H. R. 3720

To repeal certain provisions of the Communications Act of 1934, title 17 of the United States Code, and the regulations of the Federal Communications Commission that intervened in the television marketplace, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2013

Mr. Scalise (for himself and Mr. Gardner) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To repeal certain provisions of the Communications Act of 1934, title 17 of the United States Code, and the regulations of the Federal Communications Commission that intervened in the television marketplace, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Next Generation Television Marketplace Act”.

SEC. 2. REPEAL OF REGULATORY INTERVENTION IN THE
TELEVISION MARKETPLACE UNDER THE
COMMUNICATIONS ACT OF 1934.

(a) In General.—The following sections of the
Communications Act of 1934 (47 U.S.C. 151 et seq.) are
hereby repealed:

(3) Section 341 (47 U.S.C. 341).
(4) Section 342 (47 U.S.C. 342).
(5) Section 612 (47 U.S.C. 532).

(b) Additional Repeal.—Section 325 of the Com-
munications Act of 1934 (47 U.S.C. 325) is amended—
(1) by striking subsections (b) and (e); and
(2) by redesignating subsections (c) and (d) as
subsections (b) and (e), respectively.

(c) Amendments.—
(1) Section 338.—Section 338 of the Commu-
ications Act of 1934 (47 U.S.C. 338) is amended
to read as follows:

“SEC. 338. CARRIAGE OF LOCAL TELEVISION SIGNALS BY
SATELLITE CARRIERS.

“(a) Carriage Obligations.—
“(1) IN GENERAL.—Each satellite carrier providing signals of a qualified noncommercial educational television station in that station’s local market shall carry upon request the signals of all qualified noncommercial educational television stations located within that local market.

“(2) LOW POWER STATION CARRIAGE OPTIONAL.—No low power television station shall be entitled to insist on carriage under this section, nor shall any such carriage be considered in connection with the requirements of subsection (c).

“(b) GOOD SIGNAL REQUIRED.—A qualified noncommercial educational television station asserting its right to carriage under subsection (a) shall be required to bear the costs associated with delivering a good quality signal to the designated local receive facility of the satellite carrier or to another facility that is acceptable to at least one-half the stations asserting the right to carriage in the local market.

“(c) DUPLICATION NOT REQUIRED.—The Commission shall prescribe regulations limiting the carriage requirements under subsection (a) of satellite carriers with respect to the carriage of multiple qualified noncommercial educational television stations. To the extent possible, such regulations shall provide the same degree of carriage
by satellite carriers of such multiple stations as is provided by cable systems under section 615.

“(d) CHANNEL POSITIONING.—No satellite carrier shall be required to provide the signal of a qualified non-commercial educational television station to subscribers in that station’s local market on any particular channel number or to provide the signals in any particular order, except that the satellite carrier shall retransmit the signal of the qualified noncommercial educational television station to subscribers in the station’s local market on channels reasonably contiguous with other television broadcast channels and provide access to such station’s signals at a nondiscriminatory price and in a nondiscriminatory manner on any navigational device, on-screen program guide, or menu.

“(e) COMPENSATION FOR CARRIAGE.—A satellite carrier shall not accept or request monetary payment or other valuable consideration in exchange either for carriage of qualified noncommercial educational television stations in fulfillment of the requirements of this section or for channel positioning rights provided to such stations under this section, except that any such station may be required to bear the costs associated with delivering a good quality signal to the local receive facility of the satellite carrier.
“(f) Remedies.—

“(1) Complaints by broadcast stations.—
Whenever a qualified noncommercial educational television station believes that a satellite carrier has failed to meet its obligations under subsections (b) through (e), such station shall notify the carrier, in writing, of the alleged failure and identify its reasons for believing that the satellite carrier failed to comply with such obligations. The satellite carrier shall, within 30 days after such written notification, respond in writing to such notification and comply with such obligations or state its reasons for believing that it is in compliance with such obligations. A qualified noncommercial educational television station that disputes a response by a satellite carrier that it is in compliance with such obligations may obtain review of such denial or response by filing a complaint with the Commission. Such complaint shall allege the manner in which such satellite carrier has failed to meet its obligations and the basis for such allegations.

“(2) Opportunity to respond.—The Commission shall afford the satellite carrier against which a complaint is filed under paragraph (1) an opportunity to present data and arguments to estab-
lish that there has been no failure to meet its obligations under this section.

