

103^D CONGRESS
1ST SESSION

H. R. 1785

To make various budget cuts and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 1993

Mr. KNOLLENBERG introduced the following bill; which was referred jointly to the Committees on Public Works and Transportation, Energy and Commerce, House Administration, Natural Resources, Banking, Finance and Urban Affairs, Government Operations, Agriculture, Ways and Means, Post Office and Civil Service, Education and Labor, and Appropriations

A BILL

To make various budget cuts and for other purposes.

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 “Deficit Reduction Act
5 of 1993”.

6 **SEC. 2. REDUCTION IN TRAVEL BUDGETS.**

7 The annual travel budget for each non-defense execu-
8 tive branch agency (excluding the Postal Service) for fiscal
9 year 1994 shall not exceed an amount equal to 90 percent

1 of the budget level available to such agency for fiscal year
2 1993.

3 **SEC. 3. ABOLITION OF THE INTERSTATE COMMERCE COM-**
4 **MISSION.**

5 (a) IN GENERAL.—The Interstate Commerce Com-
6 mission is abolished.

7 (b) TRANSFER OF FUNCTIONS.—

8 (1) CHAIRMAN AND MEMBERS.—The functions,
9 powers, and duties of the Chairman or the members
10 of the Interstate Commerce Commission are trans-
11 ferred to and vested in the Secretary of Transpor-
12 tation.

13 (2) COMMISSION.—The functions, powers, and
14 duties of the Interstate Commerce Commission are
15 transferred to the Department of Transportation.

16 (c) ADMINISTRATIVE PROVISIONS.—

17 (1) REORGANIZATION.—The Secretary of
18 Transportation is authorized to allocate or reallocate
19 any function transferred under subsection (b) among
20 the officers of the Department of Transportation,
21 and to establish, consolidate, alter, or discontinue
22 such organizational entities in the Department of
23 Transportation as may be necessary or appropriate.

24 (2) RULES.—The Secretary of Transportation
25 is authorized to prescribe, in accordance with the

1 provisions of chapters 5 and 6 of title 5, United
2 States Code, such rules and regulations as are nec-
3 essary or appropriate to administer and manage the
4 functions of the Department of Transportation.

5 (3) TRANSFER AND ALLOCATIONS OF APPRO-
6 PRIATIONS AND PERSONNEL.—Except as otherwise
7 provided in this section, the personnel employed in
8 connection with, and the assets, liabilities, contracts,
9 property, records, and unexpended balances of ap-
10 propriations, authorizations, allocations, and other
11 funds employed, used, held, arising from, available
12 to, or to be made available in connection with the
13 functions transferred by this section, subject to sec-
14 tion 1531 of title 31, United States Code, shall be
15 transferred to the Department of Transportation.
16 Unexpended funds transferred pursuant to this sec-
17 tion shall be used only for the purposes for which
18 the funds were originally authorized and appro-
19 priated.

20 (4) INCIDENTAL TRANSFERS.—The Director of
21 the Office of Management and Budget, at such time
22 or times as the Director shall provide, is authorized
23 to make such determinations as may be necessary
24 with regard to the functions transferred by this sec-
25 tion, and to make such additional incidental disposi-

1 tions of personnel, assets, liabilities, grants, con-
2 tracts, property, records, and unexpended balances
3 of appropriations, authorizations, allocations, and
4 other funds held, used, arising from, available to, or
5 to be made available in connection with such func-
6 tions, as may be necessary to carry out the provi-
7 sions of this section. The Director of the Office of
8 Management and Budget shall provide for the termi-
9 nation of the affairs of all entities terminated by this
10 section and for such further measures and disposi-
11 tions as may be necessary to effectuate the purposes
12 of this section.

13 (5) EFFECT ON PERSONNEL.—

14 (A) IN GENERAL.—Except as otherwise
15 provided by this section, the transfer pursuant
16 to this section of full-time personnel (except
17 special Government employees) and part-time
18 personnel holding permanent positions shall not
19 cause any such employee to be separated or re-
20 duced in grade or compensation for 1 year after
21 the date of transfer of such employee under this
22 section.

23 (B) EXECUTIVE SCHEDULE POSITIONS.—
24 Except as otherwise provided in this section,
25 any person who, on the day preceding the effec-

1 tive date of this section, held a position com-
2 pensated in accordance with the Executive
3 Schedule prescribed in chapter 53 of title 5,
4 United States Code, and who, without a break
5 in service, is appointed in the Department of
6 Transportation to a position having duties com-
7 parable to the duties performed immediately
8 preceding such appointment shall continue to be
9 compensated in such new position at not less
10 than the rate provided for such previous posi-
11 tion, for the duration of the service of such per-
12 son in such new position.

