

110TH CONGRESS
2D SESSION

H. R. 7013

To require the Federal Communications Commission to provide for a short term extension of the analog television broadcasting authority so that essential public safety announcements and digital television transition information may be provided for a short time during the transition to digital television broadcasting.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2008

Mrs. CAPPS (for herself, Mr. BOUCHER, and Ms. SOLIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Federal Communications Commission to provide for a short term extension of the analog television broadcasting authority so that essential public safety announcements and digital television transition information may be provided for a short time during the transition to digital television broadcasting.

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 “Short-term Analog
5 Flash and Emergency Readiness Act”.

1 **SEC. 2. COMMISSION ACTION REQUIRED.**

2 (a) PROGRAM REQUIRED.—Notwithstanding sections
3 309(j)(14) and 337(e) of the Communications Act of 1934
4 (47 U.S.C. 309(j)(14), 337(e)) and section 3002 of the
5 Digital Television Transition and Public Safety Act of
6 2005 (47 U.S.C. 309, note), the Commission shall, not
7 later than January 15, 2009, develop and implement in
8 accordance with this section a program to provide for the
9 continued broadcasting in the analog television service of
10 the public safety information and digital television transi-
11 tion information specified in subsection (b) during the pe-
12 riod from February 18, 2009, through March 3, 2009.

13 (b) PUBLIC SAFETY AND DIGITAL TELEVISION
14 TRANSITION INFORMATION.—For purposes of this sec-
15 tion, the public safety information and digital television
16 transition information that is required to be broadcast in
17 the analog television service by a broadcast station under
18 this section shall include—

19 (1) emergency information, including critical
20 details regarding the emergency, as carried or re-
21 quired to be carried by full-power stations in the
22 digital television service; and

23 (2) information, in both English and Spanish,
24 concerning—

25 (A) the digital television transition, includ-
26 ing the fact that a transition has taken place

1 and that additional actions are required to con-
2 tinue receiving television service, including
3 emergency notifications; and

4 (B) the steps, if any, required to continue
5 to receive such emergency information via the
6 digital television service and to convert to re-
7 ceiving digital television service, including a
8 phone number and Internet address by which
9 help with such transition may be obtained in
10 both English and Spanish.

11 (c) LIMITATIONS.—In designing the program re-
12 quired by this section, the Commission shall—

13 (1) take into account market-by-market needs,
14 based upon factors such as channel and transmitter
15 availability;

16 (2) ensure that broadcasting of the public safe-
17 ty information specified in subsection (b) will not—

18 (A) cause harmful interference with signals
19 in the digital television service; or

20 (B) be authorized or enforced in a manner
21 that will impair the legal rights of any licensee
22 of recovered analog spectrum, as such term is
23 defined in section 309(j)(15)(C)(vi) of such Act
24 (47 U.S.C. 309(j)(15)(C)(vi));

1 (3) not require the analog television service sig-
2 nals broadcast under this section to be retransmitted
3 or otherwise carried pursuant to section 325(b),
4 338, 339, 340, 614, or 615 of the Communications
5 Act of 1934 (47 U.S.C. 325(b), 338, 339, 340, 614,
6 615);

7 (4) take into consideration broadcasters' digital
8 power levels and transition and coordination plans
9 that already have been adopted with respect to cable
10 systems and satellite carriers' systems; and

11 (5) prohibit any broadcast of analog television
12 service signals under subsection (b) on any spectrum
13 that is approved or pending approval by the Com-
14 mission to be used for public safety radio services,
15 including television channels 14–20.

16 (d) DEFINITIONS.—As used in this section, the terms
17 “emergency information” and “critical information” have
18 the meanings such terms have under part 79 of the regula-
19 tions of the Federal Communications Commission (47
20 C.F.R. part 79).

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