

which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-414 struck out “or twelve months after December 8, 1983, if later” after “petition or application is filed” and after “12 months after it is initiated”.

ADVANCED TELECOMMUNICATIONS INCENTIVES

Pub. L. 104-104, title VII, §706, Feb. 8, 1996, 110 Stat. 153, as amended by Pub. L. 107-110, title X, §1076(gg), Jan. 8, 2002, 115 Stat. 2093; Pub. L. 110-385, title I, §103(a), Oct. 10, 2008, 122 Stat. 4096, was transferred and is classified to section 1302 of this title.

§ 158. Application fees

(a) Assessment and collection

The Commission shall assess and collect application fees at such rates as the Commission shall establish or at such modified rates as it shall establish pursuant to the provisions of subsection (b) of this section.

(b) Review and adjustment of Schedule by Commission; notification to Congress; judicial review

(1) The Schedule of Application Fees established under this section shall be reviewed by the Commission every two years after October 1, 1991, and adjusted by the Commission to reflect changes in the Consumer Price Index. Increases or decreases in application fees shall apply to all categories of application fees, except that individual fees shall not be adjusted until the increase or decrease, as determined by the net change in the Consumer Price Index since April 7, 1986, amounts to at least \$5.00 in the case of fees under \$100.00, or 5 percent in the case of fees of \$100.00 or more. All fees which require adjustment will be rounded upward to the next \$5.00 increment. The Commission shall transmit to the Congress notification of any such adjustment not later than 90 days before the effective date of such adjustment.

(2) Increases or decreases in application fees made pursuant to this subsection shall not be subject to judicial review.

(c) Additional application fee; assessment as penalty; amount; dismissal of application or other filing

(1) The Commission shall prescribe by regulation an additional application fee which shall be assessed as a penalty for late payment of application fees required by subsection (a) of this section. Such penalty shall be 25 percent of the amount of the application fee which was not paid in a timely manner.

(2) The Commission may dismiss any application or other filing for failure to pay in a timely manner any application fee or penalty under this section.

(d) Inapplicability of application fees to certain radio services; waiver or deferment of payment

(1) The application fees established under this section shall not be applicable (A) to governmental entities and nonprofit entities licensed in the following radio services: Local Government, Police, Fire, Highway Maintenance, For-

estry-Conservation, Public Safety, and Special Emergency Radio, or (B) to governmental entities licensed in other services.

(2) The Commission may waive or defer payment of an charge¹ in any specific instance for good cause shown, where such action would promote the public interest.

(e) Deposit of moneys in general fund; reimbursement of United States for administration of chapter

Moneys received from application fees established under this section shall be deposited in the general fund of the Treasury to reimburse the United States for amounts appropriated for use by the Commission in carrying out its functions under this chapter.

(f) Rules and regulations

The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section.

(g) Schedule of Application Fees

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

SCHEDULE OF APPLICATION FEES	
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

¹ So in original. Probably should be “an application fee”.