13 (C) TERMINATION OF CERTAIN POSI-
14 TIONS.—Positions whose incumbents are ap-
15 pointed by the President, by and with the ad-
16 vice and consent of the Senate, the functions of
17 which are transferred by this section, shall ter-
18 minate on the effective date of this section.

19 (6) SAVINGS PROVISIONS.—

20 (A) CONTINUING EFFECT OF LEGAL DOCU-
21 MENTS.—All orders, determinations, rules, reg-
22 ulations, permits, agreements, grants, contracts,
23 certificates, licenses, registrations, privileges,
24 and other administrative actions—

1 (i) which have been issued, made,
2 granted, or allowed to become effective by
3 the President, any Federal agency or offi-
4 cial thereof, or by a court of competent ju-
5 risdiction, in the performance of functions
6 which are transferred under this section,
7 and

8 (ii) which are in effect at the time this
9 section takes effect, or were final before
10 the effective date of this section and are to
11 become effective on or after the effective
12 date of this section,

13 shall continue in effect according to their terms
14 until modified, terminated, superseded, set
15 aside, or revoked in accordance with law by the
16 President, the Secretary of Transportation or
17 other authorized official, a court of competent
18 jurisdiction, or by operation of law.

19 (B) PROCEEDINGS NOT AFFECTED.—The
20 provisions of this section shall not affect any
21 proceedings, including notices of proposed rule-
22 making, or any application for any license, per-
23 mit, certificate, or financial assistance pending
24 before the Interstate Commerce Commission at
25 the time this section takes effect, with respect

1 to functions transferred by this section but such
2 proceedings and applications shall be continued.
3 Orders shall be issued in such proceedings, ap-
4 peals shall be taken therefrom, and payments
5 shall be made pursuant to such orders, as if
6 this section had not been enacted, and orders
7 issued in any such proceedings shall continue in
8 effect until modified, terminated, superseded, or
9 revoked by a duly authorized official, by a court
10 of competent jurisdiction, or by operation of
11 law. Nothing in this subsection shall be deemed
12 to prohibit the discontinuance or modification
13 of any such proceeding under the same terms
14 and conditions and to the same extent that
15 such proceeding could have been discontinued
16 or modified if this section had not been enacted.

17 (C) SUITS NOT AFFECTED.—The provi-
18 sions of this section shall not affect suits com-
19 menced before the effective date of this section,
20 and in all such suits, proceedings shall be had,
21 appeals taken, and judgments rendered in the
22 same manner and with the same effect as if this
23 section had not been enacted.

24 (D) NONABATEMENT OF ACTIONS.—No
25 suit, action, or other proceeding commenced by

1 or against the Interstate Commerce Commis-
2 sion, or by or against any individual in the offi-
3 cial capacity of such individual as an officer of
4 the Interstate Commerce Commission, shall
5 abate by reason of the enactment of this
6 section.

7 (E) ADMINISTRATIVE ACTIONS RELATING
8 TO PROMULGATION OF REGULATIONS.—Any ad-
9 ministrative action relating to the preparation
10 or promulgation of a regulation by the Inter-
11 state Commerce Commission relating to a func-
12 tion transferred under this section may be con-
13 tinued by the Department of Transportation
14 with the same effect as if this section had not
15 been enacted.

16 (7) TRANSITION.—The Secretary of Transpor-
17 tation is authorized to utilize—

18 (A) the services of such officers, employ-
19 ees, and other personnel of the Interstate Com-
20 merce Commission with respect to functions
21 transferred to the Department of Transpor-
22 tation by this section; and

23 (B) funds appropriated to such functions
24 for such period of time as may reasonably be

1 needed to facilitate the orderly implementation
2 of this section.

3 (8) REFERENCES.—

4 (A) IN GENERAL.—Reference in any other
5 Federal law, Executive order, rule, regulation,
6 or delegation of authority, or any document of
7 or relating to—

8 (i) the Chairman or the Commis-
9 sioners of the Interstate Commerce Com-
10 mission with regard to functions trans-
11 ferred under subsection (b), shall be
12 deemed to refer to the Secretary of Trans-
13 portation; and

14 (ii) the Interstate Commerce Commis-
15 sion with regard to functions transferred
16 under subsection (b), shall be deemed to
17 refer to the Department of Transportation.

