

## AMENDMENTS

1996—Subsec. (c)(1). Pub. L. 104-104 inserted last sentence and struck out former last sentence which read as follows: “Nothing in this paragraph shall authorize the Commission to provide for the conduct, by any person or persons other than persons referred to in clauses (2) and (3) of section 556(b) of title 5, of any hearing to which such section 556(b) applies.”

1994—Subsecs. (e), (f). Pub. L. 103-414 redesignated subsec. (f) as (e).

1988—Subsec. (c)(1). Pub. L. 100-594, § 8(a), inserted “and except any action referred to in sections 204(a)(2), 208(b), and 405(b) of this title” after “and (6) of this subsection” in first sentence.

Subsec. (g). Pub. L. 100-594, § 4, struck out subsec. (g) which required an annual report to Congress and specified its contents.

1986—Subsec. (g). Pub. L. 99-272 substituted “March 31” for “January 31”.

1982—Subsec. (b). Pub. L. 97-259, § 105(a), substituted “From” for “Within six months after July 16, 1952, and from” at beginning of subsection, and struck out “thereafter” after “time to time”.

Subsecs. (c) to (e). Pub. L. 97-259, § 105(b), (c), redesignated subsecs. (d) and (e) as (c) and (d), respectively, and in par. (1) of subsec. (c), as so redesignated, substituted “two” for “three” after “employee board consisting of”.

1981—Subsecs. (f), (g). Pub. L. 97-35 added subsecs. (f) and (g).

1980—Subsec. (e). Pub. L. 96-470 struck out “; and the Commission shall promptly report to the Congress each such case which has been pending before it more than such three- or six-month period, respectively, stating the reasons therefor” after “hearing cases”.

1961—Subsec. (c). Pub. L. 87-192, § 1, repealed subsec. (c) which provided for establishment of review staff, its composition, responsibility and duties.

Subsec. (d)(1). Pub. L. 87-192, § 2, substituted provisions which authorized the delegation of functions by published rule or by order to a panel of commissioners, and individual commissioner, an employee board, or an individual employee, and of review functions to an employee board of three or more employees, enumerated the functions to be delegated, with stated exceptions, and prescribed majority vote for order delegating review functions for former provision which authorized the assignment of reference of work, business or functions by order to an individual commissioner or commissioners or to a board of one or more employees and eliminated provision concerning force, effect and enforcement of orders, now incorporated in par. (3) of this subsection.

Subsec. (d)(2). Pub. L. 87-192, § 2, added par. (2). The subject matter was formerly covered by the introductory words of former par. (1) of this subsection which read “Except as provided in section 409 of this title.” Sentences 1 and 2 of former par. (2) redesignated pars. (4) and (6), respectively.

Subsec. (d)(3). Pub. L. 87-192, § 2, redesignated second sentence of former par. (1) as par. (3) and substituted therein “report, or action made or taken pursuant to any such delegation, unless reviewed as provided in paragraph (4), shall have” and “other actions” for “report made, or other action taken, pursuant to any such order of assignment or reference shall, unless reviewed pursuant to paragraph (2), have” and “action”, respectively. Former par. (3) redesignated (9).

Subsec. (d)(4). Pub. L. 87-192, § 2, redesignated first sentence of former par. (2) as par. (4), included “action” in enumeration, and inserted provision for review on initiative of the Commission.

Subsec. (d)(5). Pub. L. 87-192, § 2, added par. (5).

Subsec. (d)(6). Pub. L. 87-192, § 2, redesignated second sentence of former par. (2) as par. (6), inserting “for review” after “applications” and substituting “the Commission”, “the order”, “it may order” and “in accordance with” for “it”, “such order”, “may order” and “under”, respectively.

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