“(3) Remedial actions; dismissal.—Within 120 days after the date a complaint is filed under paragraph (1), the Commission shall determine whether the satellite carrier has met its obligations under subsections (b) through (e). If the Commission determines that the satellite carrier has failed to meet such obligations, the Commission shall order the satellite carrier to take appropriate remedial action. If the Commission determines that the satellite carrier has fully met the requirements of such subsections, the Commission shall dismiss the complaint.

“(g) Privacy Rights of Satellite Subscribers.—

“(1) Notice.—At the time of entering into an agreement to provide any satellite service or other service to a subscriber and at least once a year thereafter, a satellite carrier shall provide notice in the form of a separate, written statement to such subscriber that clearly and conspicuously informs the subscriber of—

“(A) the nature of personally identifiable information collected or to be collected with re-
respect to the subscriber and the nature of the
use of such information;

“(B) the nature, frequency, and purpose of
any disclosure which may be made of such in-
formation, including an identification of the
types of persons to whom the disclosure may be
made;

“(C) the period during which such infor-
mation will be maintained by the satellite car-
rier;

“(D) the times and place at which the sub-
scriber may have access to such information in
accordance with paragraph (5); and

“(E) the limitations provided by this sub-
section with respect to the collection and disclo-
sure of information by a satellite carrier and
the right of the subscriber under paragraphs
(7) and (9) to enforce such limitations.

In the case of subscribers who have entered into
such an agreement before February 6, 2005, such
notice shall be provided within 180 days of such date
and at least once a year thereafter.

“(2) DEFINITIONS.—For purposes of this sub-
section, other than paragraph (9)—
“(A) the term ‘personally identifiable information’ does not include any record of aggregate data which does not identify particular persons;

“(B) the term ‘other service’ includes any wire or radio communications service provided using any of the facilities of a satellite carrier that are used in the provision of satellite service; and

“(C) the term ‘satellite carrier’ includes, in addition to persons within the definition of satellite carrier, any person who—

“(i) is owned or controlled by, or under common ownership or control with, a satellite carrier; and

“(ii) provides any wire or radio communications service.

“(3) Prohibitions.—

“(A) Consent to Collection.—Except as provided in subparagraph (B), a satellite carrier shall not use any facilities used by the satellite carrier to collect personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned.
“(B) EXCEPTIONS.—A satellite carrier may use such facilities to collect such information in order to—

“(i) obtain information necessary to render a satellite service or other service provided by the satellite carrier to the subscriber; or

“(ii) detect unauthorized reception of satellite communications.

“(4) DISCLOSURE.—

“(A) CONSENT TO DISCLOSURE.—Except as provided in subparagraph (B), a satellite carrier shall not disclose personally identifiable information concerning any subscriber without the prior written or electronic consent of the subscriber concerned and shall take such actions as are necessary to prevent unauthorized access to such information by a person other than the subscriber or satellite carrier.

“(B) EXCEPTIONS.—A satellite carrier may disclose such information if the disclosure is—

“(i) necessary to render, or conduct a legitimate business activity related to, a
satellite service or other service provided by the satellite carrier to the subscriber;

“(ii) subject to paragraph (9), made pursuant to a court order authorizing such disclosure, if the subscriber is notified of such order by the person to whom the order is directed;

“(iii) a disclosure of the names and addresses of subscribers to any satellite service or other service, if—

“(I) the satellite carrier has provided the subscriber the opportunity to prohibit or limit such disclosure; and

“(II) the disclosure does not reveal, directly or indirectly, the—

“(aa) extent of any viewing or other use by the subscriber of a satellite service or other service provided by the satellite carrier; or

“(bb) the nature of any transaction made by the subscriber over any facilities used by the satellite carrier; or
“(iv) to a government entity as authorized under chapter 119, 121, or 206 of title 18, United States Code, except that such disclosure shall not include records revealing satellite subscriber selection of video programming from a satellite carrier.

“(5) ACCESS BY SUBSCRIBER.—A satellite subscriber shall be provided access to all personally identifiable information regarding that subscriber which is collected and maintained by a satellite carrier. Such information shall be made available to the subscriber at reasonable times and at a convenient place designated by such satellite carrier. A satellite subscriber shall be provided reasonable opportunity to correct any error in such information.

