

102D CONGRESS
1ST SESSION

H. R. 2977

To authorize appropriations for public broadcasting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1991

Mr. MARKEY (for himself, Mr. RINALDO, Mr. SCHEUER, Mr. TAUZIN, Mr. WYDEN, Mr. RICHARDSON, Mr. BRYANT, Mr. BOUCHER, Mr. COOPER, Mr. MANTON, Mr. McMILLEN of Maryland, Mr. LEHMAN of California, Mr. HARRIS, Mr. OXLEY, Mr. BILIRAKIS, Mr. SCHAEFER, and Mr. ECK-ART) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To authorize appropriations for public broadcasting, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the "Public Telecommunica-
5 tions Act of 1991".

6 **SEC. 2. PUBLIC TELECOMMUNICATIONS FACILITIES AU-**
7 **THORIZATION.**

8 Section 391 of the Communications Act of 1934 (47
9 U.S.C. 391) is amended by striking the first sentence and

1 inserting the following: "There are authorized to be appro-
2 priated \$42,000,000 for each of the fiscal years 1992,
3 1993, and 1994, to be used by the Secretary of Commerce
4 to assist in the planning and construction of public tele-
5 communications facilities as provided in this subpart."

6 **SEC. 3. SERVICES FOR UNDERSERVED AUDIENCES.**

7 Section 393(b)(4) of the Communications Act of
8 1934 (47 U.S.C. 393(b)(4)) is amended by inserting be-
9 fore the period at the end thereof the following: ", includ-
10 ing services to underserved audiences such as deaf and
11 hearing-impaired and blind and visually impaired individ-
12 uals".

13 **SEC. 4. CONGRESSIONAL DECLARATIONS OF POLICY.**

14 Section 396(a) of the Communications Act of 1934
15 (47 U.S.C. 396(a)) is amended—

16 (1) by striking "and" at the end of paragraph
17 (7);

18 (2) by redesignating paragraph (8) as para-
19 graph (10); and

20 (3) by inserting immediately after paragraph
21 (7) the following new paragraphs:

22 "(8) public television and radio stations and
23 public telecommunications services constitute valua-
24 ble local community resources for utilizing electronic
25 media to address national concerns and solve local

1 problems through community outreach programs
2 and services;

3 “(9) it is in the public interest for the Federal
4 Government to ensure that all citizens of the United
5 States have access to public telecommunications
6 services through all appropriate available telecom-
7 munications distribution technologies; and”.

8 **SEC. 5. BOARD OF DIRECTORS.**

9 (a) **REDUCTION IN NUMBER OF MEMBERS.—**

10 (1) **AMENDMENT.—**Section 396(c)(1) of the
11 Communications Act of 1934 (47 U.S.C. 396(c)(1))
12 is amended—

13 (A) by striking “10 members” and insert-
14 ing “9 members”; and

15 (B) by striking “6 members” and inserting
16 “5 members”.

17 (2) **CONFORMING AMENDMENT.—**Section
18 396(c)(2) of the Communications Act of 1934 (47
19 U.S.C. 396(c)(2)) is amended by striking “10 mem-
20 bers” and inserting in lieu thereof “9 members”.

21 (b) **TERM OF OFFICE.—**Section 396(c)(5) of the
22 Communications Act of 1934 (47 U.S.C. 396(c)(5)) is
23 amended—

24 (1) by striking “5 years” and inserting “6
25 years”;

1 (2) by striking “except that any” and inserting
2 in lieu thereof “except as provided in section 5(c) of
3 the Public Telecommunications Act of 1991. Any”;
4 and

5 (3) by inserting immediately after the first sen-
6 tence the following new sentence: “Any member
7 whose term has expired may serve until his or her
8 successor has taken office.”.

9 (c) EFFECTIVE DATE; TRANSITION PROVISIONS.—

10 (1) EFFECTIVE DATE OF BOARD REDUCTION.—

11 The amendment made by subsection (a) of this sec-
12 tion shall take effect by terminating, on the date of
13 enactment of this Act, an office (A) which is vacant
14 on such date, and (B) the term of which is pre-
15 scribed by law to expire on March 26, 1996.

16 (2) EFFECTIVE DATE OF 6 YEAR TERMS.—(A)

17 Except as otherwise provided in this paragraph, the
18 amendments made by paragraphs (1) and (2) of
19 subsection (b) of this section shall take effect on
20 March 26, 1992.

