

AMENDMENT NO. _____ Calendar No. _____

Purpose: To allow the Commission to consider the violator's ability to pay a fine.

IN THE SENATE OF THE UNITED STATES—108th Cong., 2d. Sess.

S. 2056

To increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

Amendment intended to be proposed by Mr. Ensign

Viz:

1 On page 2, line 20, after “act.” insert: “In deter-
 2 mining the amount of any forfeiture penalty under this
 3 subparagraph, the Commission, in addition to the ele-
 4 ments identified in subparagraph (E), shall take into ac-
 5 count the violator’s ability to pay, including such factors
 6 as the revenue and profits of the broadcast stations that
 7 aired the obscene, indecent, or profane language and the
 8 size of the markets in which these stations are located.”.