

109TH CONGRESS
1ST SESSION

S. 1237

To expedite the transition to digital television while helping consumers to continue to use their analog televisions.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2005

Mr. McCAIN (for himself and Mr. LIEBERMAN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To expedite the transition to digital television while helping consumers to continue to use their analog televisions.

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 “Spectrum Availability
5 for Emergency-Response and Law-Enforcement to Im-
6 prove Vital Emergency Services Act” or the “SAVE
7 LIVES Act”.

1 **SEC. 2. SETTING A SPECIFIC DATE FOR THE AVAILABILITY**
2 **OF SPECTRUM FOR PUBLIC SAFETY ORGANI-**
3 **ZATIONS AND CREATING A DEADLINE FOR**
4 **TRANSITION TO DIGITAL TELEVISION.**

5 (a) AMENDMENTS.—Section 309(j)(14) of the Com-
6 munications Act of 1934 (47 U.S.C. 309(j)(14)) is amend-
7 ed—

8 (1) in subparagraph (A), by striking “December
9 31, 2006” and inserting “December 31, 2008”;

10 (2) by striking subparagraph (B);

11 (3) in subparagraph (C)(i)(I), by striking “or
12 (B)”;

13 (4) in subparagraph (D), by striking “(C)(i)”
14 and inserting “(B)(i)”; and

15 (5) by redesignating subparagraphs (C) and
16 (D) as subparagraphs (B) and (C), respectively.

17 (b) IMPLEMENTATION.—

18 (1) FINAL DTV ALLOTMENT TABLE OF IN-CORE
19 CHANNELS FOR FULL-POWER STATIONS.—The Fed-
20 eral Communications Commission (in this Act re-
21 ferred to as the “Commission”) shall—

22 (A) release by December 31, 2006, a re-
23 port and order in MB Docket No. 03–15 as-
24 signing all full-power broadcast television sta-
25 tions authorized in the digital television service
26 a final channel between channels 2 and 36, in-

1 clusive, or 38 and 51, inclusive (between fre-
2 quencies 54 and 698 megahertz, inclusive); and

3 (B) conclude by July 31, 2007, any recon-
4 sideration of such report and order.

5 (2) STATUS REPORTS.—Beginning February 1,
6 2006, and ending when international coordination
7 with Canada and Mexico of the DTV table of allot-
8 ments is complete, the Commission shall submit re-
9 ports every 6 months on the status of that inter-
10 national coordination to the Committee on Com-
11 merce, Science, and Transportation of the Senate
12 and to the Committee on Energy and Commerce of
13 the House of Representatives.

14 (3) TERMINATIONS OF ANALOG LICENSES AND
15 BROADCASTING.—The Commission shall take such
16 actions as may be necessary to terminate all licenses
17 for full-power broadcasting stations in the analog
18 television service and to require the cessation of
19 broadcasting by full-power stations in the analog tel-
20 evision service by January 1, 2009.

21 **SEC. 3. AUCTION OF RECOVERED SPECTRUM.**

22 (a) DEADLINE FOR AUCTION.—Section 309(j)(14) of
23 the Communications Act of 1934 (47 U.S.C. 309(j)(14)),
24 as amended by section 2, is amended in subparagraph
25 (B)—

1 (1) in clause (ii), by striking the second sen-
2 tence; and

3 (2) by adding at the end the following new
4 clause:

5 “(iii) ADDITIONAL DEADLINES FOR
6 RECOVERED ANALOG SPECTRUM.—

7 “(I) IN GENERAL.—Not earlier
8 than 1 year after the date on which
9 the Commission submits to Congress
10 the report required under section
11 7502(a) of the Intelligence Reform
12 and Terrorism Prevention Act of 2004
13 (Public Law 108–458; 118 Stat.
14 3855), and not later than April 1,
15 2008, the Commission shall—

16 “(aa) conduct the auction of
17 the licenses for recovered analog
18 spectrum; and

19 “(bb) not later than June
20 30, 2008, deposit the proceeds of
21 such auction in accordance with
22 paragraph (8), except for those
23 funds authorized to be used in
24 accordance with sections 4(f) and
25 5 of the SAVE LIVES Act.

1 “(II) RECOVERED ANALOG SPEC-
2 TRUM DEFINED.—In this clause, the
3 term ‘recovered analog spectrum’
4 means the spectrum reclaimed from
5 analog television service broadcasting
6 under this paragraph, other than—

7 “(aa) the spectrum required
8 by section 337 to be made avail-
9 able for public safety services;

10 “(bb) the spectrum auc-
11 tioned prior to the date of enact-
12 ment of the SAVE LIVES Act;
13 and

14 “(cc) any spectrum des-
15 igned by Congress for use by
16 public safety services between the
17 date of enactment of the SAVE
18 LIVES Act and the auction de-
19 scribed in subclause (I).”.