“(6) DESTRUCTION OF INFORMATION.—A satellite carrier shall destroy personally identifiable information if the information is no longer necessary for the purpose for which it was collected and there are no pending requests or orders for access to such information under paragraph (5) or pursuant to a court order.

“(7) PENALTIES.—Any person aggrieved by any act of a satellite carrier in violation of this sub-
section may bring a civil action in a United States
district court. The court may award—

“(A) actual damages but not less than liq-
uidated damages computed at the rate of $100
a day for each day of violation or $1,000,
whichever is higher;

“(B) punitive damages; and

“(C) reasonable attorneys’ fees and other
litigation costs reasonably incurred.

The remedy provided by this subsection shall be in
addition to any other lawful remedy available to a
satellite subscriber.

“(8) RULE OF CONSTRUCTION.—Nothing in
this subsection shall be construed to prohibit any
State from enacting or enforcing laws consistent
with this subsection for the protection of subscriber
privacy.

“(9) COURT ORDERS.—Except as provided in
paragraph (4)(B)(iv), a governmental entity may ob-
tain personally identifiable information concerning a
satellite subscriber pursuant to a court order only if,
in the court proceeding relevant to such court
order—

“(A) such entity offers clear and con-
vincing evidence that the subject of the infor-
information is reasonably suspected of engaging in
criminal activity and that the information
sought would be material evidence in the case;
and
“(B) the subject of the information is af-
forded the opportunity to appear and contest
such entity’s claim.
“(h) REGULATIONS BY COMMISSION.—The regula-
tions prescribed under this section shall include require-
ments on satellite carriers that are comparable to the re-
quirements on cable operators under paragraphs (1) and
(2) of section 615(g).
“(i) DEFINITIONS.—As used in this section:
“(1) DISTRIBUTOR.—The term ‘distributor’
means an entity that contracts to distribute sec-
ondary transmissions from a satellite carrier and, ei-
ther as a single channel or in a package with other
programming, provides the secondary transmission
either directly to individual subscribers or indirectly
through other program distribution entities.
“(2) LOCAL RECEIVE FACILITY.—The term
‘local receive facility’ means the reception point in
each local market which a satellite carrier designates
for delivery of the signal of the station for purposes
of retransmission.
“(3) LOCAL MARKET.—

“(A) IN GENERAL.—The term ‘local market’, in the case of a qualified noncommercial educational television station, means the designated market area in which a station is located and includes any station that is licensed to a community within the same designated market area as such station.

“(B) COUNTY OF LICENSE.—In addition to the area described in subparagraph (A), a station’s local market includes the county in which the station’s community of license is located.

“(C) DESIGNATED MARKET AREA.—For purposes of subparagraph (A), the term ‘designated market area’ means a designated market area, as determined by Nielsen Media Research and published in the 1999–2000 Nielsen Station Index Directory and Nielsen Station Index United States Television Household Estimates or any successor publication.

“(D) CERTAIN AREAS OUTSIDE OF ANY DESIGNATED MARKET AREA.—Any census area, borough, or other area in the State of Alaska that is outside of a designated market area, as determined by Nielsen Media Research, shall be
deemed to be part of one of the local markets in the State of Alaska. A satellite carrier may determine which local market in the State of Alaska will be deemed to be the relevant local market in connection with each subscriber in such census area, borough, or other area.

“(4) LOW POWER TELEVISION STATION.—The term ‘low power television station’ means a low power television station as defined under section 74.701(f) of title 47, Code of Federal Regulations, as in effect on June 1, 2004. For purposes of this paragraph, the term ‘low power television station’ includes a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.

“(5) QUALIFIED NONCOMMERCIAL EDUCATIONAL TELEVISION STATION.—The term ‘qualified noncommercial educational television station’ has the meaning given such term in section 615.

“(6) SATELLITE CARRIER.—The term ‘satellite carrier’ has the meaning given such term in section 111(e) of title 17, United States Code.

“(7) SUBSCRIBER.—The term ‘subscriber’ means a person or entity that receives a secondary
transmission service from a satellite carrier and pays a fee for the service, directly or indirectly, to the satellite carrier or to a distributor.”.

(2) SECTION 623.—Section 623 of the Communications Act of 1934 (47 U.S.C. 543) is amended to read as follows:

“SEC. 623. REGULATION OF RATES AND BROADCAST SIGNAL CARRIAGE.

