

SEC. 140. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2001 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 3.7 percent.

(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2001.

SEC. 141. REPEAL OF MANDATORY SEPARATION REQUIREMENT. (a) IN GENERAL.—Section 8335 of title 5, United States Code, is amended—

(1) by striking subsection (c); and  
(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 8339(q) of title 5, United States Code, is amended by striking “8335(d)” and inserting “8335(c)”.

SEC. 142. Section 223(a)(14) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(14) as amended, is hereby amended by inserting after the phrase “twenty-four hours” the following new phrase: “(except in the case of Alaska where such time limit may be forty-eight hours in fiscal years 2000 through 2002)”.

SEC. 143. (a) Section 336 of the Communications Act of 1934 (47 U.S.C. 336) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

“(h)(1) Within 60 days after receiving a request (made in such form and manner and containing such information as the Commission may require) under this subsection from a low-power television station to which this subsection applies, the Commission shall authorize the licensee or permittee of that station to provide digital data service subject to the requirements of this subsection as a pilot project to demonstrate the feasibility of using low-power television stations to provide high-speed wireless digital data service, including Internet access to unserved areas.

“(2) The low-power television stations to which this subsection applies are as follows:

“(A) KHLM-LP, Houston, Texas.  
“(B) WTAM-LP, Tampa, Florida.  
“(C) WWRJ-LP, Jacksonville, Florida.  
“(D) WVBG-LP, Albany, New York.  
“(E) KHHI-LP, Honolulu, Hawaii.  
“(F) KPHE-LP (K19DD), Phoenix, Arizona.  
“(G) K34FI, Bozeman, Montana.  
“(H) K65GZ, Bozeman, Montana.  
“(I) WXOB-LP, Richmond, Virginia.  
“(J) WIIW-LP, Nashville, Tennessee.

“(K) A station and repeaters to be determined by the Federal Communications Commission for the sole purpose of providing service to communities in the Kenai Peninsula Borough and Matanuska Susitna Borough.

“(L) WSPY-LP, Plano, Illinois.  
“(M) W24AJ, Aurora, Illinois.

“(3) Notwithstanding any requirement of section 553 of title 5, United States Code, the Commission shall promulgate regulations establishing the procedures, consistent with the requirements of paragraphs (4) and (5), governing the pilot projects for the provision of digital data services by certain low power television licensees within 120 days after the date of enactment of LPTV Digital Data Services Act. The regulations shall set forth—

“(A) requirements as to the form, manner, and information required for submitting requests to the Commission to provide digital data service as a pilot project;

“(B) procedures for testing interference to digital television receivers caused by any pilot project station or remote transmitter;

“(C) procedures for terminating any pilot project station or remote transmitter or both that causes interference to any analog or digital full-power television stations, class A television station, television translators or any other users of the core television band;

“(D) specifications for reports to be filed quarterly by each low power television licensee participating in a pilot project;

“(E) procedures by which a low power television licensee participating in a pilot project shall notify television broadcast stations in the same market upon commencement of digital data services and for ongoing coordination with local broadcasters during the test period; and

“(F) procedures for the receipt and review of interference complaints on an expedited basis consistent with paragraph (5)(D).

“(4) A low-power television station to which this subsection applies may not provide digital data service unless—

“(A) the provision of that service, including any remote return-path transmission in the case of 2-way digital data service, does not cause any interference in violation of the Commission’s existing rules, regarding interference caused by low power television stations to full-service analog or digital television stations, class A television stations, or television translator stations; and

“(B) the station complies with the Commission’s regulations governing safety, environmental, and sound engineering practices, and any other Commission regulation under paragraph (3) governing pilot program operations.

“(5)(A) The Commission may limit the provision of digital data service by a low-power television station to which this subsection applies if the Commission finds that—

“(i) the provision of 2-way digital data service by that station causes any interference that cannot otherwise be remedied; or

“(ii) the provision of 1-way digital data service by that station causes any interference.

