.00
b. Cable Landing License	
(i) Common Carrier.....	1,025.00
(ii) Non-Common Carrier.....	10,150.00
c. Domestic Cable Construction.....	610.00
d. All Other 214 Applications.....	610.00
e. Special Temporary Authority (all services).....	610.00
f. Assignments or Transfers (all services).....	610.00
18. Recognized Private Operating Status (per application).....	610.00
19. Telephone Equipment Registration.....	155.00
20. Tariff Filings	
a. Filing Fee.....	490.00
b. Special Permission Filing (per filing).....	490.00
21. Accounting and Audits	
a. Field Audit.....	62,290.00
b. Review of Attest Audit.....	34,000.00
c. Review of Depreciation Update Study (Single State).....	20,685.00
(i) Each Additional State.....	680.00
d. Interpretation of Accounting Rules (per request).....	2,885.00
e. Petition for Waiver (per petition).....	4,660.00

MISCELLANEOUS CHARGES

1. International Telecommunications Settlements Administrative Fee for Collections (per line item).....	2.00
2. Radio Operator Examinations	
a. Commercial Radio Operator Examination.....	35.00
b. Renewal of Commercial Radio Operator License, Permit, or Certif- icate.....	35.00
c. Duplicate or Replacement Commercial Radio Operator License, Permit, or Certificate.....	35.00
3. Ship Inspections	
a. Inspection of Ocea-going Vessels Under Title III, Part II of the Communications Act (per inspection).....	620.00
b. Inspection of Passenger Vessels Under Title III, Part III of the Communications Act (per inspection).....	320.00
c. Inspection of Vessels Under the Great Lakes Agreement (per in- spection).....	360.00

d. Inspection of Foreign Vessels Under the Safety of Life at Sea (SOLAS) Convention (per inspection).....	540.00
e. Temporary Waiver for Compulsorily Equipped Vessel.....	60.00

(b) **CONFORMING AMENDMENTS.**—Section 8 of the Communications Act of 1934 is further amended—

- (1) by striking the last sentence of subsection (a);
- (2) in subsection (b)(1), by striking “April 1, 1987” and inserting “October 1, 1991”; and
- (3) in subsection (d)(1)—

(A) by striking out “to the following radio services:” and inserting “(A) to governmental entities and nonprofit entities licensed in the following radio services:”; and

(B) by inserting “(B)” after “Emergency Radio, or”.

(c) **EFFECTIVE DATE; IMPLEMENTATION.**—The amendments made by this section shall take effect on the date of enactment of this Act, and the Schedule of Charges required by the amendment made by subsection (a) of this section shall be implemented not later than 150 days after the date of enactment of this Act.

SEC. 3002. FINES AND PENALTIES UNDER THE COMMUNICATIONS ACT OF 1934.

(a) **DISCRIMINATION AND PREFERENCE BY COMMON CARRIER.**—Section 202(c) of the Communications Act of 1934 (47 U.S.C. 202(c)) is amended—

- (1) by striking “\$500” and inserting “\$6,000”; and
- (2) by striking “\$25” and inserting “\$300”.

(b) **FAILURE IN FILING OF SCHEDULE OF CHARGES.**—Section 203(e) of such Act (47 U.S.C. 203(e)) is amended—

- (1) by striking “\$500” and inserting “\$6,000”; and
- (2) by striking “\$25” and inserting “\$300”.

(c) **NONCOMPLIANCE WITH RATE ORDERS.**—Section 205(b) of such Act (47 U.S.C. 205(b)) is amended by striking “\$1,000” and inserting “\$12,000”.

(d) **NONCOMPLIANCE WITH LINE EXTENSION ORDERS.**—Section 214(d) of the Act (47 U.S.C. 214(d)) is amended by striking “\$100” and inserting “\$1,200”.

(e) **FAILURE TO FILE REPORTS OR INFORMATION.**—Section 219(b) of the Act (47 U.S.C. 219(b)) is amended by striking “\$100” and inserting “\$1,200”.

(f) **RECORDKEEPING FAILURES.**—Section 220(d) of the Act (47 U.S.C. 220(d)) is amended by striking “\$500” and inserting “\$6,000”.

(g) **NONCOMPLIANCE WITH SHIPBOARD RADIO REQUIREMENTS.**—Section 364 of such Act (47 U.S.C. 362) is amended—

- (1) by striking “\$500” in subsection (a) and inserting “\$5,000”; and
- (2) by striking “\$100” in subsection (b) and inserting “\$1,000”.

