

nature of a substitute consisting of H.R. 4295 as original text for the purposes of amendment under the 5-minute rule. Each section of said substitute shall be considered as having been read. Provides that at the expiration of 10 hours of consideration of said substitute, no further amendment to the bill or to the substitute shall be in order, and the question shall occur on the pending amendment or amendments. Provides one motion to recommit with or without instructions. Testimony was heard from Representatives Dingell, Wirth, Bonfili, Rinaldo, [unclear], [unclear], Diney, Oxley, Gekas, and Corcoran.

COMMUNICATIONS COMMISSION AUTHORIZATION

Committee on Rules: Granted a modified open rule providing for the consideration of and 1 hour of general debate on H.R. 2755, Communications Commission Authorization Act of 1983. Waives all points of order against consideration of the bill for failure to comply with section 402(a) [authorization of new budget authority not reported by May 15 preceding the fiscal year in which it is effective] of the Congressional Budget Act. Provides for the consideration of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill as original text for the purpose of amendment under the 5-minute rule. Said substitute shall be considered as having been read. No amendment to the bill or to said substitute shall be in order except: (1) amendments only to change the dollar figure on page 2, line 10, to another dollar figure, which shall only be subject to amendments to change such dollar figure to another dollar figure; (2) amendments which are germane to the text of sections 3, 5 and 6 of said substitute, relating to the funding and authority of the Corporation for Public Broadcasting; and (3) an amendment to section 8 of said substitute printed in the Record of November 8, 1983, by, and if offered by, Representative Rodino of New Jersey or Representative Kastenmeier of Wisconsin. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Wirth.

Committee on Science and Technology: Subcommittee on Natural Resources, Agriculture, Research and Environment, and the Subcommittee on Space Science and Applications held a joint hearing on Land Remote Sensing legislation. Testimony was heard from Ray Kammer, Chairman, Source Evaluation Board and Deputy Director, National Bureau of Standards, Department of Commerce; and public witnesses.

Hearings continue tomorrow.

COMMITTEE BUSINESS

Committee on Standards of Official Conduct: Met to consider pending business.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Subcommittee on Select Revenue Measures approved for full committee action the following: extension of the effective date of net operating loss carry over rules; extension of the special tax rules for the payment-in-kind program; H.R. 677, amended, to provide that subtitles A and C of the Internal Revenue Code of 1954 shall be applied without regard to the value of lodging located in the proximity of an educational institution and furnished by such institution to its employees for taxable years or periods beginning before January 1, 1984; H.R. 2568, amended, to amend the Internal Revenue Code of 1954 to repeal the provision which terminates the exclusion for amounts received under certain educational assistance programs; H.R. 3030, amended, to amend the Revenue Act of 1978 to provide that the inclusion in gross income of certain amounts of unemployment compensation shall not apply to unemployment compensation which is payable by reason of a work stoppage in 1973 but which was not paid until 1979; H.R. 3529, amended, to amend the Internal Revenue Code of 1954 with respect to the tax treatment of regulated investment companies; H.R. 4206, amended, to amend the Internal Revenue Code of 1954 to exempt from Federal income taxes members of the Armed Forces of the United States who die as a result of hostile actions overseas; H.R. 4253, to allow claims for credit or refund for transportation expenses incurred with respect to employment at the antiballistic missile site near Nekoma, N. Dak.; and H.R. 4271, amended, to amend the Internal Revenue Code of 1954 to increase the limitation on the deduction for business gifts from \$25 to \$100.

Joint Meetings

FEDERAL DEFICITS

Joint Economic Committee: Subcommittee on Economic Goals and Intergovernmental Policy concluded hearings to explore the impact of Federal deficits on savings and investment, interest rates, and the international value of the dollar, after receiving testimony from Senator Exon; and Martin Feldstein, Chairman, Council of Economic Advisers.

