

**AMENDMENT TO THE AMENDMENT OFFERED BY
Ms. ESHOO AND MR. PALLONE
OFFERED BY _____**

Page 5, strike lines 21 through 25 (and redesignate subsequent provisions accordingly).

Page 8, after line 12, insert the following (and redesignate subsequent provisions accordingly):

1 “(d) PUBLICATION OF DOCUMENTS IN ADVANCE OF
2 FCC VOTING.—

3 “(1) IN GENERAL.—The Commission may not
4 adopt any order, decision, report, or action by vote
5 of the Commission, unless the Chairman causes the
6 Commission to publish on the Internet website of the
7 Commission the text of such order, decision, report,
8 or action—

9 “(A) not later than 24 hours after the time
10 such text is placed on circulation for review by
11 the Commissioners; or

12 “(B) not later than 21 days before the
13 date on which the vote is to occur.

14 “(2) TEXT TO BE PUBLISHED; EFFECT.—The
15 text published pursuant to paragraph (1) shall be

1 the text intended at the time of the publishing to be
2 subject to a vote. Nothing in this subsection may be
3 construed to prevent the Commission from making
4 changes to the text after the publishing.

5 “(3) EXCEPTION.—This subsection shall not
6 apply to a portion of any order, decision, report, or
7 action if the publishing of such portion is likely to
8 lead to a result described in a paragraph of section
9 552b(c) of title 5, United States Code.

10 “(4) NOT AGENCY ACTION.—Publication pursu-
11 ant to this subparagraph shall not constitute ‘agency
12 action’ as defined in section 551 of title 5, United
13 States Code.

Page 16, after line 15, insert the following:

14 (C) PUBLICATION OF DOCUMENTS IN AD-
15 VANCE OF FCC VOTING.—Subsection (d) of such
16 section 13 shall apply with respect to an order,
17 decision, report, or action the text of which is
18 placed on circulation after the date that is 90
19 days after the date of the enactment of this
20 Act.