18 (B) POSITIONS.—Chapter 53 of title 5,
19 United States Code is amended—

20 (i) in section 5314, by striking
21 “Chairman, Interstate Commerce Commis-
22 sion.”; and

23 (ii) in section 5315, by striking
24 “Members, Interstate Commerce Commis-
25 sion.”.

1 (9) ADDITIONAL CONFORMING AMENDMENTS.—

2 (A) RECOMMENDED LEGISLATION.—After
3 consultation with the appropriate committees of
4 the Congress and the Director of the Office of
5 Management and Budget, the Secretary of
6 Transportation shall prepare and submit to the
7 Congress recommended legislation containing
8 technical and conforming amendments to reflect
9 the changes made by this section.

10 (B) SUBMISSION TO THE CONGRESS.—No
11 later than 6 months after the effective date of
12 this section, the Secretary of Transportation
13 shall submit the recommended legislation re-
14 ferred to under subparagraph (A).

15 (11) REPEALER.—Chapter 103 of title 49,
16 United States Code, is repealed.

17 (12) EFFECTIVE DATE.—This section shall take
18 effect 180 days after the date of enactment.

19 **SEC. 4. REDUCTION IN LEGISLATIVE BRANCH.**

20 The outlays for the legislative branch for fiscal year
21 1993 shall not exceed an amount equal to 85 percent of
22 the outlays for the legislative branch for fiscal year 1993.

23 **SEC. 5. HELIUM RESERVES.**

24 (a) REQUIREMENT TO SELL.—Subject to subsections
25 (b) and (c), the Secretary of the Interior shall sell to one

1 or more joint ventures as described in subsection (d) all
2 right, title, and interest of the United States in and to—

3 (1) the helium reserves established pursuant to
4 the Helium Act (50 U.S.C. 167 et seq.); and

5 (2) the facilities and accessories to the helium
6 reserves.

7 (b) CONSIDERATION.—The Secretary of the Interior
8 may not convey any interest in a helium reserve pursuant
9 to subsection (a) for less than the fair market value of
10 the interest conveyed, as determined by the Secretary of
11 the Interior.

12 (c) RETENTION FOR DEFENSE PURPOSES.—In con-
13 sultation with the Secretary of Defense, the Secretary of
14 the Interior shall retain such helium reserves and facilities
15 and accessories to helium reserves as are necessary to pro-
16 vide for the defense and security of the United States in
17 time of war or national emergency.

18 (d) JOINT VENTURE.—Participants in the joint ven-
19 ture referred to in subsection (a) shall consist of—

20 (1) employees at the helium reserves and facili-
21 ties and accessories to helium reserves on the date
22 of enactment of this Act; and

23 (2) other persons.

1 **SEC. 6. REDUCTION IN FEDERAL ADMINISTRATIVE AND**
2 **OVERHEAD COSTS EXCLUDING TRAVEL.**

3 The administrative and overhead budget (excluding
4 travel expenses) for each non-defense executive branch
5 agency (excluding the Postal Service) for fiscal year 1995
6 shall not exceed an amount equal to 99 percent of the
7 budget level available to such agency for fiscal year 1994.

8 **SEC. 7. REPEAL OF DAVIS-BACON ACT.**

9 The Act of March 3, 1931 (known as the Davis-
10 Bacon Act) (40 U.S.C. 276a et seq.) is repealed.

11 **SEC. 8. ELIMINATION OF HONEY PRICE SUPPORT AND**
12 **WOOL AND MOHAIR PRICE SUPPORT PRO-**
13 **GRAMS.**

14 (a) ELIMINATION OF PROGRAMS.—

15 (1) HONEY PROGRAM.—Sections 207 and 405A
16 of the Agricultural Act of 1949 (7 U.S.C. 1446h and
17 1425a) are repealed.

18 (2) WOOL AND MOHAIR PROGRAM.—The Na-
19 tional Wool Act of 1954 (7 U.S.C. 1781 et seq.) is
20 repealed.

21 (b) CONFORMING AMENDMENTS.—

22 (1) AUTOMATIC SPENDING INCREASES.—Sec-
23 tion 256(a) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985 (2 U.S.C. 906(a)) is
25 amended—

26 (A) by striking paragraph (1); and

1 (B) by redesignating paragraphs (2) and
2 (3) as paragraphs (1) and (2), respectively.