(h) **NONCOMPLIANCE WITH PASSENGER VESSEL RADIO REQUIREMENTS.**—Section 386 of such Act (47 U.S.C. 386) is amended—

- (1) by striking “\$500” in subsection (a) and inserting “\$5,000”; and
- (2) by striking “\$100” in subsection (b) and inserting “\$1,000”.

(i) **GENERAL FORFEITURES.**—Subsection (b) of section 503 of the Communications Act of 1934 (47 U.S.C. 503(b)) is amended—

- (1) by inserting “(1)” after “(b)” at the beginning of such subsection; and
- (2) by striking paragraph (2) and inserting the following:

"(2)(A) If the violator is (i) a broadcast station licensee or permittee, (ii) a cable television operator, or (iii) an applicant for any broadcast or cable television operator license, permit, certificate, or other instrument or authorization issued by the Commission, the amount of any forfeiture penalty determined under this section shall not exceed \$25,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$250,000 for any single act or failure to act described in paragraph (1) of this subsection.

"(B) If the violator is a common carrier subject to the provisions of this Act or an applicant for any common carrier license, permit, certificate, or other instrument of authorization issued by the Commission, the amount of any forfeiture penalty determined under this subsection shall not exceed \$100,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$1,000,000 for any single act or failure to act described in paragraph (1) of this subsection.

"(C) In any case not covered in subparagraph (A) or (B), the amount of any forfeiture penalty determined under this subsection shall not exceed \$10,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$75,000 for any single act or failure to act described in paragraph (1) of this subsection.

"(D) The amount of such forfeiture penalty shall be assessed by the Commission, or its designee, by written notice. In determining the amount of such a forfeiture penalty, the Commission or its designee shall take into account the nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."

Subtitle B—NRC User Fees

SEC. 3201. NRC USER FEES.

Section 7601 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) (Public Law 99-272) is amended to read as follows:

"(1) IN GENERAL.—The Nuclear Regulatory Commission shall assess and collect annual charges from its licensees on a fiscal year basis, except that—

"(A) the maximum amount of the aggregate charges assessed pursuant to this paragraph in any fiscal year may not exceed an amount that, when added to other amounts collected by the Commission for such fiscal year under other provisions of law, is estimated to be equal to 33 percent of the costs incurred by the Commission with respect to such fiscal year, except that for fiscal year 1990 such maximum amount shall be estimated to be equal to 45 percent of the costs incurred by the Commission for fiscal year 1990; and

"(B) any such charge assessed pursuant to this paragraph shall be reasonably related to the regulatory service provided by the Commission and shall fairly reflect the cost to the Commission of providing such service.

Public Law 101-239
101st Congress
[H.R. 3299]

An Act

To provide for reconciliation pursuant to section 5 of the concurrent resolution on the budget for the fiscal year 1990.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Omnibus Budget Reconciliation Act of 1989".

SEC. 2. TABLE OF CONTENTS.

Title I—Agriculture and related programs.
Title II—Student loan and pension fiduciary amendments.
Title III—Regulatory agency fees.
Title IV—Civil service and postal service programs.
Title V—Veterans programs.
Title VI—Medicare, medicaid, maternal and child health, and other health provisions.
Title VII—Revenue provisions.
Title VIII—Human resource and income security provisions.
Title IX—Offshore oil pollution compensation fund.
Title X—Miscellaneous and technical Social Security Act amendments.
Title XI—Miscellaneous.

TITLE I—AGRICULTURE AND RELATED PROGRAMS

SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This title may be cited as the "Agricultural Reconciliation Act of 1989".

(b) **TABLE OF CONTENTS.**—The table of contents is as follows:

Sec. 1001. Short title; table of contents.
Sec. 1002. Soybean, sunflower, and safflower planting program; feed grain acreage limitation program.
Sec. 1003. Reduction of deficiency payments for 1990 crops.
Sec. 1004. Repayment of advance deficiency payments.
Sec. 1005. Reduction of expenditures under the export enhancement program and for targeted export assistance.
Sec. 1006. Purchases of Financial Assistance Corporation stock by Farm Credit System institutions.
Sec. 1007. Adjustments in dairy price support program.

SEC. 1002. SOYBEAN, SUNFLOWER, AND SAFFLOWER PLANTING PROGRAM; FEED GRAIN ACREAGE LIMITATION PROGRAM.

