

Jerry Moran

115TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To establish an additional fund in the Treasury to meet existing statutory obligations to reimburse costs reasonably incurred as a result of the reorganization of broadcast television spectrum, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

\_\_\_\_\_  
Mr. MORAN (for himself, Mr. SCHATZ, Mr. INHOFE, Mr. BLUMENTHAL, Mr. YOUNG, and Mr. UDALL) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish an additional fund in the Treasury to meet existing statutory obligations to reimburse costs reasonably incurred as a result of the reorganization of broadcast television spectrum, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Viewer and Listener  
5 Protection Act of 2017".

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1           (1) the term “broadcast radio station” means  
2           any entity that is licensed by the Commission as an  
3           AM, FM, noncommercial educational FM, or FM  
4           Translator radio broadcast station under the Com-  
5           munications Act of 1934 (47 U.S.C. 151 et seq.);

6           (2) the term “broadcast television station”  
7           means any—

8                   (A) full-power television broadcast station;

9                   or

10                   (B) low-power television broadcast station  
11           that has been accorded primary status as a  
12           Class A television licensee under section  
13           73.6001(a) of title 47, Code of Federal Regula-  
14           tions;

15           (3) the term “Commission” means the Federal  
16           Communications Commission; and

17           (4) the term “Secretary” means the Secretary  
18           of the Treasury.

19 **SEC. 3. VIEWER AND LISTENER PROTECTION FUND.**

20           (a) ESTABLISHMENT.—There is established in the  
21           Treasury of the United States a fund to be known as the  
22           “Viewer and Listener Protection Fund”.

23           (b) AUTHORIZATION OF APPROPRIATIONS.—There  
24           are authorized to be appropriated to the Viewer and Lis-  
25           tener Protection Fund such sums as may be necessary to

1 carry out the purposes of the Viewer and Listener Protec-  
2 tion Fund.

3 (c) PURPOSES.—

4 (1) AVAILABILITY OF FUNDS.—If the Commis-  
5 sion makes the certification described in paragraph  
6 (2), amounts in the Viewer and Listener Protection  
7 Fund shall be available to the Commission to make  
8 any payments—

9 (A) required under section  
10 6403(b)(4)(A)(ii) of the Middle Class Tax Re-  
11 lief and Job Creation Act of 2012 (47 U.S.C.  
12 1452(b)(4)(A)(ii)); or

13 (B) to a broadcast television station or a  
14 broadcast radio station for costs that the sta-  
15 tion incurred during the reorganization of  
16 broadcast television spectrum.

17 (2) CERTIFICATION.—Amounts in the Viewer  
18 and Listener Protection Fund shall be available to  
19 the Commission immediately upon certification by  
20 the Commission to the Secretary that the amounts  
21 are necessary to provide a reimbursement to a  
22 broadcast television station or to a broadcast radio  
23 station, as applicable, for a purpose described in  
24 paragraph (1).

1 (d) LIMITATION.—Amounts made available to the  
2 Commission under subsection (c) shall be available until  
3 the end of fiscal year 2022.

4 (e) UNUSED FUNDS RETURNED TO THE GENERAL  
5 FUND OF THE TREASURY.—If any amounts remain in the  
6 Viewer and Listener Protection Fund after the end of fis-  
7 cal year 2022, the Secretary shall transfer such amounts  
8 to the general fund of the Treasury.

9 **SEC. 4. TRANSITION PERIOD FOR BROADCAST TELEVISION**  
10 **STATIONS.**

11 (a) IN GENERAL.—The Commission shall—

12 (1) subject to subsection (b), modify the transi-  
13 tion period for the relocation of specific broadcast  
14 television stations in accordance with the reassign-  
15 ments of television channels made under section  
16 6403(b) of the Middle Class Tax Relief and Job Cre-  
17 ation Act of 2012 (47 U.S.C. 1452(b)) to ensure  
18 that—

19 (A) no broadcast television station is  
20 forced to stop broadcasting or significantly re-  
21 duce service for a significant period of time due  
22 to reasons outside of the control of the station;  
23 and

1 (B) the relocation of broadcast television  
2 stations proceeds as efficiently and effectively  
3 as possible; and

4 (2) establish appropriate penalties for a broad-  
5 cast television station that fails to meet any deadline  
6 adopted under paragraph (1), unless the failure of  
7 the station to meet the deadline is for a reason that  
8 is outside of the control of the station.

9 (b) MODIFICATION REQUIREMENTS.—When making  
10 the modification required under subsection (a)(1), the  
11 Commission shall make all reasonable efforts to ensure  
12 that the modification does not delay the deployment of  
13 broadband services.

14 **SEC. 5. IMPACT ON RADIO LISTENERS.**

15 The Commission shall make all reasonable efforts to  
16 preserve the coverage area and population served by any  
17 broadcast radio station that is impacted by the reorganiza-  
18 tion authorized under section 6403(b) of the Middle Class  
19 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
20 1452(b)).