3 (2) **MARKETING ORDERS.**—Section 8c(2)(B) of
4 the Agricultural Adjustment Act (7 U.S.C.
5 608c(2)(B)), reenacted with amendments by the Ag-
6 ricultural Marketing Agreement Act of 1937, is
7 amended by striking “honey” and “wool, mohair,”.

8 (3) **PAYMENT LIMITATIONS.**—Section 1001(2)
9 of the Food Security Act of 1985 (7 U.S.C.
10 1308(2)) is amended—

11 (A) in subparagraph (B)(iii), by striking
12 “(other than honey)”; and

13 (B) by striking subparagraph (C).

14 (4) **DESIGNATED NONBASIC AGRICULTURAL**
15 **COMMODITIES.**—Section 201(a) of the Agricultural
16 Act of 1949 (7 U.S.C. 1446(a)) is amended by strik-
17 ing “honey,”.

18 (5) **OTHER NONBASIC AGRICULTURAL COMMOD-**
19 **ITIES.**—Section 301 of the Agricultural Act of 1949
20 (7 U.S.C. 1447) is amended by inserting after
21 “nonbasic agricultural commodity” the following:
22 “(other than honey, wool, or mohair)”.

23 (6) **DEFINITIONS.**—Section 408(k) of the Agri-
24 cultural Act of 1949 (7 U.S.C. 1428(k)) is amended
25 by striking “honey,” each place it appears.

1 (2) CONTRIBUTION AUTHORITY.—After Sep-
2 tember 30, 1993, the date of the enactment of this
3 Act, the Secretary of Housing and Urban Develop-
4 ment may not enter into any new contract to make
5 contributions under section 5 of the United States
6 Housing Act of 1937 to public housing agencies for
7 the development or acquisition of public housing
8 projects by such agencies.

9 (3) EXISTING COMMITMENTS.—After Septem-
10 ber 30, 1993, the Secretary of Housing and Urban
11 Development may make contributions and loans for
12 the development or acquisition of public housing
13 projects only pursuant to legally binding commit-
14 ments to make such loans or contracts for such con-
15 tributions entered into on or before such date and
16 for which amounts were appropriated before such
17 date.

18 (4) INAPPLICABILITY TO INDIAN HOUSING.—
19 The provisions of this subsection shall not apply to
20 public housing developed pursuant to a contract be-
21 tween the Secretary of Housing and Urban Develop-
22 ment and an Indian housing authority.

23 (b) INCREASE OF VOUCHER AUTHORITY.—Any budg-
24 et authority available under section 5(c) of the United
25 States Housing Act of 1937 for voucher assistance under

1 section 8(o) of such Act is authorized to be increased on
2 or after October 1, 1993, by the amount necessary to pro-
3 vide voucher assistance under such section for the same
4 number of families to be provided dwelling units in public
5 housing pursuant to amounts appropriated for fiscal year
6 1993 for public housing construction. Vouchers for rental
7 assistance provided with the amounts made available
8 under this subsection may be used for the rental of dwell-
9 ing units or costs of residency, as determined by qualified
10 voucher recipients.

11 (c) DEFINITIONS.—For purposes of this section, the
12 terms “Indian housing authority”, “project”, “public
13 housing”, and “public housing agency” have the meanings
14 given the terms in section 3(b) of the United States Hous-
15 ing Act of 1937.

16 **SEC. 10. PROHIBITION OF HUD SPECIAL PURPOSE GRANTS.**

17 (a) IN GENERAL.—Notwithstanding any other law,
18 the Secretary of Housing and Urban Development may
19 not obligate or expend any budget authority provided in
20 any appropriation Act for projects or activities of the De-
21 partment of Housing and Urban Development not pre-
22 viously authorized in law, including any budget authority
23 provided for special projects that are specified only in the
24 joint explanatory statement for the conference report ac-
25 companying the bill that was approved as such appropria-

1 tions Act. Any budget authority provided for any such
2 project or activity shall be considered to be rescinded im-
3 mediately upon the enactment of the Act providing such
4 budget authority, unless the provision of law providing
5 such budget authority explicitly provides that this section
6 shall not apply.