21 (B) With respect to the four offices the terms
22 of which are prescribed by law to expire on March
23 26, 1996, and which are not terminated pursuant to
24 paragraph (1) of this subsection, the next succeeding
25 term of one of such offices shall, as designated by

1 the President at the time of appointment, expire on
2 March 26, 2000, notwithstanding the amendment
3 made by subsection (b)(1) of this section.

4 (C) The next succeeding term of the two offices
5 which are prescribed by law to expire on March 1,
6 1994, shall expire on March 26, 2000.

7 (3) EFFECTIVE DATE OF CONTINUED SERVICE
8 AMENDMENT.—The amendment made by subsection
9 (b)(3) of this section shall take effect on the date of
10 enactment of this Act.

11 (4) DEFINITION.—As used in this subsection,
12 the term “office” means an office as a member of
13 the Board of Directors of the Corporation for Public
14 Broadcasting.

15 **SEC. 6. CORPORATION FOR PUBLIC BROADCASTING AU-**
16 **THORIZATION.**

17 (a) EXTENSION OF AUTHORIZATION.—Section
18 396(k)(1)(C) of the Communications Act of 1934 (47
19 U.S.C. 396(k)(1)(C)) is amended—

20 (1) by striking “180,000,000 for fiscal year
21 1981,” and all that follows through “\$245,000,000
22 for fiscal year 1991,”; and

23 (2) by striking “and” after “fiscal year 1992,”;
24 and

1 (3) by inserting after “fiscal year 1993” the
2 following: “, \$310,000,000 for fiscal year 1994,
3 \$375,000,000 for fiscal year 1995, and
4 \$425,000,000 for fiscal year 1996”.

5 (b) ANNUAL REPORT.—Section 396(k)(1) of such
6 Act is further amended by adding at the end the following
7 new subparagraph:

8 “(E) In recognition of the importance of educational
9 programs and services, and the expansion of public radio
10 services, to unserved and underserved audiences, the Cor-
11 poration, after consultation with the system of public tele-
12 communications entities, shall prepare and submit to the
13 Congress an annual report for each of the fiscal years
14 1994, 1995, and 1996 on the Corporation’s activities and
15 expenditures relating to those programs and services.”.

16 **SEC. 7. REPEAL.**

17 Paragraph (4) of section 396(1) of the Communica-
18 tions Act of 1934 (47 U.S.C. 396(1)) is repealed.

19 **SEC. 8. CLARIFICATION OF CONGRESSIONAL INTENT.**

20 Section 103(a) of the Children’s Television Act of
21 1990 (47 U.S.C. 303b) is amended by inserting “commer-
22 cial or noncommercial” before “television broadcast li-
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7 **THORIZATION.**

8 Section 391 of the Communications Act of 1934 (47
9 U.S.C. 391) is amended by striking the first sentence and

1 inserting the following: "There are authorized to be appro-
2 priated \$42,000,000 for each of the fiscal years 1992,
3 1993, and 1994, to be used by the Secretary of Commerce
4 to assist in the planning and construction of public tele-
5 communications facilities as provided in this subpart."

6 **SEC. 3. SERVICES FOR UNDERSERVED AUDIENCES.**

7 Section 393(b)(4) of the Communications Act of
8 1934 (47 U.S.C. 393(b)(4)) is amended by inserting be-
9 fore the period at the end thereof the following: ", includ-
10 ing services to underserved audiences such as deaf and
11 hearing-impaired and blind and visually impaired individ-
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13 **SEC. 4. CONGRESSIONAL DECLARATIONS OF POLICY.**

14 Section 396(a) of the Communications Act of 1934
15 (47 U.S.C. 396(a)) is amended—

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23 public telecommunications services constitute valua-
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5 States have access to public telecommunications
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8 **SEC. 5. BOARD OF DIRECTORS.**

9 (a) **REDUCTION IN NUMBER OF MEMBERS.—**

10 (1) **AMENDMENT.—**Section 396(c)(1) of the
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18 396(c)(2) of the Communications Act of 1934 (47
19 U.S.C. 396(c)(2)) is amended by striking “10 mem-
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21 (b) **TERM OF OFFICE.—**Section 396(c)(5) of the
22 Communications Act of 1934 (47 U.S.C. 396(c)(5)) is
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7 whose term has expired may serve until his or her
8 successor has taken office.”.

9 (c) EFFECTIVE DATE; TRANSITION PROVISIONS.—

10 (1) EFFECTIVE DATE OF BOARD REDUCTION.—
11 The amendment made by subsection (a) of this sec-
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13 enactment of this Act, an office (A) which is vacant
14 on such date, and (B) the term of which is pre-
15 scribed by law to expire on March 26, 1996.