(a) **PLANTING OF SOYBEANS, SUNFLOWERS, AND SAFFLOWERS ON PERMITTED ACREAGE.**—Effective only for the 1990 crops, subsection (e) of section 504 of the Agricultural Act of 1949 (7 U.S.C. 1464(e)) is amended to read as follows:

"(e) Notwithstanding any other provision of this Act—

TITLE III—REGULATORY AGENCY FEES**Subtitle A—Federal Communications
Commission Fees and Penalties****SEC. 3001. FEDERAL COMMUNICATIONS COMMISSION FEES.**

(a) UPDATE OF FEE SCHEDULE.—Section 8 of the Communications Act of 1934 (47 U.S.C. 158) is amended by adding at the end thereof the following:

“(g) Until modified pursuant to subsection (b) of this section, the Schedule of Charges which the Federal Communications Commission shall prescribe pursuant to subsection (a) of this section shall be as follows:

“SCHEDULE OF CHARGES

Service	Fee amount
PRIVATE RADIO SERVICES	
1. Marine Coast Stations	
a. New License (per station)	\$70.00
b. Modification of License (per station)	70.00
c. Renewal of License (per station)	70.00
d. Special Temporary Authority (Initial, Modifications, Extensions)	100.00
e. Assignments (per station)	70.00
f. Transfers of Control (per station)	35.00
g. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
2. Ship Stations	
a. New License (per application)	35.00
b. Modification of License (per application)	35.00
c. Renewal of License (per application)	35.00
d. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
3. Operational Fixed Microwave Stations	
a. New License (per station)	155.00
b. Modification of License (per station)	155.00
c. Renewal of License (per station)	155.00
d. Special Temporary Authority (Initial, Modifications, Extensions)	35.00
e. Assignments (per station)	155.00
f. Transfers of Control (per station)	35.00
g. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
4. Aviation (Ground Stations)	
a. New License (per station)	70.00
b. Modification of License (per station)	70.00
c. Renewal of License (per station)	70.00
d. Special Temporary Authority (Initial, Modifications, Extensions)	100.00
e. Assignments (per station)	70.00
f. Transfers of Control (per station)	35.00
g. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
5. Aircraft Stations	
a. New License (per application)	35.00
b. Modification of License (per application)	35.00
c. Renewal of License (per application)	35.00
d. Request for Waiver	
(i) Routine (per request)	105.00
(ii) Non-Routine (per rule section/per station)	105.00
6. Land Mobile Radio Stations (including Special Emergency and Public Safety Stations)	
a. New License (per call sign)	35.00

b. Modification of License (per call sign).....	35.00
c. Renewal of License (per call sign).....	35.00
d. Special Temporary Authority (Initial, Modifications, Extensions)....	35.00
e. Assignments (per station).....	35.00
f. Transfers of Control (per call sign).....	35.00
g. Request for Waiver	
(i) Routine (per request).....	105.00
(ii) Non-Routine (per rule section/per station).....	105.00
h. Reinstatement (per call sign).....	35.00
i. Specialized Mobile Radio Systems-Base Stations	
(i) New License (per call sign).....	35.00
(ii) Modification of License (per call sign).....	35.00
(iii) Renewal of License (per call sign).....	35.00
(iv) Waiting List (annual charge per application).....	35.00
(v) Special Temporary Authority (Initial, Modifications, Extensions).....	35.00
(vi) Assignments (per call sign).....	35.00
(vii) Transfers of Control (per call sign).....	35.00
(viii) Request for Waiver	
(1) Routine (per request).....	105.00
(2) Non-Routine (per rule section/per station).....	105.00
(ix) Reinstatements (per call sign).....	35.00
j. Private Carrier Licenses	
(i) New License (per call sign).....	35.00
(ii) Modification of License (per call sign).....	35.00
(iii) Renewal of License (per call sign).....	35.00
(iv) Special Temporary Authority (Initial, Modifications, Extensions).....	35.00
(v) Assignments (per call sign).....	35.00
(vi) Transfers of Control (per call sign).....	35.00
(vii) Request for Waiver	
(1) Routine (per request).....	105.00
(2) Non-Routine (per rule section/per station).....	105.00
(viii) Reinstatements (per call sign).....	35.00
7. General Mobile Radio Service	
a. New License (per call sign).....	35.00
b. Modifications of License (per call sign).....	35.00
c. Renewal of License (per call sign).....	35.00
d. Request for Waiver	
(i) Routine (per request).....	105.00
(ii) Non-Routine (per rule section/per station).....	105.00
e. Special Temporary Authority (Initial, Modifications, Extensions)....	35.00
f. Transfer of control (per call sign).....	35.00
8. Restricted Radiotelephone Operator Permit.....	35.00
9. Request for Duplicate Station License (all services).....	35.00
10. Hearing (Comparative, New, and Modifications).....	6,760.00
EQUIPMENT APPROVAL SERVICES/EXPERIMENTAL RADIO	
1. Certification	
a. Receivers (except TV and FM receivers).....	235.00
b. All Other Devices.....	735.00
c. Modifications and Class II Permissive Changes.....	35.00
d. Request for Confidentiality.....	105.00
2. Type Acceptance	
a. All Devices.....	370.00
b. Modifications and Class II Permissive Changes.....	35.00
c. Request for Confidentiality.....	105.00
3. Type Approval (all devices)	
a. With Testing (Including Major Modifications).....	1,465.00
b. Without Testing (Including Minor Modifications).....	170.00
c. Request for Confidentiality.....	105.00
4. Notifications.....	115.00
5. Advance Approval for Subscription TV System.....	2,255.00
a. Request for Confidentiality.....	105.00
6. Assignment of Grantee Code for Equipment Identification.....	35.00
7. Experimental Radio Service	
a. New Construction Permit and Station Authorization (per application).....	35.00
b. Modification to Existing Construction Permit and Station Authorization (per application).....	35.00
c. Renewal of Station Authorization (per application).....	35.00

