

109TH CONGRESS
1ST SESSION

S. 1600

To amend the Communications Act of 1934 to ensure full access to digital television in areas served by low-power television, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2005

Ms. SNOWE (for herself and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Communications Act of 1934 to ensure full access to digital television in areas served by low-power television, 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 **TITLE I—LOW-POWER**
4 **TELEVISION**

5 **SEC. 101. SHORT TITLE.**

6 This title may be cited as the “Digital Translator and
7 Low-Power Television Transition Assistance Act”.

1 **SEC. 102. DEADLINE FOR CONVERSION OF TRANSLATOR**
2 **STATIONS AND LOW-POWER ANALOG TELE-**
3 **VISION STATIONS.**

4 (a) **DIGITAL TRANSITION PERIOD.**—Section
5 336(f)(4) of the Communications Act of 1934 (47 U.S.C.
6 336(f)(4)) is amended by striking “such transition pe-
7 riod.” in the last sentence and inserting “4 years after
8 the date beyond which a television broadcast license may
9 not be renewed under section 309(j)(14) of this Act.”.

10 (b) **CONFORMING AMENDMENT.**—Section 337(e)(1)
11 of the Communications Act of 1934 (47 U.S.C. 337(e)(1))
12 is amended by striking “on which the digital television
13 service transition period terminates, as determined by the
14 Commission.” and inserting “that is 4 years after the date
15 beyond which a television broadcast license may not be re-
16 newed under section 309(j)(14) of this Act.”.

17 **SEC. 103. LOW-POWER DIGITAL TELEVISION TRANSITION.**

18 (a) **TRUST FUND.**—There is established on the books
19 of the Treasury a separate fund to be known as the “Low-
20 power Digital Television Transition Trust Fund”, which
21 shall be administered by the Assistant Secretary of Com-
22 merce for Communications and Information.

23 (b) **SOURCE OF FUNDS.**—Paragraph (8) of section
24 309(j) of the Communications Act of 1934 (47 U.S.C.
25 309(j)) is amended—

1 (1) by inserting “or subparagraph (D)” in sub-
2 paragraph (A) after “subparagraph (B)”; and

3 (2) by adding at the end the following new sub-
4 paragraph:

5 “(D) DISPOSITION OF PROCEEDS FROM
6 AUCTION OF CHANNELS 52 THROUGH 69.—So
7 much of the proceeds attributable to the auc-
8 tion of any eligible frequencies on the electro-
9 magnetic spectrum conducted after the date of
10 enactment of the Low-Power Digital Television
11 Transition Assistance Act as does not exceed
12 \$100,000,000, after the retention of revenues
13 provided for in subparagraph (B), shall be de-
14 posited in the Low-power Digital Television
15 Transition Trust Fund.”.

16 (c) GRANT PROGRAM.—

17 (1) IN GENERAL.—The Assistant Secretary of
18 Commerce for Communications and Information
19 shall establish a program under which grants may
20 be made by the National Telecommunications and
21 Information Administration to eligible licensees of
22 qualifying low-power television stations under section
23 336 of the Communications Act of 1934, State and
24 local governments, and community organizations for
25 the purpose of—

1 (A) upgrading low-power television trans-
2 lator stations from analog to digital in eligible
3 rural communities (as defined in section
4 601(b)(2) of the Rural Electrification Act of
5 1936 (7 U.S.C. 950bb(b)(2)) and other areas
6 served by low-power television broadcast sta-
7 tions; and

8 (B) extending digital television broadcast
9 signals to unserved households (as defined sec-
10 tion 119(d)(10) of title 17, United States Code)
11 located in such eligible rural communities and
12 other areas.

13 (2) APPLICATIONS AND CONDITIONS.—In con-
14 ducting the program, the Assistant Secretary—

15 (A) shall establish a notification and appli-
16 cation procedure;

17 (B) may establish such conditions, and re-
18 quire such assurances, as may be appropriate to
19 ensure the efficiency and integrity of the grant
20 program; and

21 (C) may make grants under the program
22 on a matching or nonmatching basis.

23 (3) ELIGIBLE LICENSEES.—In this subsection,
24 the term “eligible licensee” means the licensee or
25 permittee of a low-power television station licensee

1 or low-power television translator station as such
2 terms as used in sections 336 and 337 of the Com-
3 munications Act of 1934 (47 U.S.C. 336 and 337)).

4 (4) REVERSION OF UNUSED FUNDS.—Any un-
5 obligated amounts in the Low-power Digital Tele-
6 vision Transition Fund remaining after the date on
7 which the low-power digital television service transi-
8 tion period (as defined in section 336(i)(3) of the
9 Communications Act of 1934) shall revert to and be
10 deposited in the general fund of the Treasury.

11 **SEC. 104. FCC STATUS REPORT ON LOW-POWER TELE-**
12 **VISION AND TELEVISION TRANSLATOR STA-**
13 **TIONS.**

14 Within 6 months after the date of enactment of this
15 Act, the Federal Communications Commission shall trans-
16 mit to the Senate Committee on Commerce, Science, and
17 Transportation and the House of Representatives Com-
18 mittee on Energy and Commerce and report and rec-
19 ommendations on the status of low-power television sta-
20 tions and low-power television translator stations.

21 **TITLE II—INTERNATIONAL**
22 **COORDINATION**

23 **SEC. 201. INTERNATIONAL COORDINATION STUDY.**

24 Beginning February 1, 2006, and ending when inter-
25 national coordination with Canada and Mexico of the DTV

1 table of allotments is complete, the Federal Communica-
2 tions Commission shall submit reports every 6 months on
3 the status of that international coordination to the Senate
4 Committee on Commerce, Science, and Transportation
5 and the House of Representatives Committee on Energy
6 and Commerce.

○