

Subsec. (d)(7), (8). Pub. L. 87-192, §2, added pars. (7) and (8).

Subsec. (d)(9). Pub. L. 87-192, §2, redesignated former par. (3) as (9) and made it applicable to each panel of the Commission, each employee board instead of each board, and each individual employee.

1952—Act July 16, 1952, amended section generally to provide for the organization of the staff, integrated bureaus, and for a review staff.

§ 155a. Authority of Chief Information Officer

(a) In general

The Commission shall ensure that the Chief Information Officer of the Commission has a significant role in—

(1) the decision-making process for annual and multi-year planning, programming, budgeting, and execution decisions, related reporting requirements, and reports related to information technology;

(2) the management, governance, and oversight processes related to information technology; and

(3) the hiring of personnel with information technology responsibilities.

(b) CIO approval

The Chief Information Officer of the Commission, in consultation with the Chief Financial Officer of the Commission and budget officials, shall specify and approve the allocation of amounts appropriated to the Commission for information technology, consistent with the provisions of appropriations Acts, budget guidelines, and recommendations from the Director of the Office of Management and Budget.

(Pub. L. 115-141, div. P, title V, §502, Mar. 23, 2018, 132 Stat. 1091.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018, also known as the RAY BAUM'S Act of 2018, and also as part of the Consolidated Appropriations Act, 2018, and not as part of the Communications Act of 1934 which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITION

Pub. L. 115-141, div. P, §2, Mar. 23, 2018, 132 Stat. 1081, provided that: "In this division [see Short Title of 2018 Amendment note set out under section 609 of this title], the term 'Commission' means the Federal Communications Commission."

§ 156. Authorization of appropriations

(a) Authorization

There are authorized to be appropriated to the Commission to carry out the functions of the Commission \$333,118,000 for fiscal year 2019 and \$339,610,000 for fiscal year 2020.

(b) Offsetting collections

The sum appropriated in any fiscal year to carry out the activities described in subsection (a), to the extent and in the amounts provided for in Appropriations Acts, shall be derived from fees authorized by section 159 of this title.

(June 19, 1934, ch. 652, title I, §6, as added Pub. L. 97-35, title XII, §1251(a), Aug. 13, 1981, 95 Stat.

738; amended Pub. L. 98-214, §2(a), Dec. 8, 1983, 97 Stat. 1467; Pub. L. 99-272, title V, §5002(a)(1), Apr. 7, 1986, 100 Stat. 117; Pub. L. 100-594, §2(a), Nov. 3, 1988, 102 Stat. 3021; Pub. L. 101-396, §2(a), Sept. 28, 1990, 104 Stat. 848; Pub. L. 103-66, title VI, §6003(b), Aug. 10, 1993, 107 Stat. 401; Pub. L. 115-141, div. P, title I, §101(a), Mar. 23, 2018, 132 Stat. 1081.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-141 amended section generally. Prior to amendment, section related to authorization of appropriations for fiscal years 1990 and 1991.

1993—Subsec. (d). Pub. L. 103-66 added subsec. (d).

1990—Pub. L. 101-396 amended section generally. Prior to amendment, section read as follows: "There are authorized to be appropriated for the administration of this chapter by the Commission \$107,250,000 for fiscal year 1988 and \$109,250,000 for fiscal year 1989, together with such sums as may be necessary for increases resulting from adjustments in salary, pay, retirement, other employee benefits required by law, and other nondiscretionary costs, for each of the fiscal years 1988 and 1989."

1988—Pub. L. 100-594 amended section generally. Prior to amendment, section read as follows: "There are authorized to be appropriated for the administration of this chapter by the Commission \$98,100,000 for fiscal year 1986 and \$97,600,000 for fiscal year 1987, together with such sums as may be necessary for increases resulting from adjustments in salary, pay, retirement, other employee benefits required by law, and other nondiscretionary costs, for each of the fiscal years 1986 and 1987."

1986—Pub. L. 99-272 amended section generally. Prior to amendment, section read as follows: "There are authorized to be appropriated for the administration of this chapter by the Commission \$91,156,000, together with such sums as may be necessary for increases resulting from adjustments in salary, pay, retirement, other employee benefits required by law, and other nondiscretionary costs, for each of the fiscal years 1984 and 1985."