f. Transfers of Control (per station)	35.00	9. Request for Duplicate Station License (all services)	35.00
g. Request for Waiver		10. Hearing (Comparative, New, and Modifications)	6,760.00
(i) Routine (per request)	105.00		
(ii) Non-Routine (per rule section/per station)	105.00		
5. Aircraft Stations		EQUIPMENT APPROVAL SERVICES/EXPERIMENTAL RADIO	
a. New License (per application)	35.00	1. Certification	
b. Modification of License (per application)	35.00	a. Receivers (except TV and FM receivers)	285.00
c. Renewal of License (per application)	35.00	b. All Other Devices	735.00
d. Request for Waiver		c. Modifications and Class II Permissive Changes	35.00
(i) Routine (per request)	105.00	d. Request for Confidentiality	105.00
(ii) Non-Routine (per rule section/per station)	105.00	2. Type Acceptance	
6. Land Mobile Radio Stations (including Special Emergency and Public Safety Stations)		a. All Devices	370.00
a. New License (per call sign)	35.00	b. Modifications and Class II Permissive Changes	35.00
b. Modification of License (per call sign)	35.00	c. Request for Confidentiality	105.00
c. Renewal of License (per call sign)	35.00	3. Type Approval (all devices)	
d. Special Temporary Authority (Initial, Modifications, Extensions)	35.00	a. With Testing (including Major Modifications)	1,465.00
e. Assignments (per station)	35.00	b. Without Testing (including Minor Modifications)	170.00
f. Transfers of Control (per call sign)	35.00	c. Request for Confidentiality	105.00
g. Request for Waiver		4. Notifications	115.00
(i) Routine (per request)	105.00	5. Advance Approval for Subscription TV System	2,255.00
(ii) Non-Routine (per rule section/per station)	105.00	a. Request for Confidentiality	105.00
h. Reinstatement (per call sign)	35.00	6. Assignment of Grantee Code for Equipment Identification	35.00
i. Specialized Mobile Radio Systems-Base Stations		7. Experimental Radio Service	
(i) New License (per call sign)	35.00	a. New Construction Permit and Station Authorization (per application) ...	35.00
(ii) Modification of License (per call sign)	35.00	b. Modification to Existing Construction Permit and Station Authorization (per application)	35.00
(iii) Renewal of License (per call sign)	35.00	c. Renewal of Station Authorization (per application)	35.00
(iv) Waiting List (annual application fee per application)	35.00	d. Assignment or Transfer of Control (per application)	35.00
(v) Special Temporary Authority (Initial, Modifications, Extensions)	35.00	e. Special Temporary Authority (per application)	35.00
(vi) Assignments (per call sign)	35.00	f. Additional Application Fee for Applications Containing Requests to Withhold Information From Public Inspection (per application) ...	35.00
(vii) Transfers of Control (per call sign)	35.00		
(viii) Request for Waiver		MASS MEDIA SERVICES	
(1) Routine (per request)	105.00	1. Commercial TV Stations	
(2) Non-Routine (per rule section/per station)	105.00	a. New or Major Change Construction Permits	2,535.00
(ix) Reinstatements (per call sign) ...	35.00	b. Minor Change	565.00
j. Private Carrier Licenses		c. Hearing (Major/Minor Change, Comparative New, or Comparative Renewal)	6,760.00
(i) New License (per call sign)	35.00	d. License	170.00
(ii) Modification of License (per call sign)	35.00	e. Assignment or Transfer	
(iii) Renewal of License (per call sign)	35.00	(i) Long Form (Forms 314/315)	565.00
(iv) Special Temporary Authority (Initial, Modifications, Extensions)	35.00	(ii) Short Form (Form 316)	80.00
(v) Assignments (per call sign)	35.00	f. Renewal	100.00
(vi) Transfers of Control (per call sign)	35.00	g. Call Sign (New or Modification)	55.00
(vii) Request for Waiver		h. Special Temporary Authority (other than to remain silent or extend an existing STA to remain silent)	100.00
(1) Routine (per request)	105.00	i. Extension of Time to Construct or Replacement of CP	200.00
(2) Non-Routine (per rule section/per station)	105.00	j. Permit to Deliver Programs to Foreign Broadcast Stations	55.00
(viii) Reinstatements (per call sign)	35.00	k. Petition for Rulemaking for New Community of License	1,565.00
7. General Mobile Radio Service		1. Ownership Report (per report)	35.00
a. New License (per call sign)	35.00	2. Commercial Radio Stations	
b. Modifications of License (per call sign)	35.00	a. New and Major Change Construction Permit	
c. Renewal of License (per call sign)	35.00	(i) AM Station	2,255.00
d. Request for Waiver		(ii) FM Station	2,030.00
(i) Routine (per request)	105.00	b. Minor Change	
(ii) Non-Routine (per rule section/per station)	105.00	(i) AM Station	565.00
e. Special Temporary Authority (Initial, Modifications, Extensions)	35.00	(ii) FM Station	565.00
f. Transfer of control (per call sign)	35.00		
8. Restricted Radiotelephone Operator Permit	35.00		

