

116TH CONGRESS
2D SESSION

H. R. 5564

To amend the Communications Act of 1934 to provide for certain requirements with respect to ownership and diversity reporting for television broadcast stations and cable operators, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2020

Ms. CLARKE of New York introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to provide for certain requirements with respect to ownership and diversity reporting for television broadcast stations and cable operators, 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 “Enhancing Broad-
5 caster Diversity and Inclusion by Verifying and Ensuring
6 the Reporting required by Statute Is Transpiring and
7 Yielding Data Act” or the “Enhancing Broadcaster DI-
8 VERSITY Data Act”.

1 **SEC. 2. OWNERSHIP AND DIVERSITY REPORTING.**

2 (a) SENSE OF CONGRESS.—Recognizing the long his-
3 tory of exclusion of women and people of color from media
4 resources in the United States, and the responsibility of
5 broadcasters to be responsive to the needs and interests
6 of their communities of license, it is the sense of Congress
7 that the Commission should carry out policies promoting
8 diversity, localism, and inclusion in the broadcast and
9 cable industries. As such, Congress directs the Commis-
10 sion to take the actions described in subsection (b) and
11 the amendments made by such subsection.

12 (b) MEDIA OWNERSHIP AND DIVERSITY.—

13 (1) EMPLOYMENT DATA.—Not later than 18
14 months after the date of the enactment of this Act,
15 in accordance with sections 334(a) and 634(d)(3)(A)
16 of the Communications Act of 1934 (47 U.S.C.
17 334(a); 554(d)(3)(A)), the Commission, after notice
18 and comment, shall complete the proceeding initiated
19 in the Third Report and Order and Fourth Notice
20 of Proposed Rulemaking in the ongoing Review of
21 the Commission’s Broadcast and Cable Equal Em-
22 ployment Opportunity Rules and Policies, MM Dock-
23 et No. 98–204.

24 (2) OWNERSHIP DATA.—Part I of title III of
25 the Communications Act of 1934 (47 U.S.C. 301 et
26 seq.) is amended by adding at the end the following:

1 **“SEC. 344. OWNERSHIP DATA.**

2 “(a) IN GENERAL.—Except as specifically provided
3 in subsection (b), the Commission may not revise—

4 “(1) section 73.3615 of title 47, Code of Fed-
5 eral Regulations (relating to ownership reports), as
6 in effect on the date of the enactment of this sec-
7 tion, as such section 73.3615 applies to television
8 broadcast station licensees and permittees; or

9 “(2) the forms used by the licensees and per-
10 mittees described in paragraph (1) to report perti-
11 nent ownership data to the Commission.

12 “(b) TECHNICAL REVISIONS OR IMPROVEMENTS.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 the Commission may revise the regulations described
15 in subsection (a) to augment the quality and suffi-
16 ciency of the reports required under such regula-
17 tions, to make nonsubstantive technical or clerical
18 revisions in such regulations as necessary to reflect
19 changes in technology, terminology, or Commission
20 organization, or to ensure the anonymity of station-
21 specific ownership data unnecessary to the analysis
22 of aggregated industry ownership trends.

23 “(2) LIMITATION.—The Commission may not
24 diminish or otherwise reduce the frequency or qual-
25 ity of the reports required under the regulations de-
26 scribed in subsection (a).”.

1 (3) OWNERSHIP AND DIVERSITY REPORT.—

2 (A) IN GENERAL.—Section 13(d)(3) of the
3 Communications Act of 1934 (47 U.S.C.
4 163(d)(3)) is amended by striking “in accord-
5 ance with the national policy under section
6 257(b)” and inserting the following: “and in-
7 clude in the report required by subsection (a)
8 the most recent data collected under the regula-
9 tions described in sections 334(a), 344(a), and
10 634(d)(3)(A), and analysis of such data, as
11 such barriers and such data relate to the na-
12 tional policy under section 257(b)”.

13 (B) OWNERSHIP DATABASE.—Not later
14 than 2 years after the date of the enactment of
15 this Act, the Commission shall create a public,
16 searchable database of the data collected under
17 the regulations described in section 344(a) of
18 the Communications Act of 1934, as added by
19 paragraph (2), that members of the public may
20 use to search for and produce reports identi-
21 fying—

22 (i) ownership data with respect to any
23 particular station;

24 (ii) ownership interests of any person
25 who holds a license;

- 1 (iii) industry-wide statistics;
2 (iv) statistics for particular geo-
3 graphic regions; or
4 (v) statistics for particular licensee
5 classifications.

6 (c) COMMISSION DEFINED.—In this section, the term
7 “Commission” means the Federal Communications Com-
8 mission.

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