1983—Pub. L. 98-214 substituted provisions authorizing appropriations of \$91,156,000 for each of the fiscal years 1984 and 1985 for provisions authorizing appropriations of \$76,900,000 for each of the fiscal years 1982 and 1983.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-141, div. P, title I, §103, Mar. 23, 2018, 132 Stat. 1086, provided that: "This title [enacting section 159a of this title, amending this section and sections 158, 159, and 309 of this title, enacting provisions set out as notes under sections 158 and 159 of this title, and repealing provisions set out as a note under this section] and the amendments made by this title shall take effect on October 1, 2018."

EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-594, §2(b), Nov. 3, 1988, 102 Stat. 3021, provided that: "The amendment made by subsection (a) of this section [amending this section] shall apply with respect to fiscal years beginning after September 30, 1987."

EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-272, title V, §5002(a)(2), Apr. 7, 1986, 100 Stat. 118, provided that: "The amendment made by paragraph (1) of this subsection [amending this section] shall apply with respect to fiscal years beginning after September 30, 1985."

EFFECTIVE DATE OF 1983 AMENDMENT

Pub. L. 98-214, §2(b), Dec. 8, 1983, 97 Stat. 1467, provided that: "The amendment made by subsection (a)

[amending this section] shall apply with respect to fiscal years beginning after September 30, 1983.”

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 104-104, title VII, §710(a), (b), Feb. 8, 1996, 110 Stat. 160, which authorized additional appropriations to the Federal Communications Commission, was repealed by Pub. L. 115-141, div. P, title I, §101(c)(1), Mar. 23, 2018, 132 Stat. 1082.

§ 157. New technologies and services

(a) It shall be the policy of the United States to encourage the provision of new technologies and services to the public. Any person or party (other than the Commission) who opposes a new technology or service proposed to be permitted under this chapter shall have the burden to demonstrate that such proposal is inconsistent with the public interest.

(b) The Commission shall determine whether any new technology or service proposed in a petition or application is in the public interest within one year after such petition or application is filed. If the Commission initiates its own proceeding for a new technology or service, such proceeding shall be completed within 12 months after it is initiated.

(June 19, 1934, ch. 652, title I, §7, as added Pub. L. 98-214, §12, Dec. 8, 1983, 97 Stat. 1471; amended Pub. L. 103-414, title III, §304(a)(1), Oct. 25, 1994, 108 Stat. 4296.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), 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.

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”.

Statutory Notes and Related Subsidiaries

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) General authority; establishment of schedule

The Commission shall assess and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.

(b) Adjustment of schedule

(1) In general

In every even-numbered year, the Commission shall review the schedule of application fees established under this section and, except as provided in paragraph (2), set a new amount for each fee in the schedule that is equal to

the amount of the fee on the date when the fee was established or the date when the fee was last amended under subsection (c), whichever is later—

(A) increased or decreased by the percentage change in the Consumer Price Index during the period beginning on such date and ending on the date of the review; and

(B) rounded to the nearest \$5 increment.

(2) Threshold for adjustment

The Commission may not adjust a fee under paragraph (1) if—

(A) in the case of a fee the current amount of which is less than \$200, the adjustment would result in a change in the current amount of less than \$10; or

(B) in the case of a fee the current amount of which is \$200 or more, the adjustment would result in a change in the current amount of less than 5 percent.

(3) Current amount defined

In paragraph (2), the term “current amount” means, with respect to a fee, the amount of the fee on the date when the fee was established, the date when the fee was last adjusted under paragraph (1), or the date when the fee was last amended under subsection (c), whichever is latest.

(c) Amendments to schedule

In addition to the adjustments required by subsection (b), the Commission shall by rule amend the schedule of application fees established under this section if the Commission determines that the schedule requires amendment—

(1) so that such fees reflect increases or decreases in the costs of processing applications at the Commission; or

(2) so that such schedule reflects the consolidation or addition of new categories of applications.

(d) Exceptions

(1) Parties to which fees are not applicable

The application fees established under this section shall not be applicable to—

(A) a governmental entity;

(B) a nonprofit entity licensed in the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, or Special Emergency Radio radio services; or

(C) a noncommercial radio station or noncommercial television station.

(2) Cost of collection

If, in the judgment of the Commission, the cost of collecting an application fee established under this section would exceed the amount collected, the Commission may by rule eliminate such fee.

(e) Deposit of collections

Moneys received from application fees established under this section shall be deposited in the general fund of the Treasury.

(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