AUTHORIZATIONS—STATE/USIA/BIB

Conferees continued to resolve the differences between the Senate- and House-passed versions of H.R. 2915, authorizing funds for fiscal years 1984 and 1985 for the Department of State, U.S. Information Agency, and the Board for International Broad-

HAMMERSCHMIDT, Ms. KAPTOR, Mr. LELAND, Mr. LEVITAS, Mr. SIBIRSKY, Mr. FRENZEL, Mr. DURBIN, Mr. DONNELLY, Mr. HOYER, Mr. HOWARD, Mr. LEVINE of California, Mr. EDGAR, Mr. HARKIN, Mr. JACOBS, Ms. FIDLER, Mr. KOSTMAYER, Mr. CORCORAN, Mr. DELLUMS, Mr. CARMY, Mr. LEHMAN of California, Mr. DE LA GARZA, Mr. MURPHY, Mr. APPELGADE, Mr. BATES, Mr. BOSCO, Mr. BROWN of Colorado, Mr. BROTHILL, Mr. BRYANT, Mr. COELHO, Mr. EDWARDS of California, Mr. FAKIO, Mr. FORD of Tennessee, Mr. COYNE, Mr. FORD of Michigan, Mr. GENDENSON, Mr. HUGHES, Mr. KEMP, Mr. LEWIS of California, Mr. MINETA, Mr. MINISH, Ms. OAKAR, Mr. OWENS, Mr. REID, Mr. ROSE, Mr. ROYBAL, Mr. SIMON, Mr. SMITH of Florida, Ms. SNOWE, Mr. TOWNS, Mr. WEISS, Mr. WHITLEY, Mr. WYLLIE, Mr. BREAUX, Mr. BERKUTER, Mr. DANIEL B. CRANE, Mr. MCCURDY, Mr. PICKLE, Mr. AKAKA, Mr. SAM B. HALL, Jr., Mr. CROCKETT, Mr. SHARP, Mr. HALL of Ohio, Mr. EDWARDS of Oklahoma, Mr. UNALL, Mr. BONKER, Mr. HYDE, Mr. GLICKMAN, Mr. FOGLIETTA, Mr. PHILIP M. CRANE, Mr. MICA, Mr. HUBBARD, and Mr. HESTEL of Hawaii.

H. CON. RES. 107: Mr. WHEAT, Mr. WEAVER, Mr. McNULTY, and Mr. PARRIS.

H. CON. RES. 190: Mr. STUBBS, Mr. FOSYTHE, Mr. WEISS, Mr. LEWIS of Florida, and Mr. BADHAM.

H. CON. RES. 207: Mr. LEVIN of Michigan, Mr. BERMAN, Mr. HARKIN, and Mr. MCCAIN.

H. RES. 287: Mr. LEVINE of California and Mr. HARTNETT.

PETITIONS, ETC.

Under clause 1 of rule XXII,

270. By the SPEAKER: Petition of the Lake County Board, Illinois, relative to a national minimum drinking age; which was referred to the Committee on Public Works and Transportation.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2755

By Mr. RODINO:

—Page 7, strike out line 19 and all that follows through page 9, line 23 and insert in lieu thereof the following:

Sec. 8. (a) Section 223 of the Communications Act of 1934 (47 U.S.C. 223) is amended—

(1) by striking out "\$500" and inserting in lieu thereof "\$50,000";

(2) by inserting "(a)" before "Whoever"; and

(3) by adding at the end thereof the following new subsection:

"(b)(1) Whoever knowingly—

"(A) in the District of Columbia or in interstate or foreign communication, by means of telephone, makes (directly or by recording device) any obscene or indecent communication, for commercial purposes, to any person under eighteen years of age or to any other person without that person's consent, regardless of whether the maker of such communication placed the call, or

"(B) knowingly permits any telephone facility under such person's control to be used for an activity prohibited by subparagraph (A),

shall be fined not more than \$50,000 or imprisoned not more than 6 months, or both.

"(2) It is a defense to a prosecution under this section that the defendant restricted access to the prohibited communication to persons 18 years of age or older, in accordance with procedures which the Commission shall prescribe by regulation.

"(3) In addition to the penalties under paragraph (1), whoever, in the District of Columbia or in interstate or foreign communication, intentionally violates paragraph (1)(A) or (1)(B) shall be subject to a fine of not more than \$50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

"(4)(A) In addition to the penalties under paragraphs (1) and (3), whoever, in the District of Columbia or in interstate or foreign communication, violates paragraph (1)(A) or (1)(B) shall be subject to a civil fine of not more than \$50,000 for each violation. For purposes of this paragraph, each day of violation shall constitute a separate violation.

"(B) A fine under this paragraph may be assessed either—

"(i) by a court, pursuant to a civil action by the Commission or any attorney employed by the Commission who is designated by the Commission for such purpose, or

"(ii) by the Commission, after appropriate administrative proceedings.

"(5) The Attorney General may bring a suit in the appropriate district court of the United States to enjoin any act or practice which violates paragraph (1)(A) or (1)(B). An injunction may be granted in accordance with the Federal Rules of Civil Procedure."