d. Assignment or Transfer of Control (per application).....	35.00
e. Special Temporary Authority (per application).....	35.00
f. Additional Charge for Applications Containing Requests to Withhold Information From Public Inspection (per application).....	35.00

MASS MEDIA SERVICES

1. Commercial TV Stations	
a. New or Major Change Construction Permits.....	2,535.00
b. Minor Change.....	665.00
c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal).....	6,760.00
d. License.....	170.00
e. Assignment or Transfer	
(i) Long Form (Forms 314/315).....	565.00
(ii) Short Form (Form 316).....	80.00
f. Renewal.....	100.00
g. Call Sign (New or Modification).....	55.00
h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
i. Extension of Time to Construct or Replacement of CP.....	200.00
j. Permit to Deliver Programs to Foreign Broadcast Stations.....	55.00
k. Petition for Rulemaking for New Community of License.....	1,565.00
l. Ownership Report (per report).....	35.00
2. Commercial Radio Stations	
a. New and Major Change Construction Permit	
(i) AM Station.....	2,255.00
(ii) FM Station.....	2,030.00
b. Minor Change	
(i) AM Station.....	565.00
(ii) FM Station.....	565.00
c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal).....	6,760.00
d. License	
(i) AM.....	370.00
(ii) FM.....	115.00
(iii) AM Directional Antenna.....	425.00
(iv) FM Directional Antenna.....	855.00
(v) AM Remote Control.....	35.00
e. Assignment or Transfer	
(i) Long Form (Forms 314/315).....	565.00
(ii) Short Form (Form 316).....	80.00
f. Renewal.....	100.00
g. Call Sign (New or Modification).....	55.00
h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
i. Extension of Time to Construct or Replacement of CP.....	200.00
j. Permit to Deliver Programs to Foreign Broadcast Stations.....	55.00
k. Petition for Rulemaking for New Community of License or Higher Class Channel.....	1,565.00
l. Ownership Report (per report).....	35.00
3. FM Translators	
a. New or Major Change Construction Permit.....	425.00
b. License.....	85.00
c. Assignment or Transfer.....	80.00
d. Renewal.....	35.00
e. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
4. TV Translators and LPTV Stations	
a. New or Major Change Construction Permit.....	425.00
b. License.....	85.00
c. Assignment or Transfer.....	80.00
d. Renewal.....	35.00
e. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
5. Auxiliary Services (Includes Remote Pickup stations, TV Auxiliary Broadcast stations, Aural Broadcast STL and Intercity Relay stations, and Low Power Auxiliary stations)	
a. Major Actions.....	85.00
b. Renewals.....	35.00
c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00

