

**§ 309a. Reports related to spectrum auctions****(a) Omitted****(b) Auction expenditure justification report**

Not later than April 1, 2019, and annually thereafter, the Commission shall provide to the appropriate committees of Congress a report containing a detailed justification for the use of proceeds retained by the Commission under section 309(j)(8)(B) of this title for the costs of developing and implementing the program required by section 309(j) of this title.

**(c) Definition**

For purposes of this section, the term “appropriate committees of Congress” means—

- (1) the Committee on Commerce, Science, and Transportation of the Senate;
- (2) the Committee on Appropriations of the Senate;
- (3) the Committee on Energy and Commerce of the House of Representatives; and
- (4) the Committee on Appropriations of the House of Representatives.

(Pub. L. 115-141, div. P, title V, §512, Mar. 23, 2018, 132 Stat. 1097.)

**Editorial Notes**

## CODIFICATION

Section is comprised of section 512 of div. P of Pub. L. 115-141. Subsec. (a) of section 512 of div. P of Pub. L. 115-141 amended section 309 of this title.

**§ 310. License ownership restrictions****(a) Grant to or holding by foreign government or representative**

The station license required under this chapter shall not be granted to or held by any foreign government or the representative thereof.

**(b) Grant to or holding by alien or representative, foreign corporation, etc.**

No broadcast or common carrier or aeronautical en route or aeronautical fixed radio station license shall be granted to or held by—

- (1) any alien or the representative of any alien;
- (2) any corporation organized under the laws of any foreign government;
- (3) any corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country;
- (4) any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country, if the Commission finds that the public interest will be served by the refusal or revocation of such license.

**(c) Authorization for aliens licensed by foreign governments; multilateral or bilateral agreement to which United States and foreign country are parties as prerequisite**

In addition to amateur station licenses which the Commission may issue to aliens pursuant to

this chapter, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a multilateral or bilateral agreement, to which the United States and the alien’s government are parties, for such operation on a reciprocal basis by United States amateur radio operators. Other provisions of this chapter and of subchapter II of chapter 5, and chapter 7, of title 5 shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization.

**(d) Assignment and transfer of construction permit or station license**

No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience, and necessity will be served thereby. Any such application shall be disposed of as if the proposed transferee or assignee were making application under section 308 of this title for the permit or license in question; but in acting thereon the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit or license to a person other than the proposed transferee or assignee.

**(e) Administration of regional concentration rules for broadcast stations**

(1) In the case of any broadcast station, and any ownership interest therein, which is excluded from the regional concentration rules by reason of the savings provision for existing facilities provided by the First Report and Order adopted March 9, 1977 (docket No. 20548; 42 Fed. Reg. 16145), the exclusion shall not terminate solely by reason of changes made in the technical facilities of the station to improve its service.

(2) For purposes of this subsection, the term “regional concentration rules” means the provisions of sections 73.35, 73.240, and 73.636 of title 47, Code of Federal Regulations (as in effect June 1, 1983), which prohibit any party from directly or indirectly owning, operating, or controlling three broadcast stations in one or several services where any two of such stations are within 100 miles of the third (measured city-to-city), and where there is a primary service contour overlap of any of the stations.

(June 19, 1934, ch. 652, title III, §310, 48 Stat. 1086; July 16, 1952, ch. 879, §8, 66 Stat. 716; Pub. L. 85-817, §2, Aug. 28, 1958, 72 Stat. 981; Pub. L. 88-313, §2, May 28, 1964, 78 Stat. 202; Pub. L. 92-81, §2, Aug. 10, 1971, 85 Stat. 302; Pub. L. 93-505, §2, Nov. 30, 1974, 88 Stat. 1576; Pub. L. 98-214, §7, Dec. 8, 1983, 97 Stat. 1469; Pub. L. 101-396, §8(b), Sept. 28, 1990, 104 Stat. 850; Pub. L.