20 (b) EXTENSION OF AUCTION AUTHORITY.—Para-
21 graph (11) of section 309(j) of the Communications Act
22 of 1934 (47 U.S.C. 309(j)(11)) is amended by striking
23 “September 30, 2007” and inserting “September 30,
24 2009”.

1 **SEC. 4. DIGITAL TRANSITION PROGRAM.**

2 (a) IN GENERAL.—Beginning no earlier than Janu-
3 ary 1, 2008, and not later than July 1, 2008, the Commis-
4 sion, in consultation with commercial television broadcast
5 licensees, shall distribute to eligible persons digital-to-ana-
6 log converter devices that will enable television sets that
7 operate only with analog signal processing to continue to
8 operate when receiving a digital signal.

9 (b) APPLICATION.—Each eligible person seeking a
10 digital-to-analog converter device under subsection (a)
11 shall submit an application to the Commission at such
12 times, in such manner, and containing such information
13 as the Commission requires.

14 (c) PROCUREMENT.—The provisions, rules, and regu-
15 lations of the Federal Property and Administrative Serv-
16 ices Act of 1949 (41 U.S.C. 251 et seq.) shall apply to
17 the procurement, by the Comptroller General of the
18 United States, of the digital-to-analog converter devices
19 described in subsection (a).

20 (d) STUDY.—Not later than 12 months after the date
21 of enactment of this Act, the Commission shall, in con-
22 sultation with commercial television broadcast licensees,
23 consumer groups, and other interested parties, complete
24 a study of—

25 (1) the geographic location of eligible persons
26 by Nielsen Designated Market Areas;

1 (2) the use of not only broadcast studios for
2 distribution of such digital-to-analog converter de-
3 vices, but the ability of commercial television broad-
4 cast licensees to partner with grocery stores, elec-
5 tronics stores, and post offices to serve as distribu-
6 tion centers for such devices; and

7 (3) the ability of the Commission and commer-
8 cial television broadcast licensees to partner together
9 to develop a public communications campaign to in-
10 form over-the-air viewers of—

11 (A) the need for a digital-to-analog con-
12 verter device; and

13 (B) the availability of such a digital-to-
14 analog converter device free of charge for eligi-
15 ble persons.

16 (e) ELIGIBLE PERSON DEFINED.—In this section,
17 the term “eligible person” means any person relying exclu-
18 sively on over-the-air television broadcasts with a house-
19 hold income that does not exceed 200 percent of the pov-
20 erty line, as such line is published in the Federal Register
21 by the Department of Health and Human Services under
22 the authority of section 673(2) of the Community Services
23 Block Grant Act (42 U.S.C. 9902(2)).

24 (f) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There are authorized to be
 2 appropriated \$468,000,000 from the proceeds of the
 3 auction of licenses for recovered analog spectrum
 4 under section 309(j)(14) of the Communications Act
 5 of 1934 (47 U.S.C. 309(j)(14)).

6 (2) DISTRIBUTION.—Of the funds authorized to
 7 be appropriated under paragraph (1)—

8 (A) \$463,000,000 shall be available to pro-
 9 cure digital-to-analog converter devices; and

10 (B) \$5,000,000 shall be available to cover
 11 the costs of administration of the digital transi-
 12 tion program established under this section.

13 **SEC. 5. ESTABLISHMENT AND AUTHORIZATION OF APPRO-**
 14 **RIATIONS FOR GRANT PROGRAM TO PRO-**
 15 **VIDE ENHANCED INTEROPERABILITY OF**
 16 **COMMUNICATIONS FOR FIRST RESPONDERS.**

17 (a) ESTABLISHMENT OF PROGRAM TO ASSIST FIRST
 18 RESPONDERS.—

19 (1) IN GENERAL.—The Secretary of Homeland
 20 Security shall establish a program to help State,
 21 local, tribal, and regional first responders—

22 (A) acquire and deploy interoperable com-
 23 munications equipment;

24 (B) purchase such equipment; and

1 (C) train personnel in the use of such
2 equipment.

3 (2) COMMON STANDARDS.—The Secretary, in
4 cooperation with the heads of other Federal depart-
5 ments and agencies who administer programs that
6 provide communications-related assistance programs
7 to State, local, and tribal public safety organizations,
8 shall develop and implement common standards to
9 the greatest extent practicable.