6. FM/TV Boosters	
a. New and Major Change Construction Permits.....	425.00
b. License.....	85.00
c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
7. International Broadcast Station	
a. New Construction Permit and Facilities Change CP.....	1,705.00
b. License.....	885.00
c. Assignment or Transfer (per station).....	60.00
d. Renewal.....	85.00
e. Frequency Assignment and Coordination (per frequency hour).....	35.00
f. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
8. Cable Television Service	
a. Cable Television Relay Service	
(i) Construction Permit.....	155.00
(ii) Assignment or Transfer.....	155.00
(iii) Renewal.....	155.00
(iv) Modification.....	155.00
(v) Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00
b. Cable Special Relief Petition.....	790.00
c. 76.12 Registration Statement (per statement).....	85.00
d. Aeronautical Frequency Usage Notifications (per notice).....	85.00
e. Aeronautical Frequency Usage Waivers (per waiver).....	85.00
9. Direct Broadcast Satellite	
a. New or Major Change Construction Permit	
(i) Application for Authorization to Construct a Direct Broadcast Satellite.....	2,030.00
(ii) Issuance of Construction Permit & Launch Authority.....	19,710.00
(iii) License to Operate Satellite.....	565.00
b. Hearing (Comparative New, Major/Minor Modifications, or Comparative Renewal).....	6,760.00
c. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent).....	100.00

COMMON CARRIER SERVICES

1. All Common Carrier Services	
a. Hearing (Comparative New or Major/Minor Modifications).....	6,760.00
b. Development Authority . . . Same charge as regular authority in service unless otherwise indicated	
c. Formal Complaints and Pole Attachment Complaints Filing Fee.....	120.00
2. Domestic Public Land Mobile Stations (includes Base, Dispatch, Control & Repeater Stations)	
a. New or Additional Facility (per transmitter).....	230.00
b. Major Modifications (per transmitter).....	230.00
c. Fill In Transmitters (per transmitter).....	230.00
d. Major Amendment to a Pending Application (per transmitter).....	230.00
e. Assignment or Transfer	
(i) First Call Sign on Application.....	230.00
(ii) Each Additional Call Sign.....	35.00
f. Partial Assignment (per call sign).....	230.00
g. Renewal (per call sign).....	35.00
h. Minor Modification (per transmitter).....	35.00
i. Special Temporary Authority (per frequency/per location).....	200.00
j. Extension of Time to Construct (per application).....	35.00
k. Notice of Completion of Construction (per application).....	35.00
l. Auxiliary Test Station (per transmitter).....	200.00
m. Subsidiary Communications Service (per request).....	100.00
n. Reinstatement (per application).....	35.00
o. Combining Call Signs (per call sign).....	200.00
p. Standby Transmitter (per transmitter/per location).....	200.00
q. 900 MHz Nationwide Paging	
(i) Renewal	
(1) Network Organizer.....	35.00
(2) Network Operator (per operator/per city).....	35.00
r. Air-Ground Individual License (per station)	
(i) Initial License.....	35.00
(ii) Renewal of License.....	35.00
(iii) Modification of License.....	35.00