b. Major Modification	230.00	c. Certification of Completion of Construction (per station)	155.00
c. Minor Modification	60.00	d. Renewal (per licensed station)	155.00
d. Assignment or Transfer (including partial)	230.00	e. Assignment or Transfer	
e. License to Cover Construction		(i) First Station on Application	55.00
(i) Initial License for Wireline Carrier	595.00	(ii) Each Additional Station	35.00
(ii) Subsequent License for Wireline Carrier	60.00	f. Extension of Construction Authorization (per station)	55.00
(iii) License for Nonwireline Carrier	60.00	g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request)	70.00
(iv) Fill In License (all carriers)	60.00	7. Multipoint Distribution Service (including multichannel MDS)	
f. Renewal	35.00	a. Conditional License (per station)	155.00
g. Extension of Time to Complete Construction	35.00	b. Major Modification of Conditional License or License Authorization (per station)	155.00
h. Special Temporary Authority (per system)	200.00	c. Certification of Completion of Construction (per channel)	455.00
i. Combining Cellular Geographic Service Areas (per system)	50.00	d. Renewal (per licensed station)	155.00
4. Rural Radio (includes Central Office, Interoffice, or Relay Facilities)		e. Assignment or Transfer	
a. New or Additional Facility (per transmitter)	105.00	(i) First Station on Application	55.00
b. Major Modification (per transmitter)	105.00	(ii) Each Additional Station	35.00
c. Major Amendment to Pending Application (per transmitter)	105.00	f. Extension of Construction Authorization (per station)	110.00
d. Minor Modification (per transmitter)	35.00	g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request)	70.00
e. Assignments or Transfers		8. Digital Electronic Message Service	
(i) First Call Sign on Application	105.00	a. Conditional License (per nodal station)	155.00
(ii) Each Additional Call Sign	35.00	b. Modification of Conditional License or License Authorization (per nodal station)	155.00
(iii) Partial Assignment (per call sign)	105.00	c. Certification of Completion of Construction (per nodal station)	155.00
f. Renewal (per call sign)	35.00	d. Renewal (per licensed nodal station)	155.00
g. Extension of Time to Complete Construction (per application)	35.00	e. Assignment or Transfer	
h. Notice of Completion of Construction (per application)	35.00	(i) First Station on Application	55.00
i. Special Temporary Authority (per frequency/per location)	200.00	(ii) Each Additional Station	35.00
j. Reinstatement (per application)	35.00	f. Extension of Construction Authorization (per station)	55.00
k. Combining Call Signs (per call sign)	200.00	g. Special Temporary Authority or Request for Waiver of Prior Construction Authorization (per request)	70.00
l. Auxiliary Test Station (per transmitter)	200.00	9. International Fixed Public Radio (Public and Control Stations)	
m. Standby Transmitter (per transmitter/per location)	200.00	a. Initial Construction Permit (per station)	510.00
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)		b. Assignment or Transfer (per application)	510.00
a. New or Additional Facility (per transmitter)	105.00	c. Renewal (per license)	370.00
b. Major Modifications (per transmitter)	105.00	d. Modification (per station)	370.00
c. Fill In Transmitters (per transmitter)	105.00	e. Extension of Construction Authorization (per station)	185.00
d. Major Amendment to Pending Application (per transmitter)	105.00	f. Special Temporary Authority or Request for Waiver (per request)	185.00
e. Minor Modification (per transmitter)	35.00	10. Fixed Satellite Transmit/Receive Earth Stations	
f. Assignment or Transfer		a. Initial Application (per station)	1,525.00
(i) Each Additional Call Sign	35.00	b. Modification of License (per station)	105.00
(ii) Partial Assignment (per call sign)	105.00	c. Assignment or Transfer	
g. Renewal (per call sign)	35.00	(i) First Station on Application	300.00
h. Extension of Time to Complete Construction (per application)	35.00	(ii) Each Additional Station	100.00
i. Reinstatement (per application)	35.00	d. Developmental Station (per station)	1,000.00
j. Notice of Completion of Construction (per application)	35.00	e. Renewal of License (per station)	105.00
k. Special Temporary Authority (per frequency/per location)	200.00	f. Special Temporary Authority or Waivers of Prior Construction Authorization (per request)	105.00
l. Combining Call Signs (per call sign)	200.00	g. Amendment of Application (per station)	105.00
m. Auxiliary Test Station (per transmitter)	200.00	h. Extension of Construction Permit (per station)	105.00
n. Standby Transmitter (per transmitter/per location)	200.00	11. Small Transmit/Receive Earth Stations (2 meters or less and operating in the 4/6 GHz frequency band)	
6. Point-to-Point Microwave and Local Television Radio Service		a. Lead Application	3,380.00
a. Conditional License (per station)	155.00		
b. Major Modification of Conditional License or License Authorization (per station)	155.00		