10 (b) APPLICATIONS.—To be eligible for assistance
11 under the program established in subsection (a), a State,
12 local, tribal, or regional first responder agency shall sub-
13 mit an application, at such time, in such form, and con-
14 taining such information as the Under Secretary of Home-
15 land Security for Science and Technology may require, in-
16 cluding—

17 (1) a detailed explanation of how assistance re-
18 ceived under the program would be used to improve
19 local communications interoperability and ensure
20 interoperability with other appropriate Federal,
21 State, local, tribal, and regional agencies in a re-
22 gional or national emergency; and

23 (2) assurance that the equipment and system
24 would—

1 (A) not be incompatible with the commu-
2 nications architecture developed under section
3 7303(a)(1)(E) of the Intelligence Reform Act of
4 2004;

5 (B) would meet any voluntary consensus
6 standards developed under section
7 7303(a)(1)(D) of that Act; and

8 (C) be consistent with the common grant
9 guidance established under section
10 7303(a)(1)(H) of that Act.

11 (c) REVIEW.—The Under Secretary of Homeland Se-
12 curity for Science and Technology shall review and ap-
13 prove, in the discretion of the Under Secretary, all applica-
14 tions submitted under subsection (b).

15 (d) SINGLE GRANTS.—The Secretary of Homeland
16 Security, pursuant to an application approved by the
17 Under Secretary of Homeland Security for Science and
18 Technology, may make the assistance provided under the
19 program established in subsection (a) available to all ap-
20 proved applicants in the form of a single grant for a period
21 of not more than 3 years.

22 (e) REPORT.—Not later than January 1, 2008, the
23 Commission shall report to the Committee on Commerce,
24 Science, and Transportation of the Senate and the Com-
25 mittee on Energy and Commerce of the House of Rep-

1 representatives the amount required to carry out the program
2 described in section 4.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—To the
4 extent that proceeds from the auction of licenses for recov-
5 ered analog spectrum under section 309(j)(14) of the
6 Communications Act of 1934 (47 U.S.C. 309(j)(14)) are
7 available and exceed the amount required to carry out the
8 program described in section 4, there are authorized to
9 be appropriated from such proceeds such sums as are
10 available to fund the grant program established under this
11 section.

12 **SEC. 6. CONSUMER EDUCATION REGARDING THE DIGITAL**
13 **TELEVISION TRANSITION.**

14 (a) COMMISSION AUTHORITY.—Section 303 of the
15 Communications Act of 1934 (47 U.S.C. 303) is amended
16 by adding at the end the following new subsection:

17 “(z) Require the consumer education measures speci-
18 fied in section 330(d) in the case of apparatus designed
19 to receive television signals that—

20 “(1) are shipped in interstate commerce or
21 manufactured in the United States after 180 days
22 after the date of enactment of the SAVE LIVES
23 Act; and

1 “(2) are not capable of receiving and displaying
2 broadcast signals in the digital television service on
3 the channels allocated to such broadcasts.”.

4 (b) CONSUMER EDUCATION REQUIREMENTS.—Sec-
5 tion 330 of the Communications Act of 1934 (47 U.S.C.
6 330) is amended—

7 (1) in subsection (d), by striking “sections
8 303(s), 303(u), and 303(x)” and inserting “sub-
9 sections (s), (u), (x), and (z) of section 303”;

10 (2) by redesignating subsection (d) as sub-
11 section (e); and

12 (3) by inserting after subsection (c) the fol-
13 lowing new subsection:

14 “(d) CONSUMER EDUCATION REGARDING EQUIP-
15 MENT, TELEVISION RECEIVERS, AND OTHER MATERIALS
16 RELATED TO THE DIGITAL TO ANALOG CONVERSION.—

17 “(1) REQUIREMENTS FOR MANUFACTURERS.—

18 Any manufacturer of any apparatus described in
19 section 303(z) shall—

20 “(A) place on the screen of any such appa-
21 ratus that such manufacturer ships in inter-
22 state commerce or manufactures in the United
23 States after 180 days after the date of enact-
24 ment of the SAVE LIVES Act, a removable

1 label containing the warning language required
2 by paragraph (3); and

3 “(B) also include such warning language
4 on the outside of the retail packaging of such
5 apparatus in a manner that cannot be removed.

6 “(2) REQUIREMENTS FOR RETAIL DISTRIBUTORS.—Any retail distributor shall place adjacent to
7 each apparatus described in section 303(z) that such
8 distributor displays for sale or rent after 180 days
9 after the date of enactment of the SAVE LIVES
10 Act, a separate sign containing the warning lan-
11 guage required by paragraph (3).

12 “(3) WARNING LANGUAGE.—

13 “(A) RULEMAKING PROCEEDING.—Not
14 later than 120 days after the date of enactment
15 of this Act, the Commission, in consultation
16 with consumers and representatives from the
17 broadcast, cable, and satellite industries, shall
18 complete a rulemaking proceeding to develop
19 warning language to be used by manufacturers
20 and retail distributors concerning the size and
21 format of the warning language required by this
22 paragraph.