7 (b) FISCAL YEAR 1993 AMOUNTS.—Of the
8 \$260,000,000 available for special projects in accordance
9 with the terms and conditions specified for such grants
10 in the committee of conference report and statement of
11 the managers (H. Rept. 102–902) accompanying H.R.
12 5679, and reserved from amounts appropriated under the
13 heading “HOUSING PROGRAMS—ANNUAL CONTRIBUTIONS
14 FOR ASSISTED HOUSING” under title II of the Depart-
15 ments of Veterans Affairs and Housing and Urban Devel-
16 opment, and Independent Agencies Appropriations Act,
17 1993 (Public Law 102–389; 106 Stat. 1584), any
18 amounts not obligated or expended before the date of the
19 enactment of this Act are hereby rescinded. No amounts
20 appropriated by such Act may be obligated or expended
21 for any such special project on or after the date of the
22 enactment of this Act.

1 **SEC. 11. COMPETITIVE BIDDING FOR PUBLIC HOUSING**
2 **MODERNIZATION ACTIVITIES.**

3 Section 14 of the United States Housing Act of 1937
4 (42 U.S.C. 1437l) is amended—

5 (1) in subsection (d)—

6 (A) in paragraph (3), by striking “and” at
7 the end;

8 (B) in paragraph (4), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by adding at the end the following new
11 paragraph:

12 “(5) a description of the competitive bidding
13 procedures to be used by the public housing agency
14 for contracts for acquiring supplies and services
15 using assistance provided pursuant to subsection
16 (b).”;

17 (2) in subsection (e)(1)—

18 (A) in subparagraph (G), by striking
19 “and” at the end;

20 (B) by redesignating subparagraph (H) as
21 subparagraph (I); and

22 (C) by inserting after subparagraph (G)
23 the following new subparagraph:

24 “(H) a description of the competitive bidding
25 procedures to be used by the public housing agency
26 for contracts for acquiring supplies and services

1 using assistance provided pursuant to subsection
2 (b).”;

3 (3) by striking the 2d sentence of subsection
4 (e)(3)(A) and inserting the following new sentence:
5 “A public housing agency may expend assistance for
6 any activities and work consistent with the approved
7 plan as the agency determines appropriate, but shall
8 comply with the competitive bidding procedures of
9 the agency established in accordance with the stand-
10 ards issued by the Secretary under subsection
11 (g)(2).”;

12 (4) in subsection (g)—

13 (A) by inserting “(1)” after “(g)”;

14 (B) by inserting “(A)” after “that such
15 agency”;

16 (C) by inserting before the period at the
17 end the following: “, and (B) in acquiring sup-
18 plies and services using assistance provided pur-
19 suant to subsection (b), has established and
20 complied with competitive bidding procedures in
21 accordance with the standards issued by the
22 Secretary under paragraph (2)”;

23 (D) by adding at the end the following new
24 paragraph:

1 “(2) Each public housing agency that receives assist-
2 ance under subsection (b) shall establish competitive bid-
3 ding procedures for expending such assistance for activi-
4 ties, work, supplies, and services for the purpose under
5 such subsection and shall expend such assistance in ac-
6 cordance with the procedures. The Secretary shall issue
7 regulations requiring and establishing standards for such
8 competitive bidding procedures.”.

9 **SEC. 12. DISCLOSURE OF TENANT INCOME FOR PURPOSES**
10 **OF ADMINSTRATING INCOME-BASED RENT**
11 **SUBSIDY PROGRAMS.**

12 Subparagraph (D) of section 6103(l)(7) of the Inter-
13 nal Revenue Code of 1986 (relating to disclosure of return
14 information) is amended by striking “and” at the end of
15 clause (vii), by striking the period at the end of clause
16 (viii) and inserting “; and” and by inserting after clause
17 (viii) the following new clause:

18 “(ix) any program of assistance for
19 housing administered by the Secretary of
20 Housing and Urban Development (I) that
21 provides assistance in the form of a grant,
22 contract, loan, loan guarantee, cooperative
23 agreement, interest subsidy, insurance, or
24 direct appropriation, and (II) under which
25 rent payments, with respect to all or some

1 of the units in the housing assisted, are
2 limited, restricted, or determined under
3 law or regulation based on the income of
4 the occupying families.”.

5 **SEC. 13. REDUCTION IN GOVERNMENT CONTRIBUTIONS TO**
6 **THE THRIFT SAVINGS PLAN.**

7 Section 8432(c) of title 5, United States Code, is
8 amended—

9 (1) in paragraph (1)(A) by inserting “one-half
10 of” before “1 percent”;

11 (2) in paragraph (2)(B)(i) by inserting “one-
12 half of” before “such portion”; and

13 (3) in paragraph (2)(B)(ii) by striking “one-
14 half” and inserting “one-fourth”.

