

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1485

To extend certain satellite carrier compulsory licenses, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22 (legislative day, SEPTEMBER 7), 1993

Mr. DECONCINI introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To extend certain satellite carrier compulsory licenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Satellite Carrier Com-  
5 pulsory License Extension Act of 1993”.

6 **SEC. 2. STATUTORY LICENSE FOR SATELLITE CARRIERS.**

7 Section 119 of title 17, United States Code, is  
8 amended—

9 (1) in subsection (a)(2)—

10 (A) in subparagraph (C)—

1 (i) by striking out “90 days after the  
2 effective date of the Satellite Home Viewer  
3 Act of 1988, or”;

4 (ii) by striking out “whichever is  
5 later,”;

6 (iii) by inserting “name and” after  
7 “identifying (by)” each place it appears;  
8 and

9 (iv) by striking out “, on or after the  
10 effective date of the Satellite Home Viewer  
11 Act of 1988,”; and

12 (B) by adding at the end thereof the fol-  
13 lowing new subparagraph:

14 “(D) SAMPLE SITE MEASUREMENTS.—On  
15 or before January 1, 1995, and thereafter on or  
16 before each January 1, upon the request of a  
17 network each satellite carrier referred to under  
18 subparagraph (C) shall, jointly with that net-  
19 work, conduct measurements of the reception of  
20 over-the-air television broadcast signals of net-  
21 work stations affiliated with that network. The  
22 foregoing measurements shall be conducted  
23 within the predicted Grade B contours of up to  
24 5 network affiliated stations selected by the net-  
25 work and taken at up to 20 subscriber house-

1 holds per affiliated station that are selected by  
2 the network.”;

3 (2) in subsection (a)(5)(C) by striking out “the  
4 Satellite Home Viewer Act of 1988” and inserting in  
5 lieu thereof “this section”;

6 (3) in subsection (b)(1)(B)—

7 (A) in clause (i) by striking out “12 cents”  
8 and inserting in lieu thereof “17.5 cents per  
9 subscriber in the case of superstations not sub-  
10 ject to syndicated exclusivity under the regula-  
11 tions of the Federal Communications Commis-  
12 sion, and 14 cents per subscriber in the case of  
13 superstations subject to such syndicated exclu-  
14 sivity”; and

15 (B) in clause (ii) by striking out “3” and  
16 inserting in lieu thereof “6”;

17 (4) in subsection (c)—

18 (A) in the heading by striking out “DE-  
19 TERMINATION” and inserting in lieu thereof  
20 “ADJUSTMENT”;

21 (B) in paragraph (1)—

22 (i) by striking out “December 31,  
23 1992, unless”; and

1 (ii) by striking out “After that date,”  
2 and inserting in lieu thereof “All adjust-  
3 ments of”;

4 (C) in paragraph (2)—

5 (i) in subparagraph (A) by striking  
6 out “July 1, 1991,” and inserting in lieu  
7 thereof “January 1, 1996, and every 5  
8 years thereafter,”; and

9 (ii) in subparagraph (D) by striking  
10 out “until December 31, 1994” and insert-  
11 ing in lieu thereof “in accordance with the  
12 terms of the agreement”; and

13 (D) in paragraph (3)—

14 (i) in subparagraph (A) by striking  
15 out “December 31, 1991,” and inserting in  
16 lieu thereof “July 1, 1996, and every 5  
17 years thereafter,”;

18 (ii) in subparagraph (E) by striking  
19 out “60” and inserting in lieu thereof  
20 “180”; and

21 (iii) in subparagraph (G) by striking  
22 out “, or until December 31, 1994”; and

23 (5) in subsection (d)—

24 (A) by amending paragraph (2) to read as  
25 follows:

1           “(2) NETWORK STATION.—The term ‘network  
2           station’ means a television broadcast station, includ-  
3           ing any translator station or terrestrial satellite sta-  
4           tion that rebroadcasts all or substantially all of the  
5           programming broadcast by a network station, that is  
6           owned or operated by, or affiliated with, one or more  
7           of the television networks in the United States which  
8           offer an interconnected program service on a regular  
9           basis for 15 or more hours per week to at least 25  
10          of its affiliated television licensees in 10 or more  
11          States.”; and

12                   (B) in paragraph (6) by inserting “, and  
13                   operates in the Fixed Satellite Service under  
14                   part 25 of title 47 of the Code of Federal Regu-  
15                   lations or the Direct Broadcast Satellite Service  
16                   under part 100 of title 47 of the Code of Fed-  
17                   eral Regulations,” after “Commission”.

18 **SEC. 3. CABLE COMPULSORY LICENSE.**

19          Section 111(f) of title 17, United States Code, is  
20          amended in the paragraph relating to the definition of  
21          “cable system” by striking out “wires, cables” and insert-  
22          ing in lieu thereof “wires, microwave cables, terrestrially  
23          based transmission paths,”.

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