

Title: 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.

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 “Viewer Protection Act of 2016”.

SEC. 2. DEFINITION.

In this Act, the term “Commission” means the Federal Communications Commission.

SEC. 3. VIEWER PROTECTION FUND.

(a) Establishment.—There is established in the Treasury of the United States a fund to be known as the “Viewer Protection Fund”.

(b) Authorization of Appropriations.—There are authorized to be appropriated to the Viewer Protection Fund [such sums as are necessary] to carry out the purposes of the Viewer Protection Fund.

(c) Reserve Source for Payment of Relocation Costs.—

(1) AVAILABILITY OF FUNDS.—If amounts available in the TV Broadcaster Relocation Fund established under section 6403(d) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452(d)) are exhausted and the Commission makes the certification described in paragraph (2) of this subsection, amounts in the Viewer Protection Fund shall be available to the Commission to make payments required by section 6403(b)(4)(A)(i) of that Act.

(2) CERTIFICATION.—Amounts in the Viewer Protection Fund shall not be available to the Commission unless the Commission certifies to the Secretary of the Treasury that the amounts are necessary to provide reimbursements for relocation costs to 1 or more broadcast television licensees consistent with paragraph (1).

(d) Limitation.—Amounts made available to the Commission under subsection (c) shall be available until the end of fiscal year 2022.

(e) Unused Funds Returned to the General Fund of the Treasury.—If any amounts remain in the Viewer Protection Fund after the end of fiscal year 2022, the Secretary of the Treasury shall transfer such amounts to the general fund of the Treasury.

SEC. 4. ANALYSIS OF REORGANIZATION PLAN AND TRANSITION PERIOD.

(a) Analysis.—Not later than 150 days after the conclusion of competitive bidding in the forward auction authorized under section 6403(c) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452(c)), the Commission shall publish an analysis of how the Commission will complete an expedited reorganization.

(b) Transition Period.—

(1) RELOCATION PLAN.—

(A) IN GENERAL.—The Commission shall adopt a broadcast channel relocation plan with relocation deadlines designed to ensure that wireless licensees obtain access to their licenses expeditiously while broadcast channel relocation efforts are completed as efficiently and effectively as possible.

(B) PHASE-IN.—The broadcast channel relocation plan described in subparagraph (A) shall seek to provide wireless licensees with access to their licenses on a phased-in basis as separate regions of the country are reorganized for wireless use.

(2) TRANSITION PERIOD.—Not later than [____], the Commission shall—

(A) modify the transition period for relocation of specific broadcast television stations in accordance with the reassignments of television channels made under section 6403(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452(b)) so that—

(i) no station is forced to stop broadcasting due to reasons outside the control of the station; and

(ii) the plan adopted under paragraph (1)(A) proceeds as efficiently and effectively as possible; and

(B) impose appropriate penalties on a station that fails to meet the deadlines adopted in the plan adopted under paragraph (1)(A) other than for reasons outside the control of the station.