“No Federal agency, State, or franchising authority may regulate—

“(1) the rates for the provision of the service of a multichannel video programming distributor; or

“(2) the retransmission of television broadcast signals by a multichannel video programming distributor except in accordance with the requirements of sections 338 and 615 related to qualified non-commercial educational television stations.”.

(d) CONFORMING AMENDMENTS.—

(1) SECTION 309.—Section 309(c)(2)(F) of the Communications Act of 1934 (47 U.S.C. 309(c)(2)(F)) is amended by striking “section 325(c)” and inserting “section 325(b)”.

(2) SECTION 336.—Section 336(b)(3) of the Communications Act of 1934 (47 U.S.C. 336(b)(3)) is amended by striking “614 or”. 
(3) **SECTION 613.**—Section 613 of the Communications Act of 1934 (47 U.S.C. 533) is amended by striking subsection (a).

(4) **SECTION 615.**—Section 615 of the Communications Act of 1934 (47 U.S.C. 535) is amended—

(A) in subsection (a), by striking “In addition to the carriage requirements set forth in section 614, each” and inserting “Each”;

(B) by striking subsection (f); and

(C) in subsection (l), by striking paragraph (1) and inserting the following:

“(1) **QUALIFIED NONCOMMERCIAL EDUCATIONAL TELEVISION STATION.**—

“(A) **IN GENERAL.**—The term ‘qualified noncommercial educational television station’ means any full-power television broadcast station which—

“(i) under the rules and regulations of the Commission in effect on March 29, 1990, is licensed by the Commission as a noncommercial educational television broadcast station and is owned and operated by a public agency, nonprofit foundation, nonprofit corporation, or nonprofit association; or
“(ii) is owned and operated by a municipality and transmits predominantly noncommercial programs for educational purposes.

“(B) INCLUSIONS.—Such term includes—

“(i) the translator of any noncommercial educational television station with five watts or higher power serving the franchise area;

“(ii) a full-service station or translator if such station or translator is licensed to a channel reserved for noncommercial educational use pursuant to section 73.606 of title 47, Code of Federal Regulations, or any successor regulations thereto; and

“(iii) such stations and translators operating on channels not so reserved as the Commission determines are qualified as noncommercial educational stations.”.

(5) SECTION 621.—Section 621(b)(3)(D) of the Communications Act of 1934 (47 U.S.C. 541(b)(3)(D)) is amended by striking “sections 611 and 612” and inserting “section 611”.

(6) **SECTION 622.**—Section 622(c) of the Communications Act of 1934 (47 U.S.C. 542(c)) is amended by striking “pursuant to section 623”.

(7) **SECTION 625.**—Section 625 of the Communications Act of 1934 (47 U.S.C. 545) is amended—

(A) in subsection (c)—

(i) by striking “rearrange, replace,” and inserting “replace”;

(ii) in paragraph (1), by striking “;” or” and inserting a period;

(iii) by striking paragraph (2); and

(iv) by striking “franchise if—” and all that follows through “such service is no longer” and inserting “franchise if such service is no longer”; and

(B) in subsection (d), by striking “, if the rates” and all that follows and inserting a period.

(8) **SECTION 632.**—Section 632(c) of the Communications Act of 1934 (47 U.S.C. 552(c)) is amended by striking “section 623(b)(6) or”.

(9) **SECTION 635.**—Section 635(c) of the Communications Act of 1934 (47 U.S.C. 555(c)) is amended by striking “614 or” each place it appears.
(10) SECTION 638.—Section 638 of the Communications Act of 1934 (47 U.S.C. 558) is amended by striking “or on any other channel obtained under section 612 or under similar arrangements”.

(11) SECTION 653.—Section 653 of the Communications Act of 1934 (47 U.S.C. 573) is amended—

(A) in subsection (b)(1)—

(i) in subparagraph (A), by striking “, 614,”;

(ii) in subparagraph (C), by adding “and” at the end; and

(iii) by striking subparagraph (D) and redesignating subparagraph (E) as subparagraph (D); and

(B) in subsection (c)(1)—

(i) in subparagraph (A)—

(I) by striking “(other than subsection (a) thereof)”; and

(II) by striking “623(f),”;

(ii) in subparagraph (B)—

(I) by striking “, 614,”; and

(II) by striking “, and section 325 of title III,”; and

(iii) in subparagraph (C)—
(I) by striking “sections 612 and 617” and inserting “section 617”; and

(II) by striking “623(f),”.

