

Integrated Cable Act: Communications Act of 1934

TABLE OF CONTENTS

TITLE VI — CABLE COMMUNICATIONS

Part I — General Provisions

Sec. 601. [47 U.S.C. 521] Purposes	214
Sec. 602. [47 U.S.C. 522] Definitions	214

Part II — Use of Cable Channels and Cable Ownership Restrictions

Sec. 611. [47 U.S.C. 531] Cable Channels for Public, Educational, or Governmental Use	215
(a) Authority to establish requirements with respect to designation or use of channel capacity	215
(b) Authority to require designation for public, educational, or governmental use	215
(c) Enforcement authority	215
(d) Promulgation of rules and procedures	215
(e) Editorial control by cable operator	215
(f) “Institutional network” defined	215
Sec. 612. [47 U.S.C. 532] Leased Commercial Access	215
(a) Purpose	215
(b) Designation of channel capacity for commercial use	215
(c) Use of channel capacity by unaffiliated persons; editorial control; restriction on service	215
(d) Right of action in district court; relief; factors not to be considered by court	216
(e) Petition to Commission; relief	217
(f) Presumption of reasonableness and good faith	217
(g) Promulgation of rules	217
(h) Indecent/obscene programming on leased access channels	217
(i) Minority programming on leased access channels	217
(j) Commission rulemaking on commercial leased access	217
Sec. 613. [47 U.S.C. 533] Limitations on Ownership, Control, and Utilization	218
(a) Persons owning or controlling television station licensee	218
(b) Eliminated	218
(c) Promulgation of rules	218
(d) Regulation of ownership by States or franchising authorities	218
(e) Holding of ownership interests or exercise of editorial control by States or franchising authorities	218
(f) Commission rulemaking on vertical ownership restrictions	218
(g) Combination of interests under prior law	219
(h) Media of mass communications’ defined	219
Sec. 614 [47 U.S.C. 534]. Carriage of Local Commercial Television Signals (“Must-Carry Rules”)	219
(a) Carriage obligations	219
(b) Signals required	219
(c) Low power station carriage obligation	219
(d) Remedies	221
(e) Input selector switch rules abolished	221
(f) Regulations by commission	221
(g) Sales presentations and program length commercials	221
(h) Definitions of ‘local commercial television station’ and ‘qualified low power station’	221
Sec. 615 [47 U.S.C. 535]. Carriage of Noncommercial Educational Television (“Must-Carry Rules”)	223
(a) Carriage obligations	223
(b) Requirements To Carry Qualified Stations	223
(c) Continued carriage of existing stations	223
(d) Placement of Additional Signals	223
(e) Systems With More Than 36 Channel	223
(f) Waiver of Nonduplication Rights	224
(g) Conditions of carriage	224
(h) Availability of signals	224
(i) Payment for carriage prohibited	224
(j) Remedies	224
(k) Identification of signals	225
(l) Definitions	225
Sec. 616. [47 U.S.C. 536] Regulation of Carriage Agreements	225
(a) Regulations	225
(b) Definition of ‘video programming vendor’	225
Sec. 617. [47 U.S.C. 537] Sales of Cable Systems	226

Part III — Franchising and Regulation

Sec. 621. [47 U.S.C. 541] General Franchise Requirements	226
(a) Authority to award franchises; public rights-of-way and easements; equal access to service	226
(b) No cable service without franchise; exception under prior law	226
(c) Status of cable system as common carrier or utility	226
(d) Informational tariffs; regulation by States; ‘State’ defined	227
(e) State regulation of facilities serving subscribers in multiple dwelling units	227
(f) Municipal franchises	227

Sec. 622. [47 U.S.C. 542] Franchise Fees	227
(a) Payment under terms of franchise	227
(b) Amount of fees per annum	227
(c) Line items on subscribers' bills for franchise fee, PEG support, taxes and other fees and assessments	227
(d) Court actions; reflection of costs in rate structures	227
(e) Decreases passed through to subscribers	227
(f) Itemization of franchise fee in bill	227
(g) 'Franchise fee' defined	227
(h) Uncompensated services; taxes; fees and other assessments; limitation on fees	228
(i) Regulatory authority of federal agencies	228
Sec. 623. [47 U.S.C. 543] Regulation of Rates	228
(a) Competition preference; local and federal regulation	228
(b) Establishment of basic service tier rate regulations	229
(c) Regulation of unreasonable rates	230
(d) Uniform rate structure required	231
(e) Discrimination; services for the hearing impaired	231
(f) Negative option billing prohibited	231
(g) Collection of information	231
(h) Prevention of evasions	231
(i) Small system burdens	232
(j) Rate regulation agreements	232
(k) Reports on average prices	232
(l) Definitions of 'effective competition' and 'cable programming service'	232
(m) Special Rules for small companies	232
(n) Treatment of prior year losses	232
Sec. 624. [47 U.S.C. 544] Regulation of Services, Facilities, and Equipment	232
(a) Regulation by franchising authority	232
(b) Requests for proposals; establishment and enforcement of requirements	232
(c) Enforcement authority respecting franchises effective under prior law	233
(d) Indecent/obscene programming; lock box and preview	233
(e) Technical standards	233
(f) Limitation on regulatory powers of Federal agencies, States, or franchising authorities; exceptions	233
(g) Emergency broadcast system	233
(h) Changes in channel assignment, video programming	233
(i) Commission rulemaking on inside wiring	233
Sec. 624A. Consumer Electronics Equipment Compatibility	233
(a) Findings	233
(b) Compatible interfaces	234
(c) Rulemaking requirements	234
(d) Review of regulations	235