“(B) The Commission shall grant any such station, upon application (made in such form and manner and containing such information as the Commission may require) by the licensee or permittee of that station, authority to move the station to another location, to modify its facilities to operate on a different channel, or to use booster or auxiliary transmitting locations, if the grant of authority will not cause interference to the allowable or protected service areas of full service digital television stations, National Television Standards Committee assignments, or television translator stations, and provided, however, no such authority shall be granted unless it is consistent with existing Commission regulations relating to the movement, modification, and use of non-class A low power television transmission facilities in order—

“(i) to operate within television channels 2 through 51, inclusive; or

“(ii) to demonstrate the utility of low-power television stations to provide high-speed 2-way wireless digital data service.

“(C) The Commission shall require quarterly reports from each station authorized to provide digital data services under this subsection that include—

“(i) information on the station’s experience with interference complaints and the resolution thereof;

“(ii) information on the station’s market success in providing digital data service; and

“(iii) such other information as the Commission may require in order to administer this subsection.

“(D) The Commission shall resolve any complaints of interference with television reception caused by any station providing digital data service authorized under this subsection within 60 days after the complaint is received by the Commission.

“(6) The Commission shall assess and collect from any low-power television station authorized to provide digital data service under this subsection an annual fee or other schedule or method of payment comparable to any fee imposed under the authority of this Act on providers of similar services. Amounts received by the Commission under this paragraph may be

retained by the Commission as an offsetting collection to the extent necessary to cover the costs of developing and implementing the pilot program authorized by this subsection, and regulating and supervising the provision of digital data service by low-power television stations under this subsection. Amounts received by the Commission under this paragraph in excess of any amount retained under the preceding sentence shall be deposited in the Treasury in accordance with chapter 33 of title 31, United States Code.

“(7) In this subsection, the term ‘digital data service’ includes—

“(A) digitally-based interactive broadcast service; and

“(B) wireless Internet access, without regard to—

“(i) whether such access is—

“(I) provided on a one-way or a two-way basis;

“(II) portable or fixed; or

“(III) connected to the Internet via a band allocated to Interactive Video and Data Service; and

“(ii) the technology employed in delivering such service, including the delivery of such service via multiple transmitters at multiple locations.

“(8) Nothing in this subsection limits the authority of the Commission under any other provision of law.”.

(b) The Federal Communications Commission shall submit a report to the Congress on June 30, 2001, and June 30, 2002, evaluating the utility of using low-power television stations to provide high-speed digital data service. The reports shall be based on the pilot projects authorized by section 336(h) of the Communications Act of 1934 (47 U.S.C. 336(h)).

SEC. 144. (a) The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et. seq.) is amended—

(1) in section 303(d)(1)(A) by striking “October 1, 2000,” and inserting “October 1, 2002,”;

(2) in section 303(d)(5) by striking “October 1, 2000,” and inserting “October 1, 2002.”;

(3) in section 407(b) by striking “October 1, 2000,” and inserting “October 1, 2002.”; and

(4) in section 407(c)(1) by striking “October 1, 2000,” and inserting “October 1, 2002.”.

(b) Notwithstanding sections 303(d)(1)(A) and 303(d)(1)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by this section, the Pacific Fishery Management Council may recommend and the Secretary of Commerce may approve and implement any fishery management plan, plan amendment, or regulation, for fixed gear sablefish subject to the jurisdiction of such Council, that—

(1) allows the use of more than one groundfish fishing permit by each fishing vessel; and/or

(2) sets cumulative trip limit periods, up to twelve months in any calendar year, that allow fishing vessels a reasonable opportunity to harvest the full amount of the associated trip limits.

Notwithstanding subsection (a), the Gulf of Mexico Fishery Management Council may develop a biological, economic, and social profile of any fishery under its jurisdiction that may be considered for management under a quota management system, including the benefits and consequences of the quota management systems considered. The North Pacific Fishery Management Council shall examine the fisheries under its jurisdiction, particularly the Gulf of Alaska groundfish and Bering Sea crab fisheries, to determine whether rationalization is needed. In particular, the North Pacific Council shall analyze individual fishing quotas, processor quotas, cooperatives, and quotas held by communities. The analysis should include an economic analysis of the impact of all options on communities and processors as well as the fishing fleets. The North Pacific Council shall present its analysis to the appropriations and authorizing committees of the Senate and House of Representatives in a timely manner.