

§ 391. Authorization of appropriations

There are authorized to be appropriated \$42,000,000 for each of the fiscal years 1992, 1993, and 1994, to be used by the Secretary of Commerce to assist in the planning and construction of public telecommunications facilities as provided in this subpart. Sums appropriated under this subpart for any fiscal year shall remain available until expended for payment of grants for projects for which applications approved by the Secretary pursuant to this subpart have been submitted within such fiscal year. Sums appropriated under this subpart may be used by the Secretary to cover the cost of administering the provisions of this subpart.

(June 19, 1934, ch. 652, title III, § 391, as added Pub. L. 87-447, May 1, 1962, 76 Stat. 65; amended Pub. L. 90-129, title I, § 101, Nov. 7, 1967, 81 Stat. 365; Pub. L. 91-97, § 2, Oct. 27, 1969, 83 Stat. 146; Pub. L. 92-411, § 2, Aug. 29, 1972, 86 Stat. 643; Pub. L. 93-84, § 1(c), Aug. 6, 1973, 87 Stat. 219; Pub. L. 94-309, § 3, June 5, 1976, 90 Stat. 683; Pub. L. 95-567, title I, § 102, Nov. 2, 1978, 92 Stat. 2405; Pub. L. 97-35, title XII, § 1222, Aug. 13, 1981, 95 Stat. 725; Pub. L. 99-272, title V, § 5001(a), Apr. 7, 1986, 100 Stat. 117; Pub. L. 100-626, § 2, Nov. 7, 1988, 102 Stat. 3207; Pub. L. 102-356, § 2, Aug. 26, 1992, 106 Stat. 949.)

Editorial Notes

AMENDMENTS

1992—Pub. L. 102-356 substituted provisions authorizing appropriations of \$42,000,000 for each of the fiscal years 1992, 1993, and 1994 for provisions authorizing appropriations of \$40,000,000 for each of the fiscal years 1979, 1980, and 1981, \$20,000,000 for fiscal year 1982, \$15,000,000 for fiscal year 1983, \$12,000,000 for fiscal year 1984, \$24,000,000 for fiscal year 1986, \$28,000,000 for fiscal year 1987, \$32,000,000 for fiscal year 1988, \$36,000,000 for fiscal year 1989, \$39,000,000 for fiscal year 1990, and \$42,000,000 for fiscal year 1991.

1988—Pub. L. 100-626 struck out “and” after “fiscal year 1987,” and inserted “\$36,000,000 for fiscal year 1989, \$39,000,000 for fiscal year 1990, and \$42,000,000 for fiscal year 1991,” after “fiscal year 1988.”

1986—Pub. L. 99-272 struck out “and” after “1983,” and inserted “, \$24,000,000 for fiscal year 1986, \$28,000,000 for fiscal year 1987, and \$32,000,000 for fiscal year 1988,” after “1984.”

1981—Pub. L. 97-35 inserted provisions authorizing appropriations for fiscal years 1982, 1983, and 1984 of \$20,000,000, \$15,000,000, and \$12,000,000, respectively.

1978—Pub. L. 95-567 substituted provisions authorizing appropriations of \$40,000,000 for fiscal years 1979 to 1981 for provisions authorizing appropriations of \$7,500,000 for July 1, 1976 through September 30, 1976 and \$30,000,000 for fiscal year ending September 30, 1977, provision that such funds would remain available until expended for provision that such funds would remain available for one year after the last day of the fiscal year, and also made allowance for the funds to be used for the cost of administering this section.

1976—Pub. L. 94-309 substituted provision authorizing appropriation of \$7,500,000 for period July 1, 1976, through September 30, 1976, and \$30,000,000 for fiscal year ending September 30, 1977, to assist (through matching grants) in the construction of noncommercial educational television or radio broadcasting facilities as provided in this subpart and provision that sums appropriated under this section for any fiscal year or period shall remain available for payment of grants for projects for which applications approved under section 392 of this title have been submitted under such section within one year after the last day of such fiscal year or

period for provision authorizing appropriation for fiscal year ending June 30, 1974 and for the succeeding fiscal year such sums not to exceed \$25,000,000 for fiscal year ending June 30, 1974, and \$30,000,000 for the succeeding fiscal year, as may be necessary to carry out the purposes of section 390 of this title and provision that sums appropriated under this section for any fiscal year shall remain available for payment of grants for projects for which applications approved under section 392 of this title have been submitted under such section prior to the end of the succeeding fiscal year, respectively.

1973—Pub. L. 93-84 substituted authorization of appropriation of amounts not exceeding \$25,000,000 and \$30,000,000 for fiscal year ending June 30, 1974 and the succeeding fiscal year, respectively, for authorization of appropriation of amount not exceeding \$25,000,000 for fiscal year ending June 30, 1973.

1972—Pub. L. 92-411 substituted authorization of appropriation of \$25,000,000 for fiscal year ending June 30, 1973, for authorization of \$15,000,000 for such year, and struck out authorization of appropriations for fiscal years 1963 to 1972.

1969—Pub. L. 91-97 authorized appropriations of \$15,000,000 for fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years, and extended date for submission of applications from “prior to July 1, 1971” to “prior to July 1, 1974”.

1967—Pub. L. 90-129 authorized appropriations of \$10,500,000, and \$12,500,000, and \$15,000,000 for fiscal years ending June 30, 1968, 1969, and 1970, and extended date for submission of applications from “prior to July 1, 1968”, to “prior to July 1, 1971”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-626, § 12, Nov. 7, 1988, 102 Stat. 3212, provided that: “This Act and the amendments made by this Act [amending this section and sections 396, 398, 399, and 605 of this title and enacting provisions set out as notes under sections 396 and 609 of this title] are effective on the date of enactment of this Act [Nov. 7, 1988], except that the amendments made by sections 6 and 7(d) [amending section 396 of this title] are effective on October 1, 1989.”

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-567 effective Nov. 2, 1978, see section 403 of Pub. L. 95-567, set out as a note under section 390 of this title.

§ 392. Grants for construction

(a) Applications for grants

For each project for the construction of public telecommunications facilities there shall be submitted to the Secretary an application for a grant containing such information with respect to such project as the Secretary may require, including the total cost of such project, the amount of the grant requested for such project, and a 5-year plan outlining the applicant’s projected facilities requirements and the projected costs of such facilities requirements. Each applicant shall also provide assurances satisfactory to the Secretary that—

(1) the applicant is (A) a public broadcast station; (B) a noncommercial telecommunications entity; (C) a system of public telecommunications entities; (D) a nonprofit foundation, corporation, institution, or association organized primarily for educational or cultural purposes; or (E) a State or local government (or any agency thereof), or a political or special purpose subdivision of a State;