b. Routine Application (per station)	35.00	(ii) Replacement Satellite	70,000.00
c. Modification of License (per station)	105.00	c. Assignment or Transfer (per satellite)	5,000.00
d. Assignment or Transfer		d. Modification	5,000.00
(i) First Station on Application	300.00	e. Special Temporary Authority or	
(ii) Each Additional Station	35.00	Waiver of Prior Construction Au-	
e. Developmental Station (per station)	1,000.00	thorization (per request)	500.00
f. Renewal of License (per station)	105.00	f. Amendment of Application	1,000.00
g. Special Temporary Authority or		g. Extension of Construction Permit/	
Waivers of Prior Construction		Launch Authorization (per re-	
Authorization (per request)	105.00	quest)	500.00
h. Amendment of Application (per sta-		17. Section 214 Applications	
tion)	105.00	a. Overseas Cable Construction	9,125.00
i. Extension of Construction Permit (per		b. Cable Landing License	
station)	105.00	(i) Common Carrier	1,025.00
12. Receive Only Earth Stations		(ii) Non-Common Carrier	10,150.00
a. Initial Application for Registration ...	230.00	c. Domestic Cable Construction	610.00
b. Modification of License or Registra-		d. All Other 214 Applications	610.00
tion (per station)	105.00	e. Special Temporary Authority (all	
c. Assignment or Transfer		services)	610.00
(i) First Station on Application	300.00	f. Assignments or Transfers (all serv-	
(ii) Each Additional Station	100.00	ices)	610.00
d. Renewal of License (per station)	105.00	18. Recognized Private Operating Status	
e. Amendment of Application (per sta-		(per application)	610.00
tion)	105.00	19. Telephone Equipment Registration	155.00
f. Extension of Construction Permit (per		20. Tariff Filings	
station)	105.00	a. Filing Fee	490.00
g. Waivers (per request)	105.00	b. Special Permission Filing (per filing)	490.00
13. Very Small Aperture Terminal (VSAT)		21. Accounting and Audits	
Systems		a. Field Audit	62,290.00
a. Initial Application (per system)	5,630.00	b. Review of Attest Audit	34,000.00
b. Modification of License (per system)	105.00	c. Review of Depreciation Update Study	
c. Assignment or Transfer of System	1,505.00	(Single State)	20,685.00
d. Developmental Station	1,000.00	(i) Each Additional State	680.00
e. Renewal of License (per system)	105.00	d. Interpretation of Accounting Rules	
f. Special Temporary Authority or		(per request)	2,885.00
Waivers of Prior Construction		e. Petition for Waiver (per petition)	4,660.00
Authorization (per request)	105.00	22. Low-Earth Orbit Satellite Systems	
g. Amendment of Application (per sys-		a. Application for Authority to Con-	
tem)	105.00	struct (per system of technology	
h. Extension of Construction Permit		identical satellites)	6,000.00
(per system)	105.00	b. Application for Authority to Launch	
14. Mobile Satellite Earth Stations		and Operate (per system of tech-	
a. Initial Application of Blanket Au-		nologically identical satellites) ...	210,000.00
thorization	5,630.00	c. Assignment or Transfer (per request)	6,000.00
b. Initial Application for Individual		d. Modification (per request)	15,000.00
Earth Station	1,350.00	e. Special Temporary Authority or	
c. Modification of License (per system)	105.00	Waiver of Prior Construction Au-	
d. Assignment or Transfer (per system)	1,505.00	thorization (per request)	1,500.00
e. Developmental Station	1,000.00	f. Amendment of Application (per re-	
f. Renewal of License (per system)	105.00	quest)	3,000.00
g. Special Temporary Authority or		g. Extension of Construction Permit/	
Waivers of Prior Construction		Launch Authorization (per re-	
Authorization (per request)	105.00	quest)	1,500.00
h. Amendment of Application (per sys-		MISCELLANEOUS APPLICATION FEES	
tem)	105.00	1. International Telecommunications Set-	
i. Extension of Construction Permit (per		tlements Administrative Fee for Col-	
system)	105.00	lections (per line item)	2.00
15. Radio determination Satellite Earth		2. Radio Operator Examinations	
Stations		a. Commercial Radio Operator Examina-	
a. Initial Application of Blanket Au-		tion	35.00
thorization	5,630.00	b. Renewal of Commercial Radio Opera-	
b. Initial Application for Individual		tor License, Permit, or Certifi-	
Earth Station	1,350.00	cate	35.00
c. Modification of License (per system)	105.00	c. Duplicate or Replacement Commer-	
d. Assignment or Transfer (per system)	1,505.00	cial Radio Operator License, Per-	
e. Developmental Station	1,000.00	mit, or Certificate	35.00
f. Renewal of License (per system)	105.00	3. Ship Inspections	
g. Special Temporary Authority or		a. Inspection of Oceangoing Vessels	
Waivers of Prior Construction		Under Title III, Part II of the	
Authorization (per request)	105.00	Communications Act (per inspec-	
h. Amendment of Application (per sys-		tion)	620.00
tem)	105.00	b. Inspection of Passenger Vessels Under	
i. Extension of Construction Permit (per		Title III, Part III of the Commu-	
system)	105.00	nications Act (per inspection)	320.00
16. Space Stations		c. Inspection of Vessels Under the Great	
a. Application for Authority to Con-		Lakes Agreement (per inspection)	75.00
struct	2,030.00	d. Inspection of Foreign Vessels Under	
b. Application for Authority to Launch		the Safety of Life at Sea (SOLAS)	
& Operate		Convention (per inspection)	540.00
(i) Initial Application	70,000.00		

