

104TH CONGRESS
1ST SESSION

H. R. 1556

To amend the Communications Act of 1934 to reduce the restrictions on ownership of broadcasting stations and other media of mass communications.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1995

Mr. STEARNS (for himself, Mr. BLILEY, Mr. FIELDS of Texas, Mr. SCHAEFER, Mr. GILLMOR, Mr. HALL of Texas, Mr. OXLEY, Mr. WHITE, Mr. KLUG, and Mr. HASTERT) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Communications Act of 1934 to reduce the restrictions on ownership of broadcasting stations and other media of mass communications.

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. BROADCAST OWNERSHIP.**

4 (a) AMENDMENT.—Title III of the Communications
5 Act of 1934 is amended by inserting after section 335 (47
6 U.S.C. 335) the following new section:

7 **“SEC. 336. BROADCAST OWNERSHIP.**

8 “(a) LIMITATIONS ON COMMISSION RULEMAKING
9 AUTHORITY.—Except as expressly permitted in this sec-

1 tion, the Commission shall not prescribe or enforce any
2 regulation—

3 “(1) prohibiting or limiting, either nationally or
4 within any particular area, a person or entity from
5 holding any form of ownership or other interest in
6 two or more broadcasting stations or in a broadcast-
7 ing station and any other medium of mass commu-
8 nication; or

9 “(2) prohibiting a person or entity from own-
10 ing, operating, or controlling two or more networks
11 of broadcasting stations or from owning, operating,
12 or controlling a network of broadcasting stations
13 and any other medium of mass communications.

14 “(b) TELEVISION OWNERSHIP LIMITATIONS.—

15 “(1) NATIONAL AUDIENCE REACH LIMITA-
16 TIONS.—The Commission shall prohibit a person or
17 entity from obtaining any license if such license
18 would result in such person or entity directly or indi-
19 rectly owning, operating, or controlling, or having a
20 cognizable interest in, television stations which have
21 an aggregate national audience reach exceeding—

22 “(A) 35 percent, for any determination
23 made under this paragraph before one year
24 after the date of enactment of this section; or

1 “(B) 50 percent, for any determination
2 made under this paragraph on or after one year
3 after such date of enactment.

4 Within 2 years after such date of enactment, the
5 Commission shall conduct a study on the operation
6 of this paragraph and submit a report to the Con-
7 gress on the development of competition in the tele-
8 vision marketplace and the need for any revisions to
9 or elimination of this paragraph.

10 “(2) MULTIPLE LICENSES IN A MARKET.—

11 “(A) IN GENERAL.—The Commission shall
12 prohibit a person or entity from obtaining any
13 license if such license would result in such per-
14 son or entity directly or indirectly owning, oper-
15 ating, or controlling, or having a cognizable in-
16 terest in, two or more television stations within
17 the same television market.

18 “(B) EXCEPTION FOR MULTIPLE UHF STA-
19 TIONS AND FOR UHF-VHF COMBINATIONS.—
20 Notwithstanding subparagraph (A), the Com-
21 mission shall not prohibit a person or entity
22 from directly or indirectly owning, operating, or
23 controlling, or having a cognizable interest in,
24 two television stations within the same tele-
25 vision market if at least one of such stations is

1 a UHF television, unless the Commission deter-
2 mines that permitting such ownership, oper-
3 ation, or control will harm competition or will
4 harm the preservation of a diversity of voices in
5 the local television market.

6 “(C) EXCEPTION FOR VHF-VHF COMBINA-
7 TIONS.—Notwithstanding subparagraph (A),
8 the Commission may permit a person or entity
9 to directly or indirectly own, operate, or control,
10 or have a cognizable interest in, two VHF tele-
11 vision stations within the same television mar-
12 ket, if the Commission determines that permit-
13 ting such ownership, operation, or control will
14 not harm competition and will not harm the
15 preservation of a diversity of voices in the local
16 television market.

17 “(c) DEFINITIONAL REGULATIONS PERMITTED.—
18 The Commission may prescribe regulations—

19 “(1) providing for the treatment of any persons
20 or entities under common ownership or control as a
21 single person or entity for purposes of this section,
22 except that the Commission shall not change the at-
23 tribution rules in effect on the date of enactment of
24 this section;

1 “(2) specifying procedures for the determina-
2 tion of markets and audience reach; and

3 “(3) defining direct or indirect ownership, oper-
4 ation, and control, and cognizable interest, consist-
5 ent with the purposes of this section.

6 “(d) TRANSITION PROVISIONS.—Any provision of
7 any regulation prescribed before the date of enactment of
8 this section that is inconsistent with the requirements of
9 this section shall cease to be effective on such date of en-
10 actment. The Commission shall complete all actions (in-
11 cluding any reconsideration) necessary to amend its regu-
12 lations to conform to the requirements of this section not
13 later than 6 months after such date of enactment. Nothing
14 in this section shall be construed to prohibit the continu-
15 ation or renewal of any television local marketing agree-
16 ment that is in effect on such date of enactment and that
17 is in compliance with Commission regulations on such
18 date.”.

19 (b) CONFORMING AMENDMENT.—Section 613(a) of
20 the Communications Act of 1934 (47 U.S.C. 533(a)) is
21 repealed.

○