

**S. 3405, Low Power Protection Act**

As ordered reported by the Senate Committee on Commerce, Science, and Transportation on March 22, 2022

By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold
* = between zero and \$500,000.			

S. 3405 would require the Federal Communications Commission (FCC) to issue a notice of proposed rulemaking that would authorize qualifying low power television (LPTV) stations to apply for Class A television licenses. That application period would last for one year after the final rule takes effect. LPTV stations afforded Class A status obtain “primary status” as television broadcasters, which protects them from harmful radio interference by full-service television stations. In addition, the FCC would report to the Congress on the implementation of S. 3405.

Using information from the FCC, CBO estimates that it would cost the agency about \$1 million to complete a full rulemaking and report to the Congress. Because the FCC is authorized to collect fees each year sufficient to offset the appropriated costs of its regulatory activities, CBO estimates that the net cost to the FCC would be negligible, assuming appropriation actions consistent with that authority.

If the FCC increased fees to offset the costs associated with implementing the bill, S. 3405 would increase the cost of an existing mandate on private entities required to pay those fees. CBO estimates that the incremental cost of that mandate would be small and fall below the annual threshold established in the Unfunded Mandates Reform Act (UMRA) (\$184 million in 2022, adjusted annually for inflation).

H.R. 3405 contains no intergovernmental mandates as defined in UMRA.



The CBO staff contacts for this estimate are David Hughes (for federal costs) and Rachel Austin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.