23 “(B) CONTENT OF WARNING.—The warn-
24 ing language required by this paragraph shall
25

1 clearly inform consumers, in plain English un-
2 derstandable to the average consumer, of the
3 following:

4 “(i) After December 31, 2008, tele-
5 vision broadcasters will cease analog over-
6 the-air broadcasts and will broadcast only
7 in digital format.

8 “(ii) That a television set carrying the
9 label required under paragraph (1) will no
10 longer be able to receive broadcast pro-
11 gramming unless it is connected to a dig-
12 ital tuner, a digital-to-analog converter de-
13 vice, or cable, satellite, or other multi-
14 channel video services.

15 “(iii) Beyond December 31, 2008, a
16 television set carrying the label required
17 under paragraph (1) will, however, con-
18 tinue to display images from devices such
19 as DVD recorders and video game consoles
20 or content recorded for display on an ana-
21 log television using devices such as VCRs,
22 digital video recorders, or DVD recorders.

23 “(iv) For more information regarding
24 the transition to digital television con-
25 sumers should call the Federal Commu-

1 communications Commission at 1-888-225-5322
2 (TTY: 1-888-835-5322) or visit the Com-
3 mission’s website at: www.fcc.gov.

4 “(4) ENFORCEMENT.—Any violation of the re-
5 quirements of this section, shall be enforced by the
6 Federal Trade Commission as if it were an unfair or
7 deceptive act or practice proscribed under section
8 18(a)(1)(B) of the Federal Trade Commission Act
9 (15 U.S.C. 57a(a)(1)(B)).

10 “(5) SUNSET.—The warning language required
11 by paragraph (3) shall not apply to any manufac-
12 turer or retail distributor on or after January 1,
13 2009.

14 “(6) COMMISSION OUTREACH.—Beginning not
15 later than 1 month after the date of enactment of
16 the SAVE LIVES Act, the Commission shall engage
17 in a public outreach program to educate consumers
18 about—

19 “(A) the deadline for termination of analog
20 television broadcasting; and

21 “(B) the options consumers have after
22 such termination to continue to receive broad-
23 cast programming.”

24 (c) PRESERVING AND EXPEDITING DIGITAL TELE-
25 VISION TUNER MANDATES.—

1 (1) IN GENERAL.—The Commission shall re-
2 quire not later than—

3 (A) July 1, 2005, that digital television
4 tuners be integrated into television receivers
5 having analog tuners in the case of television
6 sets with screen sizes 36 inches or greater;

7 (B) March 1, 2006, that digital television
8 tuners be integrated into television receivers
9 having analog tuners in the case of television
10 sets with screen sizes between 25 inches and 35
11 inches; and

12 (C) March 1, 2007, that digital television
13 tuners be integrated into television receivers
14 having analog tuners in the case of television
15 sets with screen sizes between 14 inches and 24
16 inches.

17 (2) STUDY.—

18 (A) IN GENERAL.—Not later than 1 year
19 after the date of enactment of this Act, the
20 Commission shall conduct a study to determine
21 whether digital television tuners are necessary
22 in television sets with screen sizes 13 inches or
23 smaller.

24 (B) MANDATES FOR TELEVISION SETS
25 WITH SCREEN SIZES 13 INCHES OR SMALLER.—

1 Upon completion of the study required under
2 subparagraph (A), if the Commission deter-
3 mines that digital television tuners are nec-
4 essary in television sets with screen sizes 13
5 inches or smaller, the Commission shall enact,
6 not later than July 1, 2008, digital television
7 tuner mandates for such television sets.

8 (d) INFORMED CONSUMER REQUIREMENT.—Not
9 later than 90 days after the date of enactment of this Act,
10 the Consumer and Governmental Affairs Bureau of the
11 Commission shall develop and distribute to all consumers
12 seeking to purchase a television set a brochure that clearly
13 describes the different options available to a consumer, in-
14 cluding information that—

15 (1) in order for a consumer to receive and dis-
16 play a digital television signal, a consumer must
17 have—

18 (A) both a digital television display or
19 monitor and a digital tuner; or

20 (B) an integrated digital television set;

21 (2) there is a difference between a digital tele-
22 vision and high-definition digital television signals
23 and a digital television and high-definition digital
24 television set; and

25 (3) current televisions—

1 (A) are not obsolete;

2 (B) can receive digital television signals
3 with the use of a digital-to-analog converter de-
4 vice and will display such signals in an analog
5 format; and

6 (C) will continue to work with cable, sat-
7 ellite, VCRs, DVD recorders, and other devices.