SEC. 3. REPEAL OF REGULATORY INTERVENTION IN THE TELEVISION MARKETPLACE UNDER THE COPYRIGHT ACT.

(a) IN GENERAL.—

(1) REPEAL.—Sections 119, 122, and 510 of title 17, United States Code, are hereby repealed.

(2) CONFORMING AMENDMENTS.—The table of sections at the beginning of—

(A) chapter 1 of title 17, United States Code, is amended by striking the items related to sections 119 and 122; and

(B) chapter 5 of title 17, United States Code, is amended by striking the item related to section 510.

(b) AMENDMENTS.—Section 111 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “local service area of such station” and inserting “designated
market area (as defined in section 501(f)(2))”; and

(ii) by striking “or” after the semicolon;

(B) in paragraph (2) by striking “or” after the semicolon; and

(C) by amending paragraph (4) to read as follows:

“(4) the secondary transmission—

“(A) is made by—

“(i) a cable system in accordance with section 615 of the Communications Act of 1934 (47 U.S.C. 535); or

“(ii) a satellite carrier in accordance with section 338 of the Communications Act of 1934 (47 U.S.C. 338); and

“(B) is consistent with the rules, regulations, and authorizations of the Federal Communications Commission; or”;

(2) in subsection (b) by striking “subsections (a) and (c)” and inserting “subsection (a)”;

(3) by striking subsections (c), (d), and (e);

(4) by redesignating subsection (f) as subsection (c); and

(5) in subsection (c), as so redesignated—
(A) in paragraph (3), by striking the second sentence;

(B) by striking paragraphs (4) through (13); and

(C) by adding at the end the following new paragraphs:

“(4) SATELLITE CARRIER.—The term ‘satellite carrier’ means an entity that uses the facilities of a satellite or satellite service licensed by the Federal Communications Commission and operates in the Fixed-Satellite Service or the Direct Broadcast Satellite Service under part 25 of title 47, Code of Federal Regulations, to establish and operate a channel of communications for point-to-multipoint distribution of television station signals, and that owns or leases a capacity or service on a satellite in order to provide such point-to-multipoint distribution, except to the extent that such entity provides such distribution pursuant to tariff under the Communications Act of 1934 (47 U.S.C. 151 et seq.), other than for private home viewing.

“(5) PRIVATE HOME VIEWING.—The term ‘private home viewing’ means the viewing, for private use in a household by means of satellite reception equipment that is operated by an individual in that
household and that serves only such household, of a
secondary transmission delivered by a satellite car-
rier of a primary transmission of a television station
licensed by the Federal Communications Commis-
sion.”.

(c) CONFORMING AMENDMENTS.—Title 17, United
States Code, is amended—

(1) in section 106, by striking “122” and in-
serting “121”;

(2) in section 110(8), by striking “section
111(f)” and inserting “section 111(c)”;

(3) in section 114(d)(1)(B)(iii), by striking
“section 111(f)” and inserting “section 111(c)”;

(4) in section 501—

(A) in subsection (a), by striking “122”
and inserting “121”;

(B) by striking subsections (c), (d), and
(e); and

(C) by amending subsection (f) to read as
follows:

“(f)(1) With respect to any secondary transmission
that is made by a cable system or by a satellite carrier
of a performance or display of a work embodied in a pri-
mary transmission and is actionable as an act of infringe-
ment under section 111, a television broadcast station
holding a copyright or other license to transmit or perform
the same version of that work shall, for purposes of sub-
section (b), be treated as a legal or beneficial owner if such
secondary transmission occurs within the designated mar-
ket area of that station.