Sec. 625. [47 U.S.C. 545] Modification of Franchise Obligations	235
(a) Grounds for modification by franchising authority; public proceeding; time of decision	235
(b) Judicial proceedings; grounds for modification by court	235
(c) Rearrangement, replacement, or removal of service	235
(d) Rearrangement of particular services from one service tier to another or other offering of service	235
(e) Requirements for services relating to public, educational, or governmental access	235
(f) 'Commercially impracticable' defined	235
Sec. 626. [47 U.S.C. 546] Franchise Renewal	235
(a) Commencement of renewal process	235
(b) Submission of renewal proposals; contents; time	236
(c) Notice of proposal; renewal; preliminary assessment of nonrenewal; administrative review; issues; notice and opportunity for hearing; transcript; written decision	236
(d) Basis for denial	236
(e) Judicial review; grounds for relief	236
(f) Finality of administrative decision	236
(g) 'Franchise expiration' defined	236
(h) Alternative renewal procedures	237
(i) Effect of revocation of franchise for cause upon initiation of renewal proceeding by operator	237
Sec. 627. [47 U.S.C. 547] Conditions of Sale	237
Sec. 628. [47 U.S.C. 548] Development of Competition and Diversity in Video Programming Distribution	237
(a) Purpose	237
(b) Prohibition	237
(c) Regulations required	237
(d) Adjudicatory proceeding	238
(e) Remedies for violations	238
(f) Procedures	238
(g) Reports	238
(h) Exemptions for prior contracts	238
(i) Definitions	239
(j) Common Carriers	239
Sec. 629. [47 U.S.C. 549] Competitive availability of Navigation Devices	239
(a) Commercial consumer availability of equipment used to access services provided by multichannel video programming distributors	239
(b) Protection of system security	239
(c) Waiver	239
(d) Avoidance of redundant regulations	239
(e) Sunset	240
(f) Commission's Authority	240

Part IV —Miscellaneous Provisions

Sec. 631. [47 U.S.C. 551] Protection of Subscriber Privacy	240
(a) Notice to subscriber regarding personally identifiable information; 'personally identifiable' defined	240
(b) Collection of personally identifiable information using cable system	240
(c) Disclosure of personally identifiable information	240
(d) Subscriber access to information	241
(e) Destruction of information	241
(f) Civil action in United States district court; damages; attorneys' fees and costs; nonexclusive nature of remedy	241
(g) Regulation by States or franchising authorities	241
(h) Disclosure of information to governmental entity pursuant to court order	241
Sec. 632. [47 U.S.C. 552] Consumer Protection and Customer Service.	241
(a) Franchising authority enforcement	241
(b) Commission standards	241
(c) Subscriber notice	241
(d) Consumer protection laws and customer service agreements	241
Sec. 633 [47 U.S.C. 553] Unauthorized Reception of Cable Service	241
(a) Unauthorized interception or receipt or assistance in intercepting or receiving service; 'assist in intercepting or receiving' defined	241
(b) Penalties for willful violation	242
(c) Civil action in district court; injunctions; damages; attorney's fees and costs; regulation by States or franchising authorities	242
Sec. 634. [47 U.S.C. 554] Equal Employment Opportunity	242
(a) Entities within scope of coverage	242
(b) Discrimination prohibited	242
(c) Equal opportunity programs; establishment; maintenance; execution; terms	242
(d) Promulgation and amendment of rules; required provisions; annual statistical report; notice and comment on amendments	240
(e) Annual certification of compliance; periodic investigation of employment practices	243
(f) Substantial failure to comply; penalties; notice to public and franchising authorities	243
(g) Discrimination complaints; investigation; enforcement	244
(h) 'Cable operator' defined to include owners of multiple unit dwellings; other multichannel video programming distributors included	244

(i) Regulatory powers of States and franchising authorities; nonexclusive nature of remedies and enforcement provisions; covered franchises	244
Sec. 635. [47 U.S.C. 555] Judicial Proceedings	244
Sec. 635A. [47 U.S.C. 555a] Limitation of Franchising Authority Liability	245
(a) Suits for damages prohibited	245
(b) Exception for completed cases	245
(c) Discrimination claims permitted	245
(d) Rule of construction	245
Sec. 636. [47 U.S.C. 556] Coordination of Federal, State, and Local Authority	245
(a) Regulation by States of Federal, State, and local authority	245
(b) State jurisdiction with regard to cable services	245
(c) Preemption	245
(d) 'State' defined	245
Sec. 637. [47 U.S.C. 557] Existing Franchises	245
Sec. 638. [47 U.S.C. 558] Criminal and Civil Liability	245
Sec. 639. [47 U.S.C. 559] Obscene Programming	245
Sec. 640 (47 U.S.C. 560) Scrambling of Cable Channels for Nonsubscribers	245
(a) Subscriber Request	245
(b) Definition	246
Sec. 641 (47 U.S.C. 561) Scrambling of Sexually Explicit Adult Video Service Programming	246
(a) Requirement	246
(b) Implementation	246
(c) Definition	246
Sec. 651 (47 U.S.C. 571) Regulatory Treatment of Video Programming Services	246
(a) Limitations of Cable Regulation	246
(b) Limitations of Interconnect Obligations	246
(c) Additional Regulatory Relief	246
Sec. 652 (47 U.S.C. 572) Prohibition on Buy Outs	246
(a) Acquisitions by Carriers	246
(b) Acquisitions by Cable Operators	246
(c) Joint Ventures	247
(d) Exceptions	247
(e) Definition of Telephone Service Area	248
Sec. 653 (47 U.S.C. 573) Establishment of Open Video Systems	248
(a) Open Video Systems	248
(b) Commission Actions	248
(c) Reduced Regulating Burdens for Open Video Systems	249
(d) Definition of Telephone Service Area	249