15 **SEC. 14. COMPETITIVE BIDDING FOR RADIO SPECTRUM.**

16 (a) **COMPETITIVE BIDDING AUTHORIZED.**—Section
17 309 of the Communications Act of 1934 (47 U.S.C. 309)
18 is amended by adding at the end the following new sub-
19 section:

20 “(j)(1)(A) The Commission shall use competitive bid-
21 ding for awarding all initial licenses or new construction
22 permits, subject to the exclusions listed in subsection
23 (j)(2). The Commission shall require potential bidders to
24 file a first-stage application indicating an intent to partici-
25 pate in the competitive bidding process and containing

1 such other information as the Commission finds necessary.
2 After conducting the bidding, the Commission shall re-
3 quire the winning bidder to submit a second-stage applica-
4 tion. Upon determining that such application is acceptable
5 for filing and that the applicant is qualified pursuant to
6 subsection (j)(1)(B), the Commission shall grant a permit
7 or license.

8 “(B) No construction permit or license shall be grant-
9 ed to an applicant selected pursuant to subparagraph (A)
10 unless the Commission determines that such applicant is
11 qualified pursuant to section 308(b) and section 309(a)
12 of the Communications Act, on the basis of the informa-
13 tion contained in the first- and second-stage applications
14 submitted under subparagraph (A).

15 “(C) Each participant in the competitive bidding
16 process is subject to the schedule of changes contained in
17 section 8 of the Communications Act (47 U.S.C. 158).

18 “(D) The Commission shall have the authority in
19 awarding construction permits or licenses under competi-
20 tive bidding procedures to (i) define the geographic and
21 frequency limitations and technical requirements, if any,
22 of such permits or licenses; (ii) establish minimum accept-
23 able competitive bids; and (iii) establish other appropriate
24 conditions on such permits and licenses that will serve the
25 public interest.

1 “(E) The Commission shall, within eighteen months
2 after the date of enactment of this subsection, following
3 public notice and comment proceedings, adopt rules estab-
4 lishing competitive bidding procedures under this sub-
5 section, including the method of bidding and the basis for
6 payment (such as flat fees, fixed or variable royalties, com-
7 binations of flat fees and royalties, or other reasonable
8 forms of payment).

9 “(2) Competitive bidding shall not apply to—

10 “(A) license renewals;

11 “(B) the United States Government and State
12 or local government entities;

13 “(C) amateur operator services, public radio
14 broadcast services, public television broadcast serv-
15 ices, public safety services, and radio astronomy
16 services;

17 “(D) private radio end-user licenses, such as
18 Specialized Mobile Radio Service (SMRS), maritime,
19 and aeronautical end-user licenses;

20 “(E) any license grant to a non-United States
21 Government licensee being moved from its current
22 frequency assignment to a different one by the Com-
23 mission in order to implement the goals and objec-
24 tives underlying the ‘Emerging Telecommunications
25 Technologies Act of 1991’;

1 “(F) any other service, class of services, or as-
2 signments that the Commission determines, after
3 conducting public comment and notice proceedings,
4 should be exempt from competitive bidding because
5 of public interest factors warranting an exemption.

6 “(3) Monies received from competitive bidding pursu-
7 ant to this subsection shall be deposited in the general
8 fund of the United States Treasury, pursuant to the provi-
9 sions enacted in appropriations acts.”.

10 (b) RANDOM SELECTION NOT TO APPLY WHEN
11 COMPETITIVE BIDDING REQUIRED.—Section 309(i)(1) of
12 the Communications Act of 1934 (47 U.S.C. 309(i)(1))
13 is amended by inserting after “selection” the following: “,
14 except in instances where competitive bidding procedures
15 are required under section 309(j)”.

16 (c) SPECTRUM ALLOCATION DECISIONS.—Section
17 303 of the Communications Act is amended to add a new
18 subsection (v):

19 “(v) In making spectrum allocation decisions among
20 services that are subject to competitive bidding, the Com-
21 mission is authorized to consider as one factor among oth-
22 ers taken into account in making its determination, the
23 relative economic values and other public interest benefits
24 of the proposed uses as reflected in the potential revenues

1 that would be collected under its competitive bidding pro-
2 cedures.”.

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