3. Cellular Systems (per system)	
a. New or Additional Facilities	230.00
b. Major Modification	230.00
c. Minor Modification	60.00
d. Assignment or Transfer (including partial)	230.00
e. License to Cover Construction	
(i) Initial License for Wireline Carrier	595.00
(ii) Subsequent License for Wireline Carrier	60.00
(iii) License for Nonwireline Carrier	60.00
(iv) Fill In License (all carriers)	60.00
f. Renewal	35.00
g. Extension of Time to Complete Construction	35.00
h. Special Temporary Authority (per system)	200.00
i. Combining Cellular Geographic Service Areas (per system)	50.00
4. Rural Radio (includes Central Office, Interoffice, or Relay Facilities)	
a. New or Additional Facility (per transmitter)	105.00
b. Major Modification (per transmitter)	105.00
c. Major Amendment to Pending Application (per transmitter)	105.00
d. Minor Modification (per transmitter)	35.00
e. Assignments or Transfers	
(i) First Call Sign on Application	105.00
(ii) Each Additional Call Sign	35.00
(iii) Partial Assignment (per call sign)	105.00
f. Renewal (per call sign)	35.00
g. Extension of Time to Complete Construction (per application)	35.00
h. Notice of Completion of Construction (per application)	35.00
i. Special Temporary Authority (per frequency/per location)	200.00
j. Reinstatement (per application)	35.00
k. Combining Call Signs (per call sign)	200.00
l. Auxiliary Test Station (per transmitter)	200.00
m. Standby Transmitter (per transmitter/per location)	200.00
5. Offshore Radio Service (Mobile, Subscriber, and Central Stations; fees would also apply to any expansion of this service into coastal waters other than the Gulf of Mexico)	
a. New or Additional Facility (per transmitter)	105.00
b. Major Modifications (per transmitter)	105.00
c. Fill In Transmitters (per transmitter)	105.00
d. Major Amendment to Pending Application (per transmitter)	105.00
e. Minor Modification (per transmitter)	35.00
f. Assignment or Transfer	
(i) Each Additional Call Sign	35.00
(ii) Partial Assignment (per call sign)	105.00
g. Renewal (per call sign)	35.00
h. Extension of Time to Complete Construction (per application)	35.00
i. Reinstatement (per application)	35.00
j. Notice of Completion of Construction (per application)	35.00
k. Special Temporary Authority (per frequency/per location)	200.00
l. Combining Call Signs (per call sign)	200.00
m. Auxiliary Test Station (per transmitter)	200.00
n. Standby Transmitter (per transmitter/ per location)	200.00
6. Point-to-Point Microwave and Local Television Radio Service	
a. Conditional License (per station)	155.00
b. Major Modification of Conditional License or License Authorization (per station)	155.00
c. Certification of Completion of Construction (per station)	155.00
d. Renewal (per licensed station)	155.00
e. Assignment or Transfer	
(i) First Station on Application	55.00
(ii) Each Additional Station	35.00
f. Extension of Construction Authorization (per station)	55.00
g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request)	70.00
7. Multipoint Distribution Service (including multichannel MDS)	
a. Conditional License (per station)	155.00
b. Major Modification of Conditional License or License Authorization (per station)	155.00
c. Certification of Completion of Construction (per channel)	455.00
d. Renewal (per licensed station)	155.00
e. Assignment or Transfer	
(i) First Station on Application	55.00
(ii) Each Additional Station	35.00

f. Extension of Construction Authorization (per station).....	110.00
g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request).....	70.00
8. Digital Electronic Message Service	
a. Conditional License (per nodal station).....	155.00
b. Modification of Conditional License or License Authorization (per nodal station).....	155.00
c. Certification of Completion of Construction (per nodal station).....	155.00
d. Renewal (per licensed nodal station).....	155.00
e. Assignment or Transfer	
(i) First Station on Application	55.00
(ii) Each Additional Station	35.00
f. Extension of Construction Authorization (per station).....	55.00
g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request).....	70.00
9. International Fixed Public Radio (Public and Control Stations)	
a. Initial Construction Permit (per station).....	510.00
b. Assignment or Transfer (per application)	510.00
c. Renewal (per license).....	370.00
d. Modification (per station).....	370.00
e. Extension of Construction Authorization (per station).....	185.00
f. Special Temporary Authority or Request for Waiver (per request).....	185.00
10. Fixed Satellite Transmit/Receive Earth Stations	
a. Initial Application (per station).....	1,525.00
b. Modification of License (per station)	105.00
c. Assignment or Transfer	
(i) First Station on Application	300.00
(ii) Each Additional Station	100.00
d. Developmental Station (per station).....	1,000.00
e. Renewal of License (per station).....	105.00
f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
g. Amendment of Application (per station).....	105.00
h. Extension of Construction Permit (per station).....	105.00
11. Small Transmit/Receive Earth Stations (2 meters or less and operating in the 4/6 GHz frequency band)	
a. Lead Application	3,380.00
b. Routine Application (per station).....	35.00
c. Modification of License (per station).....	105.00
d. Assignment or Transfer	
(i) First Station on Application	300.00
(ii) Each Additional Station	35.00
e. Developmental Station (per station).....	1,000.00
f. Renewal of License (per station).....	105.00
g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
h. Amendment of Application (per station).....	105.00
i. Extension of Construction Permit (per station).....	105.00
12. Receive Only Earth Stations	
a. Initial Application for Registration	230.00
b. Modification of License or Registration (per station).....	105.00
c. Assignment or Transfer	
(i) First Station on Application	300.00
(ii) Each Additional Station	100.00
d. Renewal of License (per station).....	105.00
e. Amendment of Application (per station).....	105.00
f. Extension of Construction Permit (per station).....	105.00
g. Waivers (per request).....	105.00
13. Very Small Aperture Terminal (VSAT) Systems	
a. Initial Application (per system).....	5,630.00
b. Modification of License (per system).....	105.00
c. Assignment or Transfer of System	1,505.00
d. Developmental Station	1,000.00
e. Renewal of License (per system).....	105.00
f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
g. Amendment of Application (per system).....	105.00
h. Extension of Construction Permit (per system).....	105.00
14. Mobile Satellite Earth Stations	
a. Initial Application of Blanket Authorization	5,630.00
b. Initial Application for Individual Earth Station.....	1,350.00