8 **SEC. 7. DIGITAL TO ANALOG CONVERSION AVAILABLE FOR**
9 **CABLE SUBSCRIBERS.**

10 (a) DIGITAL TO ANALOG CONVERSION PER-
11 MITTED.—Section 614(b) of the Communications Act of
12 1934 (47 U.S.C. 534(b)) is amended by adding at the end
13 the following new paragraph:

14 “(11) DIGITAL.—

15 “(A) DIGITAL PRIMARY VIDEO SIGNAL.—A
16 cable operator shall carry the primary video of
17 the digital signal of a local broadcast station in
18 its originally broadcast format without material
19 degradation upon such local broadcast sta-
20 tion’s—

21 “(i) cessation of analog broadcasting;

22 and

23 “(ii) election of cable carriage under
24 this section or section 615.

1 “(B) DIGITAL TO ANALOG CONVERSIONS
 2 PERMITTED.—Notwithstanding subparagraph
 3 (A), the conversion by a cable operator, at any
 4 location from the cable headend through equip-
 5 ment on the premises of a subscriber, of a dig-
 6 ital television signal into a signal capable of
 7 being viewed by such subscriber with an analog
 8 television receiver shall be permitted subject to
 9 the conditions described in subparagraph (C).

10 “(C) CONDITIONS ON PERMITTED
 11 DOWNCONVERSION.—If a cable operator pro-
 12 vides a converted signal for any station in a
 13 local market under subparagraph (B), that—

14 “(i) is carried under this section or
 15 section 615; and

16 “(ii) has ceased to broadcast in the
 17 analog television service;

18 such cable operator shall provide such a con-
 19 verted signal for each such station that is lo-
 20 cated within the same local market.

21 “(D) CONVERSION SUNSET.—

22 “(i) IN GENERAL.—Subject to clause
 23 (ii), beginning not earlier than December
 24 31, 2011 and not later than December 31,
 25 2012, the Commission shall cease to im-

1 pose on a cable operator the requirement
2 under subparagraph (B), if the Commis-
3 sion determines that such requirement is
4 not necessary to ensure the continued abil-
5 ity of the audiences for foreign-language
6 and religious television broadcast stations
7 to view the signals of such stations.

8 “(ii) CONSIDERATIONS.—In making a
9 determination under clause (i), the Com-
10 mission shall take into consideration—

11 “(I) the penetration of digital
12 televisions, digital receivers, and dig-
13 ital-to-analog converter devices among
14 audiences of foreign-language and re-
15 ligious television broadcast stations;
16 and

17 “(II) the market incentives of
18 cable operators, in the absence of the
19 requirement under subparagraph (B),
20 to carry the signals of foreign-lan-
21 guage and religious television broad-
22 cast stations in the format most avail-
23 able to be viewed by the audiences of
24 such stations.

1 “(E) REVIEW.—Not later than 1 year
 2 after the date of enactment of the SAVE
 3 LIVES Act, and every 2 years thereafter until
 4 December 31, 2012, the Commission shall re-
 5 view the considerations described in subpara-
 6 graph (D)(ii).”.

7 (b) TIERING.—

8 (1) AMENDMENT TO COMMUNICATIONS ACT.—
 9 Section 623(b)(7)(A)(iii) of the Communications Act
 10 of 1934 (47 U.S.C. 543(b)(7)(A)(iii)) is amended—

11 (A) by striking “Any signal” and inserting
 12 “Any analog signal”; and

13 (B) by inserting “and a single digital video
 14 programming stream, designated by such sta-
 15 tion, that is transmitted over-the-air by such
 16 station, and” after “television broadcast sta-
 17 tion”.

18 (2) EFFECTIVE DATE.—This subsection and the
 19 amendments made by this subsection shall take ef-
 20 fect on January 1, 2009.

21 **SEC. 8. RECYCLING OF TELEVISION SETS.**

22 (a) INDIVIDUAL TAX CREDIT FOR RECYCLING OF
 23 ELECTRONIC WASTE.—

24 (1) IN GENERAL.—Subpart B of part IV of
 25 subchapter A of chapter 1 of subtitle A of the Inter-

1 nal Revenue Code of 1986 is amended by adding at
2 the end the following new section:

3 **“SEC. 30B. CREDIT FOR RECYCLING ELECTRONIC WASTE.**

4 “(a) ALLOWANCE OF CREDIT.—In the case of an eli-
5 gible taxpayer, there shall be allowed as a credit against
6 the tax imposed by this chapter for the taxable year an
7 amount equal to \$8 per unit of qualified electronic waste
8 that is collected from consumers and recycled.

9 “(b) DISALLOWANCE OF CREDIT.—No credit shall be
10 allowed under this section for recycling a unit of qualified
11 electronic waste which is collected from a consumer in a
12 State which has adopted and implemented a statewide pro-
13 gram in accordance with State law which mandates or pro-
14 vides incentives for recycling electronic waste, including a
15 mandatory per-unit, upfront charge to consumers for the
16 purpose of recycling electronic waste.