e. Temporary Waiver for Compulsorily Equipped Vessel	60.00
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(June 19, 1934, ch. 652, title I, § 8, as added Pub. L. 99-272, title V, § 5002(e), Apr. 7, 1986, 100 Stat. 118; amended Pub. L. 100-594, § 5, Nov. 3, 1988, 102 Stat. 3021; Pub. L. 101-239, title III, § 3001(a), (b), Dec. 19, 1989, 103 Stat. 2124, 2131; Pub. L. 102-538, title II, § 209, Oct. 27, 1992, 106 Stat. 3544; Pub. L. 103-66, title VI, § 6003(a)(2), Aug. 10, 1993, 107 Stat. 401; Pub. L. 103-414, title III, §§ 302, 303(a)(3), (4), Oct. 25, 1994, 108 Stat. 4294.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (e), was in the original "this Act", meaning act June 19, 1934, ch. 652, 48 Stat. 1064, known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

Parts II and III of title III of the Communications Act, referred to in subsec. (g), mean parts II and III of title III of the Communications Act of 1934 which are classified to parts II (§ 351 et seq.) and III (§ 381 et seq.), respectively, of subchapter III of this chapter.

AMENDMENTS

1994—Subsec. (d)(2). Pub. L. 103-414, § 303(a)(3), substituted "payment of an" for "payment of a".

Subsec. (g). Pub. L. 103-414, § 303(a)(4), substituted "Additional Application Fee" for "Additional Charge" in item 7.f. under heading "EQUIPMENT APPROVAL SERVICES/EXPERIMENTAL RADIO" in Schedule of Application Fees.

Pub. L. 103-414, § 302, added item 1.d. under heading "COMMON CARRIER SERVICES" in Schedule of Application Fees.

1993—Pub. L. 103-66, § 6003(a)(2)(A), substituted "Application fees" for "Charges" as section catchline.