16 (2) EFFECTIVE DATE OF 6 YEAR TERMS.—(A)
17 Except as otherwise provided in this paragraph, the
18 amendments made by paragraphs (1) and (2) of
19 subsection (b) of this section shall take effect on
20 March 26, 1992.

21 (B) With respect to the four offices the terms
22 of which are prescribed by law to expire on March
23 26, 1996, and which are not terminated pursuant to
24 paragraph (1) of this subsection, the next succeeding
25 term of one of such offices shall, as designated by

1 the President at the time of appointment, expire on
2 March 26, 2000, notwithstanding the amendment
3 made by subsection (b)(1) of this section.

4 (C) The next succeeding term of the two offices
5 which are prescribed by law to expire on March 1,
6 1994, shall expire on March 26, 2000.

7 (3) EFFECTIVE DATE OF CONTINUED SERVICE
8 AMENDMENT.—The amendment made by subsection
9 (b)(3) of this section shall take effect on the date of
10 enactment of this Act.

11 (4) DEFINITION.—As used in this subsection,
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15 **SEC. 6. CORPORATION FOR PUBLIC BROADCASTING AU-**
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7 new subparagraph:

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15 expenditures relating to those programs and services.”.

16 **SEC. 7. REPEAL.**

17 Paragraph (4) of section 396(1) of the Communica-
18 tions Act of 1934 (47 U.S.C. 396(1)) is repealed.

19 **SEC. 8. CLARIFICATION OF CONGRESSIONAL INTENT.**

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10 (1) EFFECTIVE DATE OF BOARD REDUCTION.—

11 The amendment made by subsection (a) of this sec-
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13 enactment of this Act, an office (A) which is vacant
14 on such date, and (B) the term of which is pre-
15 scribed by law to expire on March 26, 1996.

16 (2) EFFECTIVE DATE OF 6 YEAR TERMS.—(A)

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25 term of one of such offices shall, as designated by

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3 made by subsection (b)(1) of this section.

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6 1994, shall expire on March 26, 2000.

7 (3) EFFECTIVE DATE OF CONTINUED SERVICE
8 AMENDMENT.—The amendment made by subsection
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11 (4) DEFINITION.—As used in this subsection,
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13 Congress an annual report for each of the fiscal years
14 1994, 1995, and 1996 on the Corporation’s activities and
15 expenditures relating to those programs and services.”.

16 **SEC. 7. REPEAL.**

17 Paragraph (4) of section 396(1) of the Communica-
18 tions Act of 1934 (47 U.S.C. 396(1)) is repealed.

19 **SEC. 8. CLARIFICATION OF CONGRESSIONAL INTENT.**

20 Section 103(a) of the Children’s Television Act of
21 1990 (47 U.S.C. 303b) is amended by inserting “commer-
22 cial or noncommercial” before “television broadcast li-
23 cense”.

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1 inserting the following: "There are authorized to be appro-
2 priated \$42,000,000 for each of the fiscal years 1992,
3 1993, and 1994, to be used by the Secretary of Commerce
4 to assist in the planning and construction of public tele-
5 communications facilities as provided in this subpart."

6 **SEC. 3. SERVICES FOR UNDERSERVED AUDIENCES.**

7 Section 393(b)(4) of the Communications Act of
8 1934 (47 U.S.C. 393(b)(4)) is amended by inserting be-
9 fore the period at the end thereof the following: ", includ-
10 ing services to underserved audiences such as deaf and
11 hearing-impaired and blind and visually impaired individ-
12 uals".

13 **SEC. 4. CONGRESSIONAL DECLARATIONS OF POLICY.**

14 Section 396(a) of the Communications Act of 1934
15 (47 U.S.C. 396(a)) is amended—

16 (1) by striking "and" at the end of paragraph
17 (7);

18 (2) by redesignating paragraph (8) as para-
19 graph (10); and

20 (3) by inserting immediately after paragraph
21 (7) the following new paragraphs:

22 "(8) public television and radio stations and
23 public telecommunications services constitute valua-
24 ble local community resources for utilizing electronic
25 media to address national concerns and solve local

1 problems through community outreach programs
2 and services;

3 “(9) it is in the public interest for the Federal
4 Government to ensure that all citizens of the United
5 States have access to public telecommunications
6 services through all appropriate available telecom-
7 munications distribution technologies; and”.

