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.

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 Representatives 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 Protection Act of 2017”.

6 SEC. 2. DEFINITIONS.

7 In this Act—
(1) the term "broadcast radio station" means any entity that is licensed by the Commission as an AM, FM, noncommercial educational FM, or FM Translator radio broadcast station under the Communications Act of 1934 (47 U.S.C. 151 et seq.);

(2) the term "broadcast television station" means any—

(A) full-power television broadcast station;

or

(B) low-power television broadcast station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations;

(3) the term "Commission" means the Federal Communications Commission; and

(4) the term "Secretary" means the Secretary of the Treasury.

SEC. 3. VIEWER AND LISTENER PROTECTION FUND.

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

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Viewer and Listener Protection Fund such sums as may be necessary to
carry out the purposes of the Viewer and Listener Protection Fund.

(c) PURPOSES.—

(1) AVAILABILITY OF FUNDS.—If the Commission makes the certification described in paragraph (2), amounts in the Viewer and Listener Protection Fund shall be available to the Commission to make any payments—

(A) required under section 6403(b)(4)(A)(ii) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452(b)(4)(A)(ii)); or

(B) to a broadcast television station or a broadcast radio station for costs that the station incurred during the reorganization of broadcast television spectrum.

(2) CERTIFICATION.—Amounts in the Viewer and Listener Protection Fund shall be available to the Commission immediately upon certification by the Commission to the Secretary that the amounts are necessary to provide a reimbursement to a broadcast television station or to a broadcast radio station, as applicable, for a purpose described in paragraph (1).
(d) LIMITATION.—Amounts made available to the Commission under subsection (c) shall be available until the end of fiscal year 2022.

(c) UNUSED FUNDS RETURNED TO THE GENERAL FUND OF THE TREASURY.—If any amounts remain in the Viewer and Listener Protection Fund after the end of fiscal year 2022, the Secretary shall transfer such amounts to the general fund of the Treasury.

SEC. 4. TRANSITION PERIOD FOR BROADCAST TELEVISION STATIONS.

(a) IN GENERAL.—The Commission shall—

(1) subject to subsection (b), modify the transition period for the relocation of specific broadcast television stations in accordance with the reassignments of television channels made under section 6403(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452(b)) to ensure that—

(A) no broadcast television station is forced to stop broadcasting or significantly reduce service for a significant period of time due to reasons outside of the control of the station; and
(B) the relocation of broadcast television
stations proceeds as efficiently and effectively
as possible; and

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

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

SEC. 5. IMPACT ON RADIO LISTENERS.

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