“(2) For purposes of this subsection, the term ‘des-
ignated market area’ means a designated market area, as
determined by Nielsen Media Research and published in
the 1999–2000 Nielsen Station Index Directory and
Nielsen Station Index United States Television Household
Estimates or any successor publication.”;

(5) in section 511(a), by striking “122” and in-
serting “121”;

(6) in section 708(a)—

(A) in paragraph (8), by inserting “and”

after the semicolon;

(B) in paragraph (9), by striking the semi-
colon and inserting a period;

(C) by striking paragraphs (10) and (11);

and

(D) by striking “Fees established under
paragraphs (10) and (11) shall be reasonable
and may not exceed one-half of the cost nec-
essary to cover reasonable expenses incurred by
the Copyright Office for the collection and ad-
ministration of the statements of account and
any royalty fees deposited with such state-
ments.”;
(7) in section 801—
(A) in subsection (b)—
(i) in paragraph (1) by striking
“119,”;
(ii) by striking paragraph (2);
(iii) by redesignating paragraphs (3),
(4), (5), (6), (7), and (8) as paragraphs
(2), (3), (4), (5), (6), and (7), respectively;
and
(iv) in paragraph (2), as so redesig-
nated—
(I) in subparagraph (A), by strik-
ing “, as the case may be,”;
(II) in subparagraph (B), by
striking “, as the case may be”; and
(III) in subparagraph (C), by
striking “section 804(b)(8)” and in-
serting “section 804(b)(7)”;
(B) by striking “sections 111, 119, and”
each place it appears and inserting “section”; and
(C) by striking “111, 119, or” each place it appears;

(8) in section 803—

(A) in subsection (b)(1)(A)(i)—

(i) by striking “111,”;

(ii) by striking “119,”; and

(iii) in subclause (V), by striking “,

except that the publication of notice re-

quirement shall not apply in the case of

proceedings under section 111 that are

scheduled to commence in 2005”;

(B) in subsection (d)(2)(C)(i)—

(i) by striking “111,”; and

(ii) by striking “119,”; and

(C) in subsection (e)(2)—

(i) by striking “111,”; and

(ii) by striking “118, or 119” and in-

serting “or 118”; and

(9) in section 804—

(A) in subsection (a)—

(i) by striking “paragraphs (1) and

(2)” and inserting “paragraph (1)”;

(ii) by striking “111,”; and

(iii) by striking “119,”; and

(B) in subsection (b)—
(i) by striking paragraph (1);

(ii) by redesignating paragraphs (2), (3), (4), (5), (6), (7), and (8) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and

(iii) in paragraph (7), as so redesignated—

(I) by striking “section 801(b)(3)” and inserting “section 801(b)(2)”;

(II) by striking “111, 119, or”.

SEC. 4. REPEAL OF COMMISSION’S RULES RELATED TO REGULATORY INTERVENTION.

The Federal Communications Commission shall take all actions necessary to—

(1) repeal section 73.658 of the Commission’s rules (47 CFR 73.658);

(2) repeal subpart D of part 76 of the Commission’s rules, except to the extent such subpart relates to the carriage of qualified noncommercial educational television stations consistent with the amendments made by this Act;

(3) repeal subpart F of part 76 of the Commission’s rules;
(4) modify subpart S of part 76 of the Commission’s rules by eliminating any requirements relating to network nonduplication, syndicated exclusivity, and sports blackout for open video systems; and

(5) modify the broadcast ownership limitations set forth in section 73.3555 of the Commission’s rules (47 CFR 73.3555) by eliminating—

(A) the restrictions on the number of broadcast television stations that a person or entity may directly or indirectly own, operate, or control in the same designated market area (as such term is defined under section 501(f)(2) of title 17, United States Code), as described in paragraph (b) of such section 73.3555;

(B) the radio-television cross-ownership rule, as described in paragraph (e) of such section 73.3555; and

(C) the limitations on the direct or indirect ownership, operation, or control of a broadcast television station by a person or entity that directly or indirectly owns, operates, or controls a daily newspaper, as that term was defined in note 6 to section 73.3555 of the Commission’s rules (47 CFR 73.3555) in effect on October 1,
2011, as described in paragraph (d) of such section 73.3555. SEC. 5. EFFECTIVE DATE.

Except as provided in section 6, this Act, and the amendments made by this Act, shall take effect on January 1, 2018.

SEC. 6. CONTINUED COLLECTION AND DISTRIBUTION OF PREVIOUSLY DUE ROYALTIES.

Notwithstanding section 5, the collection and distribution of royalties due for secondary transmissions made pursuant to sections 111 and 119 of title 17, United States Code, prior to January 1, 2018, shall continue to be governed by such title and the rules of the Register of Copyrights and Copyright Royalty Judges as in effect prior to the date of enactment of this Act until such time as the Register certifies that all royalties collected pursuant to such provisions have been distributed.