c. Modification of License (per system).....	105.00
d. Assignment or Transfer (per system).....	1,505.00
e. Developmental Station.....	1,000.00
f. Renewal of License (per system).....	105.00
g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
h. Amendment of Application (per system).....	105.00
i. Extension of Construction Permit (per system).....	105.00
15. Radio Determination Satellite Earth Stations	
a. Initial Application of Blanket Authorization.....	5,630.00
b. Initial Application for Individual Earth Station.....	1,350.00
c. Modification of License (per system).....	105.00
d. Assignment or Transfer (per system).....	1,505.00
e. Developmental Station.....	1,000.00
f. Renewal of License (per system).....	105.00
g. Special Temporary Authority or Waivers of Prior Construction Authorization (per request).....	105.00
h. Amendment of Application (per system).....	105.00
i. Extension of Construction Permit (per system).....	105.00
16. Space Stations	
a. Application for Authority to Construct.....	2,030.00
b. Application for Authority to Launch & Operate	
(i) Initial Application.....	70,000.00
(ii) Replacement Satellite.....	70,000.00
c. Assignment or Transfer (per satellite).....	5,000.00
d. Modification.....	5,000.00
e. Special Temporary Authority or Waiver of Prior Construction Au- thorization (per request).....	500.00
f. Amendment of Application.....	1,000.00
g. Extension of Construction Permit/Launch Authorization (per re- quest).....	500.00
17. Section 214 Applications	
a. Overseas Cable Construction.....	9,125.00
b. Cable Landing License	
(i) Common Carrier.....	1,025.00
(ii) Non-Common Carrier.....	10,150.00
c. Domestic Cable Construction.....	610.00
d. All Other 214 Applications.....	610.00
e. Special Temporary Authority (all services).....	610.00
f. Assignments or Transfers (all services).....	610.00
18. Recognized Private Operating Status (per application).....	610.00
19. Telephone Equipment Registration.....	155.00
20. Tariff Filings	
a. Filing Fee.....	490.00
b. Special Permission Filing (per filing).....	490.00
21. Accounting and Audits	
a. Field Audit.....	62,290.00
b. Review of Attest Audit.....	34,000.00
c. Review of Depreciation Update Study (Single State).....	20,685.00
(i) Each Additional State.....	680.00
d. Interpretation of Accounting Rules (per request).....	2,885.00
e. Petition for Waiver (per petition).....	4,660.00

MISCELLANEOUS CHARGES

1. International Telecommunications Settlements Administrative Fee for Collections (per line item).....	2.00
2. Radio Operator Examinations	
a. Commercial Radio Operator Examination.....	35.00
b. Renewal of Commercial Radio Operator License, Permit, or Certifi- cate.....	35.00
c. Duplicate or Replacement Commercial Radio Operator License, Permit, or Certificate.....	35.00
3. Ship Inspections	
a. Inspection of Ooceangoing Vessels Under Title III, Part II of the Communications Act (per inspection).....	620.00
b. Inspection of Passenger Vessels Under Title III, Part III of the Communications Act (per inspection).....	320.00
c. Inspection of Vessels Under the Great Lakes Agreement (per in- spection).....	360.00

d. Inspection of Foreign Vessels Under the Safety of Life at Sea (SOLAS) Convention (per inspection).....	540.00
e. Temporary Waiver for Compulsorily Equipped Vessel.....	60.00

(b) **CONFORMING AMENDMENTS.**—Section 8 of the Communications Act of 1934 is further amended—

- (1) by striking the last sentence of subsection (a);
- (2) in subsection (b)(1), by striking “April 1, 1987” and inserting “October 1, 1991”; and

(3) in subsection (d)(1)—

(A) by striking out “to the following radio services:” and inserting “(A) to governmental entities and nonprofit entities licensed in the following radio services:”; and

(B) by inserting “(B)” after “Emergency Radio, or”.

(c) **EFFECTIVE DATE; IMPLEMENTATION.**—The amendments made by this section shall take effect on the date of enactment of this Act, and the Schedule of Charges required by the amendment made by subsection (a) of this section shall be implemented not later than 150 days after the date of enactment of this Act.

