

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve section 203.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 2799

To extend the authority of satellite carriers to retransmit certain television broadcast station signals, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. MARKEY

Viz:

1 Strike section 203 and insert the following:

2 **SEC. 203. COMPETITIVE DEVICE AVAILABILITY.**

3 (a) WORKING GROUP.—

4 (1) IN GENERAL.—Not later than 60 days after
5 the date of enactment of this Act, the Chairman of
6 the Federal Communications Commission shall con-
7 vene a working group of technical experts rep-
8 resenting a wide-range of stakeholders, to identify
9 and report performance objectives, technical capa-
10 bilities, and technical standards of a not-unduly-bur-
11 densome, uniform, and technology- and platform-
12 neutral methodology for access to a system's pro-

1 gramming, features, functions, and services, such as
2 through a software-based downloadable security sys-
3 tem, designed to assure the competitive availability
4 of navigation devices in furtherance of section 629
5 of the Communications Act of 1934 (47 U.S.C.
6 549).

7 (2) REPORT.—Not later than 1 year after the
8 date of enactment of this Act, the working group
9 shall file a report with the Federal Communications
10 Commission on its work under paragraph (1) to as-
11 sure the competitive availability of navigation de-
12 vices.

13 (3) COMMISSION ASSISTANCE.—The Chairman
14 of the Federal Communications Commission may ap-
15 point a member of the Commission’s staff to—

16 (A) moderate and direct the work of the
17 working group under this subsection; and

18 (B) provide technical assistance to mem-
19 bers of the working group, as appropriate.

20 (4) INITIAL MEETING.—The initial meeting of
21 the working group shall take place not later than 90
22 days after the date of enactment of this Act.

23 (b) COMMISSION RULEMAKING.—Not later than 2
24 years after the date of enactment of this Act, the Federal
25 Communications Commission shall issue final rules that

1 promote a not-unduly-burdensome, uniform, and
2 technology- and platform-neutral methodology for access
3 to a system's programming, features, functions, and serv-
4 ices, such as through a software-based downloadable secu-
5 rity system, designed to assure the competitive availability
6 of navigation devices in furtherance of section 629 of the
7 Communications Act of 1934 (47 U.S.C. 549).

8 (c) INTEGRATION BAN.—Once the Commission deter-
9 mines that the rules required to be issued under sub-
10 section (b) have been fully and successfully implemented
11 with respect to cable multichannel video programming dis-
12 tributors, the Commission shall repeal the second sentence
13 of section 76.1204(a)(1) of title 47, Code of Federal Regu-
14 lations.