

EX PARTE OR LATE FILED

MD 94-19



Federal Communications Commission
Washington, D.C. 20554

December 21, 1994

DOCKET FILE COPY ORIGINAL

RECEIVED

JAN 17 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Maria Cantwell
U.S. House of Representatives
1520 Longworth House Office Building
Washington, D.C. 20515-4701

Dear Congresswoman Cantwell:

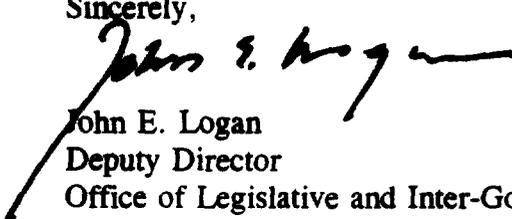
Thank you for your recent letter concerning the new annual regulatory fee for Marine Ship Radio Station licensees. As you know the new fee was contained in Public Law 103-66, "The Omnibus Budget Reconciliation Act of 1993," passed by the Congress and signed into law by the President on August 10, 1993.

On March 11, 1994, the Commission released a Notice of Proposed Rulemaking (MD Docket 94-19) concerning its new regulatory fees. The Commission subsequently issued a Report & Order in this proceeding on June 8, 1994, in which it declined to waive the \$7.00 annual fee for marine radio station licensees. It said, in effect, that although P.L. 103-66 allows the Commission to "waive, reduce or defer payment of a fee in any specific instance for good cause shown, where such action would promote the public interest", it does not authorize the Commission to waive the fees of an entire class or a significant portion of a class of licensees. The Commission took into consideration the fact that the Congress did not specifically exempt ship radio station licensees from the new fee requirement, although it did specifically exclude other licensee groups (e.g., amateur radio licensees). Therefore, absent legislation to amend P.L. 103-66, marine ship radio station licensees must be assessed annual regulatory fees beginning on July 18, 1994.

You should be aware that the Commission has proposed legislation to license non-mandatory ship radio stations by rule as opposed to requiring individual ship radio station licenses for recreational boaters. Passage of such legislation would effectively eliminate the application and regulatory fees associated with these licenses. Language to allow the Commission to implement such a rule was contained in H.R. 4522, the "Federal Communications Commission Authorization Act of 1994," of the 103rd Congress. While this legislation passed the House of Representatives, it was not considered by the Senate.

We hope the foregoing has been responsive to your inquiry. Your suggestions and interest in our new regulatory fee program are greatly appreciated.

Sincerely,


John E. Logan
Deputy Director
Office of Legislative and Inter-Governmental Affairs

No. of Copies rec'd 2
List A B C D E

Congress of the United States
House of Representatives
Washington, DC 20515

June 30, 1994

OTM
fees
PV
FET
3204

The Honorable Reed Hundt, Chairman
Federal Communications Commission
1919 M Street NW
Washington, D.C. 20554

Dear Chairman Hundt:

We are writing to you and to the Commandant of the Coast Guard, Admiral Robert Kramek to ask that a resolution be reached that will avoid the imposition of an increased fee for the licensing of marine radios on recreational vessels. The increase in fees is set to take effect July 5th.

The new fee will incorporate a hefty hike in the charge levied upon the owner of a radio. Upon purchasing a radio a boater will soon be asked to pay \$115; well above the \$35 now collected.

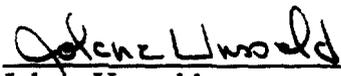
We urge the Federal Communications Commission (FCC) and the Coast Guard to eliminate the fee for recreational boaters. We understand the Legislative Affairs office at the FCC has suggested that this would be the best course to take. We ask that the Coast Guard and the FCC come together and arrive at a way in which to do so.

The fact that the fee will now cost as much or more than many marine radios leads us to believe that recreational boaters -- boaters who are not legally required to purchase radios -- will forgo buying them, or at a minimum will avoid getting a license. If that happens the measure will not bring in the revenue originally anticipated.

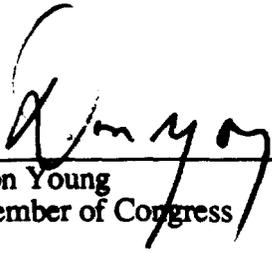
We are also concerned because the higher fee may discourage boaters from buying a piece of equipment that promotes safety. In a letter to the FCC Admiral J.W. Kime, former Commandant of the Coast Guard, has shared this same concern. Admiral Kime wrote "The Coast Guard believes that the waiver of marine (ship) station license regulatory fee for vessels which carry radio equipment, but are not required to do so, would enhance maritime safety and promote the public interest."

We appreciate your willingness to weigh our concerns and we look forward to hearing from you. As Members of Congress from districts with a large number of boaters we can assure you that this is a matter we are determined to see through to a resolution, and hopefully to an early one.

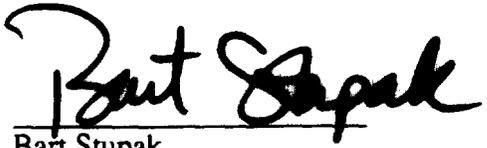
Sincerely,

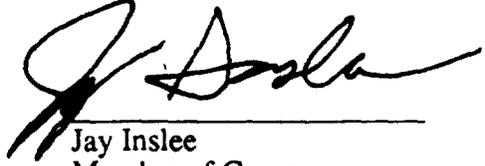

Jolene Unsoeld
Member of Congress


Elizabeth Furse
Member of Congress


Don Young
Member of Congress


Maria Cantwell
Member of Congress


Bart Stupak
Member of Congress


Jay Inslee
Member of Congress