SEC. 3002. FINES AND PENALTIES UNDER THE COMMUNICATIONS ACT OF 1934.

(a) **DISCRIMINATION AND PREFERENCE BY COMMON CARRIER.**—Section 202(c) of the Communications Act of 1934 (47 U.S.C. 202(c)) is amended—

- (1) by striking “\$500” and inserting “\$6,000”; and
- (2) by striking “\$25” and inserting “\$300”.

(b) **FAILURE IN FILING OF SCHEDULE OF CHARGES.**—Section 203(e) of such Act (47 U.S.C. 203(e)) is amended—

- (1) by striking “\$500” and inserting “\$6,000”; and
- (2) by striking “\$25” and inserting “\$300”.

(c) **NONCOMPLIANCE WITH RATE ORDERS.**—Section 205(b) of such Act (47 U.S.C. 205(b)) is amended by striking “\$1,000” and inserting “\$12,000”.

(d) **NONCOMPLIANCE WITH LINE EXTENSION ORDERS.**—Section 214(d) of the Act (47 U.S.C. 214(d)) is amended by striking “\$100” and inserting “\$1,200”.

(e) **FAILURE TO FILE REPORTS OR INFORMATION.**—Section 219(b) of the Act (47 U.S.C. 219(b)) is amended by striking “\$100” and inserting “\$1,200”.

(f) **RECORDKEEPING FAILURES.**—Section 220(d) of the Act (47 U.S.C. 220(d)) is amended by striking “\$500” and inserting “\$6,000”.

(g) **NONCOMPLIANCE WITH SHIPBOARD RADIO REQUIREMENTS.**—Section 364 of such Act (47 U.S.C. 362) is amended—

- (1) by striking “\$500” in subsection (a) and inserting “\$5,000”; and
- (2) by striking “\$100” in subsection (b) and inserting “\$1,000”.

(h) **NONCOMPLIANCE WITH PASSENGER VESSEL RADIO REQUIREMENTS.**—Section 386 of such Act (47 U.S.C. 386) is amended—

- (1) by striking “\$500” in subsection (a) and inserting “\$5,000”; and
- (2) by striking “\$100” in subsection (b) and inserting “\$1,000”.

(i) **GENERAL FORFEITURES.**—Subsection (b) of section 503 of the Communications Act of 1934 (47 U.S.C. 503(b)) is amended—

- (1) by inserting “(1)” after “(b)” at the beginning of such subsection; and
- (2) by striking paragraph (2) and inserting the following:

“(2)(A) If the violator is (i) a broadcast station licensee or permittee, (ii) a cable television operator, or (iii) an applicant for any broadcast or cable television operator license, permit, certificate, or other instrument or authorization issued by the Commission, the amount of any forfeiture penalty determined under this section shall not exceed \$25,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$250,000 for any single act or failure to act described in paragraph (1) of this subsection.

“(B) If the violator is a common carrier subject to the provisions of this Act or an applicant for any common carrier license, permit, certificate, or other instrument of authorization issued by the Commission, the amount of any forfeiture penalty determined under this subsection shall not exceed \$100,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$1,000,000 for any single act or failure to act described in paragraph (1) of this subsection.

“(C) In any case not covered in subparagraph (A) or (B), the amount of any forfeiture penalty determined under this subsection shall not exceed \$10,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$75,000 for any single act or failure to act described in paragraph (1) of this subsection.

“(D) The amount of such forfeiture penalty shall be assessed by the Commission, or its designee, by written notice. In determining the amount of such a forfeiture penalty, the Commission or its designee shall take into account the nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.”

Subtitle B—NRC User Fees

SEC. 3201. NRC USER FEES.

Section 7601 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) (Public Law 99-272) is amended to read as follows:

“(1) IN GENERAL.—The Nuclear Regulatory Commission shall assess and collect annual charges from its licensees on a fiscal year basis, except that—

“(A) the maximum amount of the aggregate charges assessed pursuant to this paragraph in any fiscal year may not exceed an amount that, when added to other amounts collected by the Commission for such fiscal year under other provisions of law, is estimated to be equal to 33 percent of the costs incurred by the Commission with respect to such fiscal year, except that for fiscal year 1990 such maximum amount shall be estimated to be equal to 45 percent of the costs incurred by the Commission for fiscal year 1990; and

“(B) any such charge assessed pursuant to this paragraph shall be reasonably related to the regulatory service provided by the Commission and shall fairly reflect the cost to the Commission of providing such service.