(b) Section 223(a) of the Communications Act of 1934 (as redesignated by subsection (a) of this section) is amended in paragraph (2) by inserting "facility" after "telephone".

(c) The amendments made by subsections (a) and (b) of this section shall take effect upon the issuance of regulations by the Federal Communications Commission pursuant to section 223(a)(2) of the Communications Act of 1934, as added by subsection (a) of this section. The Commission shall issue such regulations not later than 180 days after the date of the enactment of this Act.

Amendment to the Amendment in the nature of a substitute (text of H.R. 4295.)

—Page 17, after line 22, insert the following:

(f) Section 201 of the Communications Act of 1934 (as amended by this Act) is further amended by adding at the end thereof the following new subsection:

"(e)(1) A State commission may provide that foreign exchange service be available—

"(A) to any subscriber with respect to exchange areas which are within the same standard metropolitan statistical area; and

"(B) to any subscriber who was provided foreign exchange service on the date of the enactment of this subsection, notwithstanding that the exchange areas involved are in different standard metropolitan statistical areas.

"(2) As used in this subsection—

"(A) the term 'foreign exchange service' means service under which a subscriber within one exchange area may, for all purposes, to receive telephone service as if that subscriber were located within another exchange area designated by the subscriber; and

"(B) term 'standard metropolitan statistical area' means the area in and around a city of 50,000 inhabitants or more as defined by the Office of Management and Budget."

Page 17, line 23, strike out "(f)" and insert in lieu thereof "(g)".

By Mrs. COLLINS:

(Amendment to the Amendment in the nature of a substitute (text of H.R. 4295).)

—Page 20, after line 11, insert the following new subparagraph:

"(C) In the case of any exchange carrier serving any high-density metropolitan area, the carrier shall be entitled to receive under subparagraph (A) or (B) an amount equal to

the portion of the surcharges which are imposed with respect to that area for payment under this subsection. As used in this subparagraph, the term 'high-density metropolitan area' means any exchange area in effect on the date of the enactment of this section which has a population of at least 1.5 million."

H.R. 4102

By Mr. CORCORAN:

(Amendment to the amendment in the nature of a substitute (text of H.R. 4295).)

—Page 10, at line 21, delete the words "be receiving" and insert in lieu thereof: "have available to it".

—Page 10, delete lines 24 through page 4, line 6.

—Page 11, delete lines 19 through 24.

—Page 12, at line 6, after the word "Commerce" insert: "and to recover an equitable amount of support for the Universal Service Fund that would have been generated by the interexchange carrier through direct interconnection".

(Amendment to the amendment in the nature of a substitute (text of H.R. 4295).)

—Page 6, at line 16 after the " " insert: Such charge shall be assessed on a basis which provides competitive equality with any other line or facility which is like, similar or capable of providing a functionally equivalent service, regardless of the technology used, and shall generate an amount of subsidy equal to that amount of subsidy above economic costs that would have been generated by direct interconnection."

Page 6, at line 18, delete the words "otherwise uncompensated availability of" and insert in lieu thereof: "Amount of subsidy support for the Universal Service Fund that would have been generated by"

Page 7, at line 4 delete the words "10 per centum" and insert in lieu thereof: "the amount"

And Page 7, at line 7 delete " , until" and insert in lieu thereof: " " and delete all that follows through line 12.

(Amendment to the amendment in the nature of a substitute (text of H.R. 4295).)

—Page 13, delete lines 10 through 13, and insert the following new subsections:

(2) Charges as determined and administered by the Commission under this section shall be paid to the Universal Service Fund as provided under rules promulgated by the Commission. To assure economic efficiency and competitive equity, the Commission, in determining the appropriate charges to support universal service and in promulgating its rules, shall take into consideration the amounts paid by carriers through direct interconnection to support universal service.

(3) The Commission shall exercise its full jurisdiction and authority under the Communications Act of 1934, as amended, to assure payment of all charges in compliance with this Act, including, but not limited to its powers over carriers, licensing and interconnection.

(4) Any person who withholds payment of any charge provided herein, with the intent to avoid payment to any carrier or the Universal Service Fund shall be subject to a fine of not more than \$100,000 per day. Such fine shall be paid into the Universal Service Fund. Any exchange company or carrier shall have standing to file a complaint against any person suspected of violation of this section. Such complaint may be filed before either the Commission or any state or federal court of competent jurisdiction or both.

(5) any person who falsely certifies any fact to the Universal Service Board or applies for any payment from the Universal Service Fund with the intent to defraud or