

113TH CONGRESS
2^D SESSION

H. R. 4572

To amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2014

Mr. WALDEN (for himself, Mr. UPTON, Mr. WAXMAN, and Ms. ESHOO) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, 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 “STELA Reauthoriza-
5 tion Act of 2014”.

6 **SEC. 2. EXTENSION OF AUTHORITY.**

7 Section 325(b) of the Communications Act of 1934
8 (47 U.S.C. 325(b)) is amended—

1 (1) in paragraph (2)(C), by striking “December
2 31, 2014” and inserting “December 31, 2019”; and

3 (2) in paragraph (3)(C), by striking “January
4 1, 2015” each place it appears and inserting “Janu-
5 ary 1, 2020”.

6 **SEC. 3. RETRANSMISSION CONSENT NEGOTIATIONS.**

7 (a) IN GENERAL.—Section 325(b)(3)(C) of the Com-
8 munications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is
9 amended—

10 (1) in clause (ii), by striking “and” at the end;

11 (2) in clause (iii), by striking the period at the
12 end and inserting “; and”; and

13 (3) by adding at the end the following:

14 “(iv) prohibit a television broadcast station
15 from coordinating negotiations or negotiating on a
16 joint basis with another television broadcast station
17 in the same local market (as defined in section
18 122(j) of title 17, United States Code) to grant re-
19 transmission consent under this section to a multi-
20 channel video programming distributor, unless such
21 stations are directly or indirectly under common de
22 jure control permitted under the regulations of the
23 Commission.”.

24 (b) MARGIN CORRECTION.—Section 325(b)(3)(C) of
25 the Communications Act of 1934 (47 U.S.C.

1 325(b)(3)(C)) is further amended by moving the margin
2 of clause (iii) 4 ems to the left.

3 (c) DEADLINE FOR REGULATIONS.—Not later than
4 9 months after the date of the enactment of this Act, the
5 Commission shall promulgate regulations to implement
6 the amendments made by this section.

7 **SEC. 4. DELAYED APPLICATION OF JSA ATTRIBUTION RULE**
8 **IN CASE OF WAIVER PETITION.**

9 In the case of a party to a joint sales agreement (as
10 defined in Note 2(k) to section 73.3555 of title 47, Code
11 of Federal Regulations) that is in effect on the effective
12 date of the amendment to Note 2(k)(2) to such section
13 made by the Further Notice of Proposed Rulemaking and
14 Report and Order adopted by the Commission on March
15 31, 2014 (FCC 14–28), and who, not later than 90 days
16 after the date of the enactment of this Act, submits to
17 the Commission a petition for a waiver of the application
18 to such agreement of the rule in such Note 2(k)(2) (as
19 so amended), such party shall not be considered to be in
20 violation of the ownership limitations of such section by
21 reason of the application of such rule to such agreement
22 until the later of—

23 (1) the date that is 18 months after the date
24 on which the Commission denies such petition; or

25 (2) December 31, 2016.

1 **SEC. 5. DELETION OR REPOSITIONING OF STATIONS DUR-**
2 **ING CERTAIN PERIODS.**

3 (a) IN GENERAL.—Section 614(b)(9) of the Commu-
4 nications Act of 1934 (47 U.S.C. 534(b)(9)) is amended
5 by striking the second sentence.

6 (b) REVISION OF RULES.—Not later than 90 days
7 after the date of the enactment of this Act, the Commis-
8 sion shall revise section 76.1601 of its rules (47 C.F.R.
9 76.1601) and any note to such section by removing the
10 prohibition against deletion or repositioning of a local
11 commercial television station during a period in which
12 major television ratings services measure the size of audi-
13 ences of local television stations.

14 **SEC. 6. REPEAL OF INTEGRATION BAN.**

15 (a) NO FORCE OR EFFECT.—The second sentence of
16 section 76.1204(a)(1) of title 47, Code of Federal Regula-
17 tions, shall have no force or effect after the date of the
18 enactment of this Act.

19 (b) REMOVAL FROM RULES.—Not later than 180
20 days after the date of the enactment of this Act, the Com-
21 mission shall complete all actions necessary to remove the
22 sentence described in subsection (a) from its rules.

23 **SEC. 7. REPORT ON COMMUNICATIONS IMPLICATIONS OF**
24 **STATUTORY LICENSING MODIFICATIONS.**

25 (a) STUDY.—The Comptroller General of the United
26 States shall conduct a study that analyzes and evaluates

1 the changes to the carriage requirements currently im-
2 posed on multichannel video programming distributors
3 under the Communications Act of 1934 (47 U.S.C. 151
4 et seq.) and the regulations promulgated by the Commis-
5 sion that would be required or beneficial to consumers,
6 and such other matters as the Comptroller General con-
7 siders appropriate, if Congress implemented a phase-out
8 of the current statutory licensing requirements set forth
9 under sections 111, 119, and 122 of title 17, United
10 States Code. Among other things, the study shall consider
11 the impact such a phase-out and related changes to car-
12 riage requirements would have on consumer prices and ac-
13 cess to programming.

14 (b) REPORT.—Not later than 18 months after the
15 date of the enactment of this Act, the Comptroller General
16 shall submit to the appropriate congressional committees
17 a report on the results of the study conducted under sub-
18 section (a), including any recommendations for legislative
19 or administrative actions. Such report shall also include
20 a discussion of any differences between such results and
21 the results of the study conducted under section 303 of
22 the Satellite Television Extension and Localism Act of
23 2010 (124 Stat. 1255).

24 **SEC. 8. LOCAL NETWORK CHANNEL BROADCAST REPORTS.**

25 (a) REQUIREMENT.—

1 (1) IN GENERAL.—On the 270th day after the
2 date of the enactment of this Act, and on each suc-
3 ceeding anniversary of such 270th day, each satellite
4 carrier shall submit an annual report to the Com-
5 mission setting forth—

6 (A) each local market in which it—

7 (i) retransmits signals of 1 or more
8 television broadcast stations with a com-
9 munity of license in that market;

10 (ii) has commenced providing such
11 signals in the preceding 1-year period; and

12 (iii) has ceased to provide such signals
13 in the preceding 1-year period; and

14 (B) detailed information regarding the use
15 and potential use of satellite capacity for the re-
16 transmission of local signals in each local mar-
17 ket.

18 (2) TERMINATION.—The requirement under
19 paragraph (1) shall cease after each satellite carrier
20 has submitted 5 reports under such paragraph.

21 (b) DEFINITIONS.—In this section—

22 (1) the terms “local market” and “satellite car-
23 rier” have the meaning given such terms in section
24 339(d) of the Communications Act of 1934 (47
25 U.S.C. 339(d)); and

1 (2) the term “television broadcast station” has
2 the meaning given such term in section 325(b)(7) of
3 the Communications Act of 1934 (47 U.S.C.
4 325(b)(7)).

5 **SEC. 9. DEFINITIONS.**

6 In this Act:

7 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
8 **TEES.**—The term “appropriate congressional com-
9 mittees” means the Committee on Energy and Com-
10 merce and the Committee on the Judiciary of the
11 House of Representatives and the Committee on
12 Commerce, Science, and Transportation and the
13 Committee on the Judiciary of the Senate.

14 (2) **COMMISSION.**—The term “Commission”
15 means the Federal Communications Commission.

○