

**[DISCUSSION DRAFT]**

JANUARY 5, 2016

114TH CONGRESS  
2D SESSION**H. R.** \_\_\_\_\_

To establish an additional fund in the Treasury to reimburse broadcast television stations for costs associated with channel relocation resulting from the reorganization of broadcast television spectrum, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

\_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To establish an additional fund in the Treasury to reimburse broadcast television stations for costs associated with channel relocation resulting from the reorganization of broadcast television spectrum, 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 “Viewer Protection Act  
5       of 2016”.

1 **SEC. 2. CONSUMER OUTREACH CAMPAIGN.**

2 There is authorized to be appropriated to the Federal  
3 Communications Commission \$90,000,000 to conduct a  
4 consumer outreach campaign to raise awareness of  
5 changes to the television channels available to such con-  
6 sumers as a result of the reorganization of broadcast tele-  
7 vision spectrum carried out pursuant to section 6403(b)  
8 of the Middle Class Tax Relief and Job Creation Act of  
9 2012 (47 U.S.C. 1452(b)).

10 **SEC. 3. VIEWER PROTECTION FUND.**

11 (a) ESTABLISHMENT.—There is established in the  
12 Treasury of the United States a fund to be known as the  
13 Viewer Protection Fund.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
15 authorized to be appropriated \$1,000,000,000 to the  
16 Viewer Protection Fund.

17 (c) RESERVE SOURCE FOR PAYMENT OF RELOCA-  
18 TION COSTS.—

19 (1) AVAILABILITY OF FUNDS.—If funds avail-  
20 able in the TV Broadcaster Relocation Fund estab-  
21 lished under section 6403(d) of the Middle Class  
22 Tax Relief and Job Creation Act of 2012 (47 U.S.C.  
23 1452(d)) are exhausted and the Federal Commu-  
24 nications Commission makes the certification de-  
25 scribed in paragraph (2), amounts in the Viewer  
26 Protection Fund shall be available to the Commis-

1 sion to make payments required by section  
2 6403(b)(4)(A)(i) of such Act.

3 (2) CERTIFICATION.—In order for amounts in  
4 the Viewer Protection Fund to be available to the  
5 Federal Communications Commission, the Commis-  
6 sion shall certify to the Secretary of the Treasury  
7 that such amounts are necessary to provide reim-  
8 bursements for relocation costs to one or more  
9 broadcast television licensees to prevent a substan-  
10 tial number of consumers from losing access to  
11 broadcast television signals due to the reorganization  
12 of broadcast television spectrum carried out pursu-  
13 ant to section 6403(b) of such Act.

14 (d) LIMITATION.—Funds made available to the Com-  
15 mission under this section shall only be available until the  
16 end of fiscal year 2022.

17 (e) UNUSED FUNDS RETURNED TO THE GENERAL  
18 FUND OF THE TREASURY.—If any amounts remain in the  
19 Viewer Protection Fund after the end of fiscal year 2022,  
20 the Secretary of the Treasury shall transfer such amounts  
21 to the general fund of the Treasury.

22 **SEC. 4. ANALYSIS OF REORGANIZATION PLAN AND TRANSI-**  
23 **TION PERIOD.**

24 (a) ANALYSIS.—Not later than 5 months after the  
25 conclusion of competitive bidding in the forward auction

1 authorized under section 6403(c) of the Middle Class Tax  
2 Relief and Job Creation Act of 2012 (47 U.S.C. 1452(c)),  
3 the Federal Communications Commission, or the Media  
4 Bureau of the Commission under delegated authority,  
5 shall publish an analysis on how the Commission will com-  
6 plete an expedited reorganization within the 39-month  
7 transition period.

8 (b) TRANSITION PERIOD.—

9 (1) RELOCATION PLAN.—The Federal Commu-  
10 nications Commission shall, by order, delegate to the  
11 Media Bureau of the Commission the authority to  
12 adopt a broadcast channel relocation plan with relo-  
13 cation deadlines designed to ensure that wireless li-  
14 censees obtain access to their licenses expeditiously  
15 while broadcast channel relocation efforts are com-  
16 pleted as efficiently and effectively as possible. Such  
17 plan should seek to provide wireless licensees with  
18 access to their licenses on a phased-in basis as sepa-  
19 rate regions of the country are reorganized for wire-  
20 less use.

21 (2) TRANSITION PERIOD.—Not later than  
22 **【\_\_\_\_\_】**, the Federal Communications Commission  
23 shall, by order, delegate to the Media Bureau of the  
24 Commission the authority to—

1 (A) modify the transition period for reloca-  
2 tion of specific broadcast television stations in  
3 accordance with the reassignments of television  
4 channels made under section 6403(b) of the  
5 Middle Class Tax Relief and Job Creation Act  
6 of 2012 (47 U.S.C. 1452(b)), as the Bureau de-  
7 termines necessary to ensure that—

8 (i) no station is forced to stop broad-  
9 casting due to reasons outside the station's  
10 control; and

11 (ii) the plan adopted pursuant to  
12 paragraph (1) proceeds as efficiently and  
13 effectively as possible; and

14 (B) impose appropriate penalties should a  
15 station fail or refuse to meet the deadlines  
16 adopted in the plan other than for reasons out-  
17 side the station's control.