17 “(c) FINAL REGULATIONS.—

18 “(1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of the SAVE LIVES
20 Act, the Secretary, after consultation with the Ad-
21 ministrator of the Environmental Protection Agency,
22 shall issue such final regulations as may be nec-
23 essary and appropriate to carry out this section.

24 “(2) INCLUSION.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), the regulations issued under para-
3 graph (1) shall include—

4 “(i) requirements for certifying recy-
5 clers as eligible to recycle qualified elec-
6 tronic waste;

7 “(ii) requirements to ensure that all
8 recycling of qualified electronic waste is
9 performed in a manner that is safe and en-
10 vironmentally sound; and

11 “(iii) a provision which allows a tax
12 credit under this section to be shared by 2
13 or more eligible taxpayers, provided that
14 the total tax credit for a unit of electronic
15 waste under this section does not exceed
16 \$8.

17 “(B) LIMITATION.—The Secretary shall
18 not certify a recycler as eligible under this sub-
19 section unless the recycler is—

20 “(i) a taxpayer; or

21 “(ii) a State or local government.

22 “(d) TERMINATION.—This section shall not apply
23 with respect to any unit of qualified electronic waste which
24 is recycled after the date which is 3 years after the date

1 on which the final regulations issued pursuant to subpara-
2 graph (c) take effect.

3 “(e) DEFINITIONS.—As used in this section—

4 “(1) CATHODE RAY TUBE.—The term ‘cathode
5 ray tube’ means a vacuum tube used to convert an
6 electronic signal into a visual image, for use in a tel-
7 evision or other similar piece of electronic equip-
8 ment.

9 “(2) CONSUMER.—The term ‘consumer’
10 means—

11 “(A) an occupant of a single, detached
12 dwelling unit or a single unit of a multiple
13 dwelling unit who—

14 “(i) has used a television or another
15 piece of electronic equipment that contains
16 a display screen; and

17 “(ii) used the equipment described in
18 subparagraph (A) at the dwelling unit of
19 the occupant; and

20 “(B) a commercial, educational, or other
21 entity that discarded for recycling not more
22 than 20 display screens per year during the
23 previous 5 years.

24 “(3) DISPLAY SCREEN.—

1 “(A) IN GENERAL.—The term ‘display
2 screen’ means a cathode ray tube, flat panel
3 screen, or other similar video display device
4 with a screen size of greater than 4 inches,
5 measured diagonally.

6 “(B) EXCLUSION.—The term ‘display
7 screen’ does not include commercial or indus-
8 trial equipment, or household appliances, that
9 contain—

10 “(i) a cathode ray tube;

11 “(ii) a flat panel screen; or

12 “(iii) another similar video device.

13 “(4) ELIGIBLE TAXPAYER.—The term ‘eligible
14 taxpayer’ means any person which—

15 “(A) collects from consumers and recycles,
16 or arranges for the recycling of, not less than
17 5,000 units of qualified electronic waste during
18 the taxable year of such person;

19 “(B) submits with the tax return of such
20 person documentation of the final destination of
21 all units of electronic waste collected from con-
22 sumers during the taxable year of such person
23 for the purpose of recycling; and

1 “(C) certifies that all reclamation and re-
2 cycling carried out by such person was per-
3 formed by an eligible recycler.

4 “(5) QUALIFIED ELECTRONIC WASTE.—The
5 term ‘qualified electronic waste’ means any display
6 screen.

7 “(6) RECYCLE.—The term ‘recycle’ means the
8 performance of a process by 1 or more persons by
9 which a display screen is—

10 “(A) sorted;

11 “(B) if necessary, transported;

12 “(C) to the maximum extent practicable,
13 separated to recover any component or com-
14 modity inside the display screen that can be re-
15 duced to raw materials or products; and

16 “(D) treated such that any remaining ma-
17 terial is disposed of properly and in an environ-
18 mentally sound manner consistent with the
19 Solid Waste Disposal Act (42 U.S.C. 6901 et
20 seq.).”.

21 “(2) EFFECTIVE DATE.—The amendment made
22 by this subsection shall apply with respect to elec-
23 tronic waste recycled after the date on which the
24 final regulations issued pursuant to section 30B of
25 subpart B of part IV of subchapter A of chapter 1

1 of subtitle A of the Internal Revenue Code of 1986
2 (as added by this subsection) take effect.

