

105TH CONGRESS
1ST SESSION

H. R. 954

To amend the Communications Act of 1934 to clarify the authority of the Federal Communications Commission to authorize foreign investment in United States broadcast and common carrier radio licenses.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1997

Mr. OXLEY (for himself, Mr. TAUZIN, Mr. GILLMOR, Mr. UPTON, Mr. WHITE, and Mr. DAN SCHAEFER of Colorado) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Communications Act of 1934 to clarify the authority of the Federal Communications Commission to authorize foreign investment in United States broadcast and common carrier radio licenses.

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 “International Tele-
5 communications Investment Clarification Act”.

6 **SEC. 2. FOREIGN OWNERSHIP.**

7 Section 310(b) of the Communications Act of 1934
8 (47 U.S.C. 310(b)) is amended to read as follows:

1 “(b)(1) No broadcast or common carrier or aero-
2 nautical en route or aeronautical fixed radio station license
3 shall be granted to or held by—

4 “(A) any alien or the representative of any
5 alien;

6 “(B) any corporation organized under the laws
7 of any foreign government; or

8 “(C) any corporation of which more than one-
9 fifth of the capital stock is owned of record or voted
10 by a foreign government or representative thereof.

11 “(2) No broadcast radio station license shall be
12 granted to or held by—

13 “(A) any corporation of which more than one-
14 fifth of the capital stock is owned of record or voted
15 by aliens or their representatives or by any corpora-
16 tion organized under the laws of a foreign country;
17 or

18 “(B) any corporation directly or indirectly con-
19 trolled by any other corporation of which more than
20 one-fourth of the capital stock is owned of record or
21 voted by aliens, their representatives, or by a foreign
22 government or representative thereof, or by any cor-
23 poration organized under the laws of a foreign coun-
24 try, if the Commission finds that the public interest

1 will be served by the refusal or revocation of such
2 license.

3 “(3) No common carrier or aeronautical en route or
4 aeronautical fixed radio station license shall be granted
5 to or held by any corporation of which more than one-
6 fifth of the capital stock is owned of record or voted by
7 aliens or their representatives or by any corporation orga-
8 nized under the laws of a foreign country, if the Commis-
9 sion finds that the public interest will be served by the
10 refusal or revocation of such license.

11 “(4) Nothing in this subsection or subsection (a) pro-
12 hibits a common carrier or aeronautical en route or aero-
13 nautical fixed radio station license from being granted to
14 or held by any corporation directly or indirectly controlled
15 by any other corporation of which more than one-fourth
16 of the capital stock is owned of record or voted by aliens,
17 their representatives, or by a foreign government or rep-
18 resentative thereof, or by any corporation organized under
19 the laws of a foreign country.”.

20 **SEC. 3. SUBMARINE CABLE AMENDMENT.**

21 Section 2 of the Act of May 27, 1921, entitled “An
22 Act relating to the landing and operation of submarine
23 cables in the United States” (47 U.S.C. 35), is amended

1 by inserting before the period at the end thereof the fol-
2 lowing: “: *And provided further*, That the Federal Commu-
3 nications Commission shall not deny any license to land
4 or operate such a cable solely on the grounds that such
5 license will be issued to a corporation that is directly or
6 indirectly owned by aliens, their representatives, or by any
7 corporation organized under the laws of a foreign govern-
8 ment”.

9 **SEC. 4. EFFECTIVE DATE; REGULATIONS.**

10 (a) **EFFECTIVE DATE.**—This Act and the amend-
11 ments made by this Act are effective upon enactment.

12 (b) **REGULATIONS.**—Within 90 days after the date of
13 enactment of this Act, the Federal Communications Com-
14 mission shall take all actions necessary to implement this
15 Act, including amending its rules and regulations, but the
16 Commission shall not, after such effective date, take any
17 action to enforce any rule, regulation, order, or policy that
18 is inconsistent with the amendments made by this Act.

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