

105TH CONGRESS  
1ST SESSION

# S. 407

To amend the Communications Act of 1934 to clarify the authority of the Federal Communications Commission to authorize foreign investment in United States broadcast and common carrier radio licenses.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 5, 1997

Mr. MCCAIN (for himself and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To amend the Communications Act of 1934 to clarify the authority of the Federal Communications Commission to authorize foreign investment in United States broadcast and common carrier radio licenses.

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 “International Tele-  
5       communications Investment Clarification Act”.

6       **SEC. 2. FOREIGN OWNERSHIP.**

7       Section 310(b) of the Communications Act of 1934  
8       (47 U.S.C. 310(b)) is amended to read as follows:

1 “(b)(1) No broadcast or common carrier or aero-  
2 nautical en route or aeronautical fixed radio station license  
3 shall be granted to or held by—

4 “(A) any alien or the representative of any  
5 alien;

6 “(B) any corporation organized under the laws  
7 of any foreign government; or

8 “(C) any corporation of which more than one-  
9 fifth of the capital stock is owned of record or voted  
10 by a foreign government or representative thereof.

11 “(2) No common carrier or aeronautical en route or  
12 aeronautical fixed radio station license shall be granted  
13 to or held by any corporation of which more than one-  
14 fifth of the capital stock is owned of record or voted by  
15 aliens or their representatives or by any corporation orga-  
16 nized under the laws of a foreign country, if the Commis-  
17 sion finds that the public interest will be served by the  
18 refusal or revocation of such license.

19 “(3) No broadcast radio station license shall be  
20 granted to or held by—

21 “(A) any corporation of which more than one-  
22 fifth of the capital stock is owned of record or voted  
23 by aliens or their representatives or by any corpora-  
24 tion organized under the laws of a foreign country;  
25 or

1           “(B) any corporation directly or indirectly con-  
2           trolled by any other corporation of which more than  
3           one-fourth of the capital stock is owned of record or  
4           voted by aliens, their representatives, or by a foreign  
5           government or representative thereof, or by any cor-  
6           poration organized under the laws of a foreign coun-  
7           try, if the Commission finds that the public interest  
8           will be served by the refusal or revocation of such  
9           license.”.

10 **SEC. 3. SUBMARINE CABLE AMENDMENT.**

11           Section 2 of the Act of May 27, 1921, entitled “An  
12 Act relating to the landing and operation of submarine  
13 cables in the United States” (47 U.S.C. 35), is amended  
14 by inserting before the period at the end thereof the fol-  
15 lowing: “: *And provided further*, That the Federal Commu-  
16 nications Commission shall not deny any license to land  
17 or operate such a cable solely on the grounds that such  
18 license will be issued to a corporation that is directly or  
19 indirectly owned by aliens, their representatives, or by any  
20 corporation organized under the laws of a foreign govern-  
21 ment”.

22 **SEC. 4. EFFECTIVE DATE; REGULATIONS.**

23           (a) **EFFECTIVE DATE.**—This Act and the amend-  
24 ments made by this Act are effective upon enactment.

1           (b) REGULATIONS.—Within 60 days after the date of  
2 enactment of this Act, the Federal Communications Com-  
3 mission shall take all actions necessary to implement this  
4 Act, including amending its rules and regulations, but the  
5 Commission shall not, after such effective date, take any  
6 action to enforce any rule, regulation, or policy that is  
7 inconsistent with the amendments made by this Act.

○