3 (b) CONSUMER CREDIT FOR RECYCLING ELEC-
4 TRONIC WASTE.—

5 (1) IN GENERAL.—Subpart A of part IV of sub-
6 chapter A of chapter 1 of subtitle A of the Internal
7 Revenue Code of 1986 is amended by inserting after
8 section 25B the following new section:

9 **“SEC. 25C. CONSUMER CREDIT FOR RECYCLING ELEC-
10 TRONIC WASTE.**

11 “(a) ALLOWANCE OF CREDIT.—In the case of an eli-
12 gible consumer, there shall be allowed as a credit against
13 the tax imposed by this chapter for the taxable year an
14 amount equal to \$15 for the recycling of 1 or more units
15 of qualified electronic waste.

16 “(b) FINAL REGULATIONS.—

17 “(1) IN GENERAL.—Not later than 180 days
18 after the date of enactment of the SAVE LIVES
19 Act, the Secretary, after consultation with the Ad-
20 ministrator of the Environmental Protection Agency,
21 shall issue such final regulations as may be nec-
22 essary and appropriate to carry out this section.

23 “(2) INCLUSION.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), the regulations issued under para-
3 graph (1) shall include—

4 “(i) requirements for certifying recy-
5 clers as eligible to recycle qualified elec-
6 tronic waste; and

7 “(ii) requirements to ensure that all
8 recycling of qualified electronic waste is
9 performed in a manner that is safe and en-
10 vironmentally sound.

11 “(B) LIMITATION.—The Secretary shall
12 not certify a recycler as eligible under this sub-
13 section unless the recycler is—

14 “(i) a taxpayer; or

15 “(ii) a State or local government.

16 “(c) TERMINATION.—This section shall not apply
17 with respect to any unit of qualified electronic waste which
18 is recycled after the date which is 3 years after the date
19 on which the final regulations issued pursuant to sub-
20 section (b) take effect.

21 “(d) DEFINITIONS.—As used in this section—

22 “(1) CATHODE RAY TUBE.—The term ‘cathode
23 ray tube’ means a vacuum tube used to convert an
24 electronic signal into a visual image, for use in a tel-

1 evision or other similar piece of electronic equip-
2 ment.

3 “(2) CONSUMER.—The term ‘consumer’
4 means—

5 “(A) an occupant of a single, detached
6 dwelling unit or a single unit of a multiple
7 dwelling unit who—

8 “(i) has used a television or another
9 piece of electronic equipment that contains
10 a display screen; and

11 “(ii) used the equipment described in
12 subparagraph (A) at the dwelling unit of
13 the occupant; and

14 “(B) a commercial, educational, or other
15 entity that discarded for recycling not more
16 than 20 display screens per year during the
17 previous 5 years.

18 “(3) DISPLAY SCREEN.—

19 “(A) IN GENERAL.—The term ‘display
20 screen’ means a cathode ray tube, flat panel
21 screen, or other similar video display device
22 with a screen size of greater than 4 inches,
23 measured diagonally.

24 “(B) EXCLUSION.—The term ‘display
25 screen’ does not include commercial or indus-

1 trial equipment, or household appliances, that
2 contain—

3 “(i) a cathode ray tube;

4 “(ii) a flat panel screen; or

5 “(iii) another similar video device.

6 “(4) ELIGIBLE CONSUMER.—The term ‘eligible
7 consumer’ means any individual—

8 “(A) with respect to whom a credit under
9 this section has not been allowed in any pre-
10 ceding taxable year; and

11 “(B) who submits with the tax return of
12 such individual such information as the Sec-
13 retary requires to document that each unit of
14 qualified electronic waste was recycled by a re-
15 cycler certified by the Secretary under sub-
16 section (b).

17 “(5) QUALIFIED ELECTRONIC WASTE.—The
18 term ‘qualified electronic waste’ means any display
19 screen.

20 “(6) RECYCLE.—The term ‘recycle’ means the
21 performance of a process by 1 or more persons by
22 which a display screen is—

23 “(A) sorted;

24 “(B) if necessary, transported;

1 “(C) to the maximum extent practicable,
2 separated to recover any component or com-
3 modity inside the display screen that can be re-
4 duced to raw materials or products; and

5 “(D) treated such that any remaining ma-
6 terial is disposed of properly and in an environ-
7 mentally sound manner consistent with the
8 Solid Waste Disposal Act (42 U.S.C. 6901 et
9 seq.).”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by this subsection shall apply with respect to elec-
12 tronic waste recycled after the date on which the
13 final regulations issued pursuant to section 30B of
14 subpart A of part IV of subchapter A of chapter 1
15 of subtitle A of the Internal Revenue Code of 1986
16 (as added by this subsection) take effect.

17 (c) CONFORMING AMENDMENTS.—

18 (1) The table of sections for subpart B of part
19 IV of subchapter A of chapter 1 of subtitle A of the
20 Internal Revenue Code of 1986 is amended by add-
21 ing at the end the following new item:

“Sec. 30B. Credit for recycling electronic waste.”.