8 **SEC. 5. BOARD OF DIRECTORS.**

9 (a) **REDUCTION IN NUMBER OF MEMBERS.—**

10 (1) **AMENDMENT.—**Section 396(c)(1) of the
11 Communications Act of 1934 (47 U.S.C. 396(c)(1))
12 is amended—

13 (A) by striking “10 members” and insert-
14 ing “9 members”; and

15 (B) by striking “6 members” and inserting
16 “5 members”.

17 (2) **CONFORMING AMENDMENT.—**Section
18 396(c)(2) of the Communications Act of 1934 (47
19 U.S.C. 396(c)(2)) is amended by striking “10 mem-
20 bers” and inserting in lieu thereof “9 members”.

21 (b) **TERM OF OFFICE.—**Section 396(c)(5) of the
22 Communications Act of 1934 (47 U.S.C. 396(c)(5)) is
23 amended—

24 (1) by striking “5 years” and inserting “6
25 years”;

1 (2) by striking “except that any” and inserting
2 in lieu thereof “except as provided in section 5(c) of
3 the Public Telecommunications Act of 1991. Any”;
4 and

5 (3) by inserting immediately after the first sen-
6 tence the following new sentence: “Any member
7 whose term has expired may serve until his or her
8 successor has taken office.”.

9 (c) EFFECTIVE DATE; TRANSITION PROVISIONS.—

10 (1) EFFECTIVE DATE OF BOARD REDUCTION.—

11 The amendment made by subsection (a) of this sec-
12 tion shall take effect by terminating, on the date of
13 enactment of this Act, an office (A) which is vacant
14 on such date, and (B) the term of which is pre-
15 scribed by law to expire on March 26, 1996.

16 (2) EFFECTIVE DATE OF 6 YEAR TERMS.—(A)

17 Except as otherwise provided in this paragraph, the
18 amendments made by paragraphs (1) and (2) of
19 subsection (b) of this section shall take effect on
20 March 26, 1992.

21 (B) With respect to the four offices the terms
22 of which are prescribed by law to expire on March
23 26, 1996, and which are not terminated pursuant to
24 paragraph (1) of this subsection, the next succeeding
25 term of one of such offices shall, as designated by

1 the President at the time of appointment, expire on
2 March 26, 2000, notwithstanding the amendment
3 made by subsection (b)(1) of this section.

4 (C) The next succeeding term of the two offices
5 which are prescribed by law to expire on March 1,
6 1994, shall expire on March 26, 2000.

7 (3) EFFECTIVE DATE OF CONTINUED SERVICE
8 AMENDMENT.—The amendment made by subsection
9 (b)(3) of this section shall take effect on the date of
10 enactment of this Act.

11 (4) DEFINITION.—As used in this subsection,
12 the term “office” means an office as a member of
13 the Board of Directors of the Corporation for Public
14 Broadcasting.

15 **SEC. 6. CORPORATION FOR PUBLIC BROADCASTING AU-**
16 **THORIZATION.**

17 (a) EXTENSION OF AUTHORIZATION.—Section
18 396(k)(1)(C) of the Communications Act of 1934 (47
19 U.S.C. 396(k)(1)(C)) is amended—

20 (1) by striking “180,000,000 for fiscal year
21 1981,” and all that follows through “\$245,000,000
22 for fiscal year 1991,”; and

23 (2) by striking “and” after “fiscal year 1992,”;
24 and

1 (3) by inserting after “fiscal year 1993” the
2 following: “, \$310,000,000 for fiscal year 1994,
3 \$375,000,000 for fiscal year 1995, and
4 \$425,000,000 for fiscal year 1996”.

5 (b) ANNUAL REPORT.—Section 396(k)(1) of such
6 Act is further amended by adding at the end the following
7 new subparagraph:

8 “(E) In recognition of the importance of educational
9 programs and services, and the expansion of public radio
10 services, to unserved and underserved audiences, the Cor-
11 poration, after consultation with the system of public tele-
12 communications entities, shall prepare and submit to the
13 Congress an annual report for each of the fiscal years
14 1994, 1995, and 1996 on the Corporation’s activities and
15 expenditures relating to those programs and services.”.

16 **SEC. 7. REPEAL.**

17 Paragraph (4) of section 396(1) of the Communica-
18 tions Act of 1934 (47 U.S.C. 396(1)) is repealed.

19 **SEC. 8. CLARIFICATION OF CONGRESSIONAL INTENT.**

20 Section 103(a) of the Children’s Television Act of
21 1990 (47 U.S.C. 303b) is amended by inserting “commer-
22 cial or noncommercial” before “television broadcast li-
23 cense”.

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