

101ST CONGRESS
1ST SESSION

H. R. 3265

IN THE SENATE OF THE UNITED STATES

OCTOBER 31 (legislative day, SEPTEMBER 18), 1989

Received; read twice and referred to the Committee on Commerce, Science, and
Transportation

AN ACT

To amend the Communications Act of 1934 to provide authori-
zation of appropriations for the Federal Communications
Commission, 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 "Federal Communications
5 Commission Authorization Act of 1989".

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 6 of the Communications Act of 1934 (47
8 U.S.C. 156) is amended to read as follows:

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1 "AUTHORIZATION OF APPROPRIATIONS

2 "SEC. 6. (a) There are authorized to be appropriated for
3 the administration of this Act by the Commission
4 \$109,831,000 for fiscal year 1990 and \$121,478,000 for
5 fiscal year 1991, together with such sums as may be neces-
6 sary for increases resulting from adjustments in salary, pay,
7 retirement, other employee benefits required by law, and
8 other nondiscretionary costs, for each of the fiscal years 1990
9 and 1991.

10 "(b) In addition to the amounts authorized to be appro-
11 priated under this section, not more than 4 percent of the
12 amount of any fees or other charges payable to the United
13 States which are collected by the Commission are authorized
14 to be made available to the Commission until expended to
15 defray the fully distributed costs of such fees collection.

16 "(c) Of the amounts appropriated pursuant to subsection
17 (a) for fiscal year 1991, such sums as may be necessary not
18 to exceed \$2,000,000 shall be expended for upgrading and
19 modernizing equipment at the Commission's electronic emis-
20 sions test laboratory located in Laurel, Maryland."

21 **SEC. 3. COMMERCIAL RADIO OPERATOR EXAMINATIONS.**

22 Section 4(f) of the Communications Act of 1934 (47
23 U.S.C. 154(f)) is amended by adding at the end the following
24 new paragraph:

1 “(5)(A) The Commission, for purposes of preparing and
2 administering any examination for a commercial radio opera-
3 tor license or endorsement, may accept and employ the serv-
4 ices of persons that the Commission determines to be quali-
5 fied. Any person so employed may not receive compensation
6 for such services, but may recover from examinees such fees
7 as the Commission permits, considering such factors as public
8 service and cost estimates submitted by such person.

9 “(B) The Commission may prescribe regulations to
10 select, oversee, sanction, and dismiss any person authorized
11 under this paragraph to be employed by the Commission.

12 “(C) Any person who provides services under this para-
13 graph or who provides goods in connection with such services
14 shall not, by reason of having provided such service or goods,
15 be considered a Federal or special government employee.”.

16 **SEC. 4. TRAVEL REIMBURSEMENT PROGRAM.**

17 Section 4(g)(2)(D) of the Communications Act of 1934
18 (47 U.S.C. 154(g)(2)(D)) is amended by striking “1989” and
19 inserting “1991”.

20 **SEC. 5. COMMUNICATIONS SUPPORT FROM OLDER AMERI-**
21 **CANS.**

22 Section 6(a) of the Federal Communications Commis-
23 sion Authorization Act of 1988 (47 U.S.C. 154 note) is
24 amended by striking “and 1989” and inserting “, 1989,
25 1990, and 1991”.

1 **SEC. 6. TARIFF NOTICE PERIOD.**

2 Section 203(b) of the Communications Act of 1934 (47
3 U.S.C. 203(b)) is amended—

4 (1) in paragraph (1), by striking “ninety days
5 notice” and inserting “120 days’ notice”; and

6 (2) in paragraph (2), by striking “ninety days”
7 and inserting “120 days”.

8 **SEC. 7. AMATEUR RADIO SERVICE RECIPROCAL PERMITS.**

9 (a) **IN GENERAL.**—Section 303(l)(3) of the Communica-
10 tions Act of 1934 (47 U.S.C. 303(l)(3)) is amended by strik-
11 ing “bilateral agreement between the United States and the
12 alien’s government” and inserting “multilateral or bilateral
13 agreement, to which the United States and the alien’s gov-
14 ernment are parties,”.

15 (b) **CONFORMING AMENDMENT.**—Section 310(c) of the
16 Communications Act of 1934 (47 U.S.C. 310(c)) is amended
17 by striking “bilateral agreement between the United States
18 and the alien’s government” and inserting “multilateral or
19 bilateral agreement, to which the United States and the
20 alien’s government are parties,”.

21 **SEC. 8. WILLFUL OR MALICIOUS INTERFERENCE.**

22 Part I of title III of the Communications Act of 1934
23 (47 U.S.C. 301 et seq.) is amended by adding at the end the
24 following new section:

1 “WILLFUL OR MALICIOUS INTERFERENCE

2 “SEC. 333. No person shall willfully or maliciously
3 interfere with or cause interference to any radio communica-
4 tions of any station licensed or authorized by or under this
5 Act or operated by the United States Government.”.

6 SEC. 9. CONSIDERATION OF IMPACT ON COMMERCE IN
7 PUBLIC INTEREST DETERMINATIONS.

8 Section 4 of the Communications Act of 1934 (47
9 U.S.C. 154) is amended by adding at the end thereof the
10 following new subsection:

11 “(p) In making any finding with respect to the public
12 interest as required for purposes of any decision or determi-
13 nation under this Act (other than a decision or determination
14 with respect to the certification of equipment), the Commis-
15 sion may, in its discretion, assess the impact of that decision
16 or determination on the foreign commerce of the United
17 States.”.

 Passed the House of Representatives October 30,
1989.

Attest:

DONNALD K. ANDERSON,

Clerk.