22 (2) Section 26(a)(1) of the Internal Revenue
23 Code of 1986 is amended by striking “and 25B”
24 and inserting “25B, and 25C”.

1 (3) The table of sections for subpart A of part
2 IV of subchapter A of chapter 1 of subtitle A of the
3 Internal Revenue Code of 1986 is amended by in-
4 serting after the item relating to section 25B the fol-
5 lowing new item:

“Sec. 25C. Consumer credit for recycling electronic waste.”.

6 **SEC. 9. STUDY OF NATIONWIDE RECYCLING PROGRAM.**

7 (a) STUDY.—

8 (1) IN GENERAL.—The Administrator of the
9 Environmental Protection Agency, in consultation
10 with appropriate executive agencies (as determined
11 by the Administrator), shall conduct a study of the
12 feasibility of establishing a nationwide recycling pro-
13 gram for electronic waste, as that term is defined
14 under section 30B of the Internal Revenue Code of
15 1986, that preempts any State recycling program.

16 (2) INCLUSIONS.—The study shall include an
17 analysis of multiple programs, including programs
18 involving—

19 (A) the collection of an advanced recycling
20 fee;

21 (B) the collection of an end-of-life fee;

22 (C) producers of electronics assuming the
23 responsibility and the cost of recycling elec-
24 tronic waste; and

1 (D) the extension of a tax credit for recy-
2 cling electronic waste.

3 (b) REPORT.—Not later than 1 year after the date
4 of enactment of this Act, the Administrator of the Envi-
5 ronmental Protection Agency shall submit to Congress a
6 report describing the results of the study conducted under
7 subsection (a);

8 **SEC. 10. COMPLETION OF CERTAIN PENDING PRO-**
9 **CEEDINGS.**

10 (a) IN GENERAL.—The Commission shall complete
11 action on and issue a final decision not later than—

12 (1) July 31, 2007, in the Matter of Second
13 Periodic Review of the Commission’s Rules and Poli-
14 cies Affecting the Conversion to Digital Television,
15 MB Docket No. 03–15;

16 (2) July 31, 2007, should the Commission
17 begin a Third Periodic Review of the Commission’s
18 Rules and Policies Affecting the Conversion to Dig-
19 ital Television;

20 (3) December 31, 2007, in the Matter of Public
21 Interest Obligations of Television Broadcast Licens-
22 ees, MM Docket No. 99–360;

23 (4) December 31, 2007, in the Matter of Stand-
24 ardized and Enhanced Disclosure Requirements for

1 Television Broadcast Licensee Public Interest Obliga-
2 tions, MM Docket No. 00–168;

3 (5) December 31, 2007, in the Matter of Chil-
4 dren’s Television Obligations Of Digital Television
5 Broadcasters, Further Notice of Proposed Rule-
6 making, MM Docket No. 00–167;

7 (6) December 31, 2007, in the proceeding on
8 rules regarding the use of distributed transmission
9 system technologies as referenced in paragraph 5 of
10 MB Docket No. 03–15; and

11 (7) December 31, 2007, in the proceeding
12 adopting digital standards for an Emergency Alert
13 System.

14 (b) TWO-WAY DEVICES.—

15 (1) REPORT.—Not later than 30 days after the
16 date of enactment of this Act, and every 3 months
17 thereafter until July 1, 2007, the parties in the mat-
18 ter of the Implementation of Section 304 of the
19 Telecommunications Act of 1996, Commercial Avail-
20 ability of Navigation Devices, Second Report and
21 Order, CS Docket No. 97–80, shall report to the
22 Committee on Commerce, Science, and Transpor-
23 tation of the Senate and the Committee on Energy
24 and Commerce of the House of Representatives on
25 the status of negotiations for two-way devices.

1 (2) FINAL ORDER.—Not later than December
2 31, 2007, the Commission shall complete action on
3 and issue a final decision in the matter of the Imple-
4 mentation of Section 304 of the Telecommunications
5 Act of 1996, Commercial Availability of Navigation
6 Devices, Second Report and Order, CS Docket No.
7 97–80.

8 **SEC. 11. EXCEPTION TO REMOVAL AND RELOCATION OF IN-**
9 **CUMBENT BROADCAST LICENSEES OPER-**
10 **ATING BETWEEN 746 AND 806 MEGAHERTZ.**

11 Section 337(e) of the Communications Act of 1934
12 (47 U.S.C. 337(e)) is amended by adding at the end the
13 following new paragraph:

14 “(3) EXCEPTIONS.—Paragraph (1) shall not
15 apply to—

16 “(A) television translator stations;

17 “(B) low-power television stations; or

18 “(C) class A television stations.”.

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