Subsecs. (a) to (e). Pub. L. 103-66, § 6003(a)(2)(B)-(D), substituted "application fees" for "charges" and "Schedule of Application Fees" for "Schedule of Charges" wherever appearing, and substituted "application fee" for "charge" in subsec. (c).

Subsec. (g). Pub. L. 103-66, § 6003(a)(2)(D), in text substituted "Schedule of Application Fees" for "Schedule of Charges".

Pub. L. 103-66, § 6003(a)(2)(E), which directed amendment of schedule by substituting "SCHEDULE OF APPLICATION FEES" for "SCHEDULE OF CHARGES", "APPLICATION FEES" for "CHARGES", "application fee" for "charge", and "Application fees" for "Charges" was executed by substituting "SCHEDULE OF APPLICATION FEES" for "SCHEDULE OF CHARGES" in heading, "MISCELLANEOUS APPLICATION FEES" for "MISCELLANEOUS CHARGES" in last subheading, and "application fee" for "charge" in two places in text of schedule, to reflect probable intent of Congress.

1992—Subsec. (g). Pub. L. 102-538 in Schedule of Charges added twenty-second category, relating to Low-Earth Orbit Satellite Systems, under heading "COMMON CARRIER SERVICES", and substituted "75.00" for "360.00" in item 3.c., relating to inspection of vessels under the Great Lakes Agreement, under heading "MISCELLANEOUS CHARGES".

1989—Subsec. (a). Pub. L. 101-239, § 3001(b)(1), struck out at end "The Schedule of Charges established under this subsection shall be implemented not later than 360 days after April 7, 1986."

Subsec. (b)(1). Pub. L. 101-239, § 3001(b)(2), substituted "October 1, 1991" for "April 1, 1987".

Subsec. (d)(1). Pub. L. 101-239, § 3001(b)(3), substituted "(A) to governmental entities and nonprofit entities licensed in the following radio services:" for "to the following radio services:" and inserted "(B)" after "Emergency Radio, or".

Subsec. (g). Pub. L. 101-239, § 3001(a), added subsec. (g).

1988—Subsec. (b)(1). Pub. L. 100-594 substituted "two years after April 1, 1987," for "two years after April 7, 1986,".

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-239, title III, § 3001(c), Dec. 19, 1989, 103 Stat. 2131, provided that: "The amendments made by this section [amending this section] shall take effect on the date of enactment of this Act [Dec. 19, 1989], 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."

SCHEDULE OF CHARGES

Section 5002(f) of Pub. L. 99-272 established the Schedule of Charges which the Federal Communications Commission is required to prescribe pursuant to subsec. (a) of this section. See subsec. (g) of this section as added by Pub. L. 101-239.

§ 159. Regulatory fees

(a) General authority

(1) Recovery of costs

The Commission, in accordance with this section, shall assess and collect regulatory fees to recover the costs of the following regulatory activities of the Commission: enforcement activities, policy and rulemaking activities, user information services, and international activities.

(2) Fees contingent on appropriations

The fees described in paragraph (1) of this subsection shall be collected only if, and only in the total amounts, required in Appropriations Acts.

(b) Establishment and adjustment of regulatory fees

(1) In general

The fees assessed under subsection (a) of this section shall—

(A) be derived by determining the full-time equivalent number of employees performing the activities described in subsection (a) of this section within the Private Radio Bureau, Mass Media Bureau, Common Carrier Bureau, and other offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities, including such factors as service area coverage, shared use versus exclusive use, and other factors that the Commission determines are necessary in the public interest;

(B) be established at amounts that will result in collection, during each fiscal year, of an amount that can reasonably be expected to equal the amount appropriated for such fiscal year for the performance of the activities described in subsection (a) of this section; and

(C) until adjusted or amended by the Commission pursuant to paragraph (2) or (3), be the fees established by the Schedule of Regulatory Fees in subsection (g) of this section.

(2) Mandatory adjustment of schedule

For any fiscal year after fiscal year 1994, the Commission shall, by rule, revise the Schedule of Regulatory Fees by proportionate increases or decreases to reflect, in accordance with paragraph (1)(B), changes in the amount appropriated for the performance of the activi-