

(I) the satellite carrier treats all television broadcast stations' signals the same with respect to statistical multiplexer prioritization; and

(II) the number of video signals in the relevant satellite transponder is not more than the then current greatest number of video signals carried on any equivalent transponder serving the top 100 designated market areas.

(B) Determination

For the purposes of subparagraph (A), the top 100 designated market areas shall be as determined by Nielsen Media Research and published in the Nielsen Station Index Directory and Nielsen Station Index United States Television Household Estimates or any successor publication as of the date of a satellite carrier's application for certification under this section.

(June 19, 1934, ch. 652, title III, §342, as added Pub. L. 111-175, title II, §206, May 27, 2010, 124 Stat. 1250.)

REFERENCES IN TEXT

Section 119(g) of title 17, referred to in subsecs. (a) and (d), was redesignated section 119(f) of title 17 by Pub. L. 116-94, div. P, title XI, §1102(a)(6), Dec. 20, 2019, 133 Stat. 3203.

The date of enactment of the Satellite Television Extension and Localism Act of 2010, referred to in subsecs. (a)(2) and (b)(1), is the date of enactment of Pub. L. 111-175, which shall be deemed to refer to Feb. 27, 2010, see section 307(a) of Pub. L. 111-175, set out as an Effective Date of 2010 Amendment note under section 111 of Title 17, Copyrights.

EFFECTIVE DATE

Section effective Feb. 27, 2010, see section 307(a) of Pub. L. 111-175, set out as an Effective Date of 2010 Amendment note under section 111 of Title 17, Copyrights.

§ 343. Conditions on commercial terrestrial operations

(a) In general

The Commission shall not permit commercial terrestrial operations in the 1525-1559 megahertz band or the 1626.5-1660.5 megahertz band until the date that is 90 days after the Commission resolves concerns of widespread harmful interference by such operations in such band to covered GPS devices.

(b) Notice to Congress

(1) In general

At the conclusion of the decision regarding whether to permit such operations in such band, the Commission shall submit to the congressional committees described in paragraph (2) official copies of the documents containing the final decision of the Commission. If the decision is to permit such operations in such band, such documents shall contain or be accompanied by an explanation of how the concerns described in subsection (a) have been resolved.

(2) Congressional committees described

The congressional committees described in this paragraph are the following:

(A) The Committee on Energy and Commerce and the Committee on Armed Services of the House of Representatives.

(B) The Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate.

(c) Covered GPS device defined

In this section, the term "covered GPS device" means a Global Positioning System device of the Department of Defense.

(June 19, 1934, ch. 652, title III, §343, as added Pub. L. 114-328, div. A, title XVI, §1698(a), Dec. 23, 2016, 130 Stat. 2641.)

PART II—RADIO EQUIPMENT AND RADIO OPERATORS ON BOARD SHIP

§ 351. Ship radio stations and operations

(a) Except as provided in section 352 hereof it shall be unlawful—

(1) For any ship of the United States, other than a cargo ship of less than three hundred gross tons, to be navigated in the open sea outside of a harbor or port, or for any ship of the United States or any foreign country, other than a cargo ship of less than three hundred gross tons, to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with an efficient radio station in operating condition, as specified by subparagraphs (A) and (B) of this paragraph, in charge of and operated by one or more radio officers or operators, adequately installed and protected so as to insure proper operation, and so as not to endanger the ship and radio station as hereinafter provided, and, in the case of a ship of the United States, unless there is on board a valid station license issued in accordance with this chapter.

(A) Passenger ships irrespective of size and cargo ships of one thousand six hundred gross tons and upward shall be equipped with a radiotelegraph station complying with the provisions of this part;

(B) Cargo ships of three hundred gross tons and upward but less than one thousand six hundred gross tons, unless equipped with a radiotelegraph station complying with the provisions of this part, shall be equipped with a radiotelephone station complying with the provisions of this part.

(2) For any ship of the United States of one thousand six hundred gross tons and upward to be navigated in the open sea outside of a harbor or port, or for any such ship of the United States or any foreign country to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with efficient radio direction finding apparatus approved by the Commission, properly adjusted in operating condition as hereinafter provided.

(b) A ship which is not subject to the provisions of this part at the time of its departure on a voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause over which neither the master